



ARIAS-U.S. 2017 Spring Conference Request for Proposals Submission Guidelines and Application

Proposal Submission Deadline: 5:00 p.m. ET on January 16, 2017

For questions or comments, contact Joyce Arawole at ARIAS-U.S. at jarawole@arias-us.org or 703.260.7515.

Overview

ARIAS-U.S. is seeking dynamic, relevant, and interesting content for the 2017 Spring Conference to be held May 3-5, 2017 at the Ritz-Carlton in Naples, Florida. The planning committee is looking for presentations on substantive insurance and reinsurance matters with great interest to companies, law firms, arbitrators and professionals within the insurance/reinsurance industry. The planning committee is also looking to avoid “talking head” presentations for the Spring Conference. We invite submissions that fit within the listed conference themes below that explore specific challenges, topics and issues in-depth and follow the conference formats listed below. Please review the details and guidelines of this RFP process thoroughly before proceeding.

Conference Themes

- **Emerging Risks** – New or evolving risks that includes technology, social, legal, or economic developments including drones, big data, predictive analytics, cyber, and nanotechnology
- **Business Practices** – Underwriting, claims handling, accounting, and actuarial, in both the property and casualty and life markets
- **Direct Insurance** – Topics to include substantive and arbitration-specific issues arising out of the direct insurance market
- **Reinsurance** – Topics include current trends in reinsurance claims or products, including alternative funding mechanisms such as insurance-linked securities and catastrophe reinsurance bonds and recent case law updates
- **Current Events** You open the NY Times or Wall Street Journal and the following headline appears: “...” The headline you come up with will serve as your session’s title. This conference theme is an opportunity to submit a proposal based on current events in the news that are relevant to insurance and reinsurance industry professionals. The proposal must answer the following questions: What is the topic you are proposing and why? What makes this current event or hot topic of interest to the conference audience? Why is it relevant? How does it impact the business of reinsurance arbitration?

Presentation Formats

Submissions should be interactive, skill-based and/or audience participative, including moderated roundtable discussions in small groups and other forms of presentation that encourage interaction and lively discussions. The planning committee will limit or eliminate completely, any traditional panel formats from this meeting if possible.

- **Conversations that Matter Roundtable Discussions** (45 – 60 minutes) – Lead a roundtable discussion on a proposed topic. Roundtables are small, informal group discussions that give attendees the opportunity to exchange information, discuss best practices, and network with others around common themes and issues. All roundtable discussions will occur at the same time and attendees will have the opportunity to choose the table topic of their choice in advance. The role of the discussion lead at each table will be to guide the discussion, providing opening comments (about 2 – 3 minutes) on

the topic and invite discussion by posing some relevant questions for the group to discuss. Discussion leads will serve as moderators during the group conversation. Each roundtable will have 8-10 attendees. *Please note that a webinar training will be offered to selected presenters on how to lead a roundtable.*

- **Rapid Fire Case Presentation** (10 presentations in 30 minutes, followed by Q&A) – This fast-paced session is designed to provide an engaging platform for speakers to exchange their ideas around a specific topic and stimulate discussion among attendees. Presenters will be allotted three (3) minutes to present on the following question “*what is the most critical or important reinsurance or insurance case within the last three years?*” For example, *Viking Pump*. The presentation should provide a snapshot of the case using just a few illustrative (not narrative) slides within the allotted time. The planning committee will select up to 10 presenters to do 3- minute presentations, followed by 15 to 30 minutes of moderated questions and discussion. This format is ideal to explore a range of perspectives on an issue, get a broad sense of the state of the industry, or offer several different answers to a question or problem.
- **Interactive Panel Session** (45 - 60 minutes) – A fully-formed panel consists of a moderator and multiple speakers, with a well-developed topic of discussion. When submitting a fully-formed panel for consideration, you should explore the implications of the themes and have no more than four presenters to allow for the audience to engage in a thoughtful and meaningful discussion of the topic. Panelists must consider alternatives to the usual presentation/response format, such as limiting opening remarks and focusing on a moderated panel discussion using thoughtful questions posed by the moderator to the panelists to encourage a lively discussion and debate. Panelists should present an idea to the audience. One example is a point/counterpoint panel discussion on the certified question that the Second Circuit Court of Appeals has sent to the New York Court of Appeals in *Global Reins. Corp. of Am. V. Century Indem. Co. (Bellefonte issue)*. In this interactive panel session, the focus will shift from the presenter to the audience after the first 30 minutes of the session. For the remainder of the session, the moderator becomes a facilitator, inviting responses to comments and questions for the panelists and those around the room. An interactive panel session allows attendees to drive their own learning, listen to multiple perspectives on the same issue, and share experiences with individuals throughout the room. The panel moderator is expected to manage the panel development process, open the panel by framing the discussion, and moderate the discussion among the panel and Q&A portion.

