



ARIAS·U.S. 2017 Fall Conference

Request for Proposals Submission Guidelines and Application

Proposal Submission Deadline: **July 10, 5:00 p.m. ET**

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

Overview – Beyond the Traditional Reinsurance Arbitration –“Non-Traditional Disputes”

ARIAS·U.S. is seeking dynamic, relevant, and interesting content for the 2017 Fall Conference to be held November 2- 3 at the Marriott Marquis in New York. The planning committee is looking for presentations beyond the traditional reinsurance arbitration. While many reinsurance disputes involve the collection of long tail asbestos or environmental losses, at this conference, we plan to highlight other "non-traditional" disputes which can be and often are resolved through arbitration. These might include disputes involving a diverse array of products, businesses or lines, including disputes between policyholders and insurers as well as MGA, agency and/or broker disputes, workers compensation and/or life reinsurance disputes, structured finance disputes and other disputes focused on financial matters, disputes involving captives, Bermuda Form arbitrations and others.

ARIAS·U.S. is seeking submissions for 45 to 60 minute interactive presentations in a General or Breakout session format. Submissions should be interactive, skill-based and/or audience participative or other forms of presentation that encourage interaction and lively discussions. Special consideration will be given to proposals that incorporate unique presentation formats. The ARIAS·U.S. planning committee may also provide suggestions for enhancing the panel and overall conference experience for participants. The planning committee is looking to avoid “talking head” presentations for the Fall Conference and invites submissions that fit within the listed conference themes that explore specific challenges, topics and issues in-depth. Please review the details and guidelines of this RFP process thoroughly before proceeding.

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, forming 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.
- Speakers are strongly encouraged to submit an article for the quarterly journal based on their presentation or related to the topic's focus area.
- 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 5:00 pm ET on **July 10, 2017** to Joyce Arawole at jarawole@arias-us.org.

ARIAS-U.S. 2017 Fall Conference Submission Application

SUBMISSION DEADLINE: July 10, 5:00 p.m. ET

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

Proposal Timeline:

Proposal Submission Opens:	June 19, 2017
Proposal Submission Closes:	July 10, 2017 by 5:00 p.m. ET
Submission Status Notification:	July 25, 2017
Speaker Confirmation Deadline:	August 1, 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.

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. **Note:** If your presentation includes a co-speaker or panelists, you must submit "Speaker Information" for ALL of the presenters.

Full Name:	Ronnie Mordan
Title/Position:	Marketing Director
Telephone Number:	(212) 278-1799
Email Address:	rmordan@andersonkill.com

PRESENTATION INFORMATION

1. SESSION FORMAT:

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

- Interactive Panel Session: 45 – 60 minutes
- Alternative Format: If there is an alternative format that you would like to explore, please explain

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

<input checked="" type="checkbox"/>	Interactive Panel Session
<input type="checkbox"/>	Alternative Format – Please explain:

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

- General Session (Large conference audience up to 400): 45 - 60 minutes
- Breakout Session (Small group concurrent sessions of up to 100 people in a room): 45 – 60 minutes

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

PowerPoint

2. CONFERENCE THEME AND FOCUS

We encourage proposals focused on a variety of topics that relate to the general themes provided below. The planning committee is looking for presentations beyond the traditional reinsurance arbitration. While many reinsurance disputes involve the collection of long tail asbestos or environmental losses, at this conference, we plan to highlight other "non-traditional" disputes which can be and often are resolved through arbitration. These might include disputes involving a diverse array of products, businesses or lines, including the following below. Please select topic focus by clicking on the gray box below:

<input type="checkbox"/>	Disputes between policyholders and insurers, MGA, agency and/or broker disputes
<input type="checkbox"/>	Workers compensation and/or life reinsurance disputes
<input type="checkbox"/>	Structured finance disputes and other disputes focused on financial matters
<input checked="" type="checkbox"/>	Disputes involving captives, Bermuda Form arbitrations and others
<input type="checkbox"/>	Other disputes – please describe:

The conference planning committee is interested in providing fresh and relevant content to keep conference participants engaged. Please answer briefly, the following questions below to help us understand the focus and relevance of your submission to current events and issues within the selected conference topic.

