



OACTA INSURANCE COVERAGE SEMINAR

Friday, April 12, 2024

Grange Insurance
671 S. High Street, Columbus, OH 43206

Total CLE Credit:
5.5 Hours

8:50 - 9:00 am

WELCOME

Paul McCartney, Esq., OACTA President
Mike Neltner, Esq., Insurance Coverage Committee Chair

9:00 - 10:00 am

"Professionalism: Ideals for the Profession"

60 APC

Chief Justice Sharon Kennedy will share with us a discussion of professionalism ideals to which every attorney should aspire in the practice of law. Emphasis will be given to the duties attorneys have, not only to their clients, but to opposing counsel, the courts, their colleagues, their profession, and to the public and our system of justice. This discussion will reflect on past experiences to the present date and again ask lawyers to examine their own words and actions, and evaluate whether they are maintaining the highest standards of professionalism.

Speaker: Chief Justice Sharon Kennedy, The Supreme Court of Ohio

10:00 – 10:15 am

NETWORKING BREAK WITH EXHIBITORS

10:15 – 11:15 am

"Ohio Commercial Property Leases, Contracts and Insurance Coverage Ramifications"

60

Commercial Leases and contracts contain numerous provisions that have important ramifications on insurance coverage. This presentation will provide an overview of the following provisions contained in almost every lease: Insurance Requirements, Additional Insured Requirements, Contractual Indemnification Provisions, and Waiver of Subrogation Provisions.

Presenters: Stu Harris, Esq., Commercial Lines Claims Legal Counsel, Nationwide Insurance
Greg O'Brien, Esq., Cavitch, Familo & Durkin Co., LPA

11:15 am – 12:15 pm

LUNCH BREAK & NETWORKING OPPORTUNITIES

12:15 – 1:15 pm

"Coming Soon to a Courtroom Near You: Equitable Claims and CGL Coverage"

60

Equity has made a comeback. Once relegated to obscure doctrines in dusty treatises, for many major plaintiff firms it has become a "go to" theory to tackle everything from gun control, climate change, lead paint, pollution, the national opioid epidemic and more. There are billion\$ of reasons that make it an attractive alternative to tort claims. There are also plenty of reasons why applying modern CGL coverage

to equitable claims is like "jamming square pegs into round holes". This presentation will address the modern reimagination of equity and the problems and opportunities it presents for insurers, policyholders, claimants and courts who have come to rely upon CGL coverage to fund defense, settlements and judgments in modern litigation.

Speaker: Rich Garner, Esq., Collins, Roche, Utley & Garner, LLC

1:15 – 2:00 pm **"AI and Insurance: More Than Just a 'Policy' Matter"** **45**

This presentation delves into the transformative role of Artificial Intelligence (AI) in shaping the future of insurance coverage. From revolutionizing risk assessment to expediting claims processing, AI is redefining the insurance landscape. We explore the benefits and challenges of AI adoption, addressing critical aspects such as fraud detection, privacy concerns, and the potential for algorithmic bias. By examining real-world applications and industry trends, the session provides valuable insights into how insurers can leverage AI to enhance efficiency, improve customer experiences, and stay ahead in an ever-evolving digital era.

Speaker: Melanie Irvin, Esq., VP, Head of Legal & Government Affairs, Branch Insurance

2:00 – 2:15 pm **NETWORKING BREAK WITH EXHIBITORS**

2:15 – 3:00 pm **"Insurance Coverage for Cyber Torts"** **45**

This Presentation will focus on insurance coverage for cyber torts and includes a discussion of civil torts committed via the internet, such as cyber bullying, defamation, cyber theft, AI impersonations, etc. -- not all of which are criminal but may be covered, depending on the policy language.

Speaker: John Farnan, Esq., Weston Hurd, LLP

3:00 – 4:00 pm **"Reservations of Rights: What Are They Good For? Examining the Practical Implications of, and Best Practices for, Drafting Reservations of Rights"**

60

This presentation will do a deep dive into reservation of rights letters, focusing on the legal implications of the letters and how courts confront situations where an insured claims an insurer did not adequately reserve its rights. When will courts recognize a waiver or estoppel of coverage due to an inadequate reservation of rights? What language do courts find problematic in reservation of rights letters? Under what circumstances can an insurer use a reservation of rights to recoup defense costs? And what are some potential landmines that can be presented by reservation of rights letters? The presentation will also provide practical tips for drafting clear and concise, and most importantly effective, reservation of rights letters.

Presenter: Peter Georgiton, Esq., Dinsmore & Shohl, LLP

Speaker Surveys: Please take a minute now to fill out your Evaluation Forms since we use those to determine future Speakers and Topics.

4:05 pm **ADJOURN**

TOTAL CLE Minutes/Hours

**330 Mins / 5.5 Hours:
1.0 APC
4.5 GENERAL**