Guidelines for Submission

- Proposals may be submitted for targeted member audiences (i.e. Arbitrators/Umpires, Company Representatives, and Counsel).
- Presentations will be considered based on quality of topic, introduction of new and innovative concepts, importance of the subject-matter to insurance/reinsurance arbitration, and appeal to the target audience(s).
- The lead presenter organizes the presentation and is responsible for submitting the proposal application, organizing the group session, moderating the session and leading the discussion.
- This request for proposals is open to all ARIAS-U.S. members and non-members. Interested parties may submit more than one proposal at a time.
- ARIAS-U.S. may request a submission be revised to better fit the conference agenda or combined with another presentation where appropriate.
- Submissions accepted must agree to adhere to a timeline provided by ARIAS-U.S. to submit conference materials, including PowerPoint presentations, and supplementary materials in advance of the conference.
- All individuals accepted to present in any of the presentation types must be registered by the presenter registration deadline. *Please note: no registration or payment is necessary to submit a proposal. Only those accepted will be required to register.*

- Speakers are responsible for their own travel, room, board, incidental, and registration costs.
- Completed proposal application must be submitted electronically by 5:00pm ET on **January 16, 2017** to Joyce Arawole at jarawole@arias-us.org.

ARIAS-U.S. 2017 Spring Conference Submission Application

SUBMISSION DEADLINE: 5:00 p.m. ET on January 16, 2017

Email all completed applications to Joyce Arawole at jarawole@arias-us.org

Proposal Timeline:

Proposal Submission Opens: December 19, 2016
 Proposal Submission Closes: January 16, 2017 by 5:00 p.m. ET
 Submission Status Notification: February 3, 2017
 Speaker Confirmation Deadline: February 8, 2017

Please type your responses and ensure that all fields are complete before submitting the application. All questions concerning this process should be directed to info@arias-us.org. **Note:** If your presentation includes a co-speaker or panelists, you must submit "Speaker Information" for ALL of the presenters.

CONTACT INFORMATION

1. CONTACT INFORMATION:

Please complete the contact information for the main speaker/ submitter of this proposal. This person will be notified regarding the status of the proposal submission.

Full Name:	Wm. Gerald McElroy, Jr.
Title/Position:	Senior Partner, Zelle LLP
Telephone Number:	781-466-0706
Email Address:	wmcelroy@zelle.com

PRESENTATION INFORMATION

1. SESSION FORMAT:

Presentations may be designed for one or more presenters in either a general session or breakout session format.

- Conversations that Matter Roundtable Discussions: 45 - 60 minutes
- Rapid Fire Case Presentation: 10 presentations in 3 minutes
- Interactive Panel Session: 45 – 60 minutes

A. Please select the presentation format for your proposed session by clicking on the gray box below:

<input type="checkbox"/>	Conversations that Matter Roundtable Discussions
<input type="checkbox"/>	Rapid Fire Case Presentation
<input checked="" type="checkbox"/>	Interactive Panel Session

B. Will this be planned as a General session or breakout?

General Session (Large conference audience up to 250): 45 - 60 minutes

Breakout Session (Small group concurrent sessions of up to 70 people in a room): 45 – 60 minutes

<input checked="" type="checkbox"/> General Session	<input type="checkbox"/> Breakout Session
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C. Please provide the technology that you plan on using, if any (PowerPoint, live polling, other?):

We will definitely utilize PowerPoint or other similar slide format. We may also utilize live polling with respect to specific questions.

2. CONFERENCE THEMES:

We encourage proposals focused on a variety of topics that relate to the general themes provided below. Please select a theme by clicking on the gray box below: **Topic includes the two themes marked below.**

<input type="checkbox"/>	Emerging Risks – New or evolving risks that includes technology, social, legal, or economic developments including drones, big data, predictive analytics, cyber, and nanotechnology
<input checked="" type="checkbox"/>	Business Practices – Underwriting, claims handling, accounting, and actuarial, in both the property and casualty and life markets
<input type="checkbox"/>	Direct Insurance – Topics to include substantive and arbitration-specific issues arising out of the direct insurance market
<input checked="" type="checkbox"/>	Reinsurance – Topics include current trends in reinsurance claims or products, including alternative funding mechanisms such as insurance-linked securities and catastrophe reinsurance bonds and recent case law updates
<input type="checkbox"/>	Current Events You open the NY Times or Wall Street Journal and the following headline appears: “...” The headline you come up with will serve as your session’s title

3. TARGET AUDIENCE:

Proposals may be submitted for targeted member audiences (i.e. Arbitrators/Umpires, Company Representatives, and Counsel): **The topic should appeal to all three target audiences.**

Please select the target audience(s) by clicking on the gray box below:

<input checked="" type="checkbox"/> Arbitrators / Umpires
<input checked="" type="checkbox"/> Company Representatives
<input checked="" type="checkbox"/> Counsel

4. SESSION TITLE:

List the presentation title as it will appear in the conference program. Please limit to 10 words or less.

A Fresh Perspective On The Commutation Of Reinsurance Agreements

5. SESSION DESCRIPTION:

Please provide a brief 25-50 word description of the presentation content. Describe the session in promotional terms for the registration brochure.

This panel of highly qualified industry practitioners will draw from their extensive experience with the commutation of reinsurance agreements to provide key insights regarding successful commutation strategy and pitfalls to avoid. The format for the panel will encourage a lively debate among the panelists and participants regarding the negotiation of commutation agreements and problems and disputes which arise from such agreements.

6. DETAILED SESSION DESCRIPTION:

Please provide a detailed (no more than 300 words) description of the presentation content and how you plan to engage participants.

The panel will consider key issues related to the commutation of reinsurance agreements, including a discussion of:

- The definition of commutation agreements in the reinsurance context and the types and categories of commutation agreements.**
- What leads a cedant and reinsurer to seek commutation with respect to a reinsurance agreement.**
- The historic evolution of commutations of reinsurance agreements and why cedants and reinsurers currently devote significant personnel and resources to the commutation of reinsurance agreements.**
- The functional disciplines involved and the types of analyses performed (including actuarial)**

in connection with the negotiation of the commutation agreement.

- The steps and processes involved from initial targeting to completion of the commutation agreement, including a discussion of the nature of the negotiations leading to the agreement.
- Important issues to consider in the drafting of the commutation agreement.
- Key terms included in commutation agreements (*e.g.*, the Advance Payment Agreement, Continued Reporting Requirement, The Continued Access to Records Clause).
- The types of disputes which arise regarding commutation agreements and their implementation, including disputes regarding the calculation of contingent commissions.
- The impact of a commutation agreement upon the retrocessionaire's obligations to the reinsurer, including the issue of whether claims based on commutation agreement constitute "loss settlements" payable by the retrocessionaire.
- The role of arbitration in resolving disputes related to commutation agreements and examples of issues which have been arbitrated.
- The keys to a successful commutation strategy and the pitfalls to avoid.

The format for the panel (involving questions posed by the Moderator to the panelists) will encourage lively debate among the panelists, particularly since the cedant and reinsurer perspectives will be represented. In addition, specific fact patterns will be presented to demonstrate in concrete terms the issues being presented. By posing questions to the participants and responding to comments by participants, the Moderator and panelists will also engage the participants in the discussion and debate.

7. SESSION LEARNING OBJECTIVES:

Learning objectives are a required component of the submission process so that ARIAS-U.S. can request for continuing legal education credits.

Please state what participants can expect to learn and /or do upon completion of the session in measurable, behavioral terms. **Examples of measurable words include: state, list, describe, explain, identify, name, demonstrate, etc.** [Click here for a link to examples](#)

Please include three to five learning objectives below:

1	The panelists will educate participants about commutation agreements and the motivation behind entering into such agreements.
2	The detailed description by panelists of the functional disciplines involved and the analyses performed in connection with commutation agreements will enhance the participants' understanding of the particular disciplines involved (e.g., actuarial).
3	The use of concrete fact patterns and examples will demonstrate to participants how points raised by the panelists play out in a real world setting.
4	The discussion by panelists of strategic issues related to commutation agreements and negotiating techniques involved in reaching such agreements will provide tools for the participants which apply in other contexts as well.
5	The discussion by the Moderator of case law related to the issues being discussed by panelists and the paper regarding such case law distributed to participants will increase the participants' analytical skills.

SPEAKER INFORMATION

8. SPEAKER BIOGRAPHY: FOR MODERATOR

Speaker biographies are a required component of the submission process so that ARIAS-U.S. can request for continuing legal education credits. ***Please complete a speaker biography for each presenter. For additional speakers, please copy this page. See additional bios attached re panelists.***

A. Contact Information:

Full Name:	Wm. Gerald McElroy, Jr.
Title/Position:	Sr. Partner, Zelle LLP
Telephone Number:	781-466-0706
Email Address:	wmcelroy@zelle.com

B. Presentation History:

Have you presented at an ARIAS-U.S. conference or seminar previously?

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Has this presentation been delivered before?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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If yes, when and where? N/A			
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C. Please describe your familiarity with the target audience and your expertise on this topic:

I have been an ARIAS member and regular attendee at ARIAS conferences for many years and was a co-panelist with Patricia Taylor Fox on evidentiary issues at reinsurance arbitrations at the Arias Spring Conference in 2009. In addition, I was the chairperson of the Massachusetts Reinsurance Bar Association's (MReBA) First Annual Symposium (2009) and served as a moderator and panelist at that symposium and four additional MREBA symposia. I have handled major reinsurance disputes, including ones involving the commutation of reinsurance agreements. I have also published a number of articles in the reinsurance area, including three cover articles for the ARIAS Quarterly. I am currently working on a paper on case law related to the commutation of reinsurance agreements and will include the paper in the conference materials if this proposal for a panel is accepted.

D. Please provide a biography of (up to 150 words) as it will appear in the conference program.

Jerry is a member of the reinsurance practice group at Zelle LLP, which includes attorneys who represent cedents, reinsurers, retrocessionaires and reinsurance intermediaries in litigation, arbitration, and specific claim analysis. Jerry has been involved with a variety of issues in handling complex reinsurance disputes, including issues relating to the commutation of reinsurance agreements. He has also represented insurers in major cases, including environmental, toxic tort and asbestos insurance coverage litigation; first-party property insurance coverage cases; negligent inspection cases; bad faith litigation; and other third-party liability insurance coverage cases.

Jerry has authored and/or co-authored numerous articles in the reinsurance area and has served as a moderator and panelist at numerous reinsurance symposia.

Jerry graduated *summa cum laude*, Phi Beta Kappa, from the University of Notre Dame in 1972. He received his J.D. from Yale Law School and his Ph.D. in Government from Harvard University in 1977.

Thank you for completing the Call for Proposals Submission Application. Please email all completed applications to Joyce Arawole at jarawole@arias-us.org by 5:00 p.m. ET on **January 16, 2017**. All submitters will be notified no later than February 3, 2017.