A. What is the specific topic you are proposing and why?

See below for details. At a high-level, the panel addresses the captive's view of reinsurance dispute resolution.

B. What makes this topic of interest to the conference audience?

We understand that this is a hot area and would be interesting for the group as a non-traditional topic.

C. Why is it relevant? Are there any current events or articles you can share?

The proposed presenters prepared an article on the subject. A pre-publication copy of the article is included with this submission for reference. A version of the article is scheduled to be published online in Risk Management Magazine in August 2017.

D. How does this topic impact the business of reinsurance arbitration?

It is an increasing part of this world as more and more companies adopt and utilize captive insurance solutions.

3. TARGET AUDIENCE:

Proposals may be submitted for targeted member audiences (i.e. Arbitrators/Umpires, Company Representatives, and Counsel). Please select the target audience(s) by clicking on the gray box below:

✓	Arbitrators / Umpires
✓	Company Representatives
✓	Counsel

4. SESSION TITLE:

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

Captives in Reinsurance Disputes

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.

Reinsurers and arbitrators should recognize that coverage conventions and arbitration rules may take on a unique cast in disputes between a captive and its reinsurers. This session will provide tools to understand the application of "follow the fortunes" in disputes involving captives, what captives look for in arbitrators, and modifications that captives may seek to arbitration clauses.

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.

Reinsurers and arbitrators should recognize that reinsurance coverage conventions and arbitration rules may take on a unique cast in disputes between a captive and its reinsurers. Deploying an interactive format with audience participation, this session will provide tools enabling those in the industry to understand potential dispute flashpoints and arbitration challenges particular to captives. These include:

- The possibility that "follow the fortunes" doctrine, which requires a reinsurer to follow its cedent's underwriting fortunes, may be disrupted by a reinsurer's allegation that there was collusion between the policyholder and the captive insurance company. Keeping in mind that courts have raised a high bar to proving collusion, captives can protect themselves by scrupulously following and documenting their established procedures.
- Requirements that arbitrators be active or retired executive officers of insurance or reinsurance companies. As many such executives may be unfamiliar with captives, prospective arbitrators should work to develop relationships within captives in advance of any dispute.
- "Honourable Engagement" clauses that waive judicial formalities, granting arbitrators wide

discretion to order remedies they deem appropriate. Captives may be uncomfortable with such provisions in reinsurance contracts and will likely be proactive about establishing procedures they are more comfortable with in connection with the purchase of the reinsurance.

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	Learn to understand the application of “follow the fortunes” to captives.
2	Learn what captives are seeking in an arbitrator.
3	Learn to understand modifications to arbitration provisions that captives may seek.
4	
5	

SPEAKER INFORMATION

8. SPEAKER BIOGRAPHY:

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.***

A. Contact Information:

Full Name:	Robert M. Horkovich, Esq. Peter A. Halprin MCI Arb
Title/Position:	Managing Shareholder Attorney
Telephone Number:	(212) 278-1322 (212) 278-1165
Email Address:	rhorkovich@andersonkill.com phalprin@andersonkill.com

B. Presentation History:

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

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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Has this presentation been delivered before at a different conference or event?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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If yes, when and where?

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C. Please describe your familiarity with the target audience and your expertise on this topic:

We have recently come into contact with the leadership of ARIAS regarding the conference and the proposed topic. Our expertise stems from our representation of captives.

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

Robert M. Horkovich is "the 'go-to person' in the area of insurance recovery," according to a client cited by Chambers USA, which has recognized Mr. Horkovich as a leading insurance recovery attorney every year since 2005. According to Chambers, Mr. Horkovich "has a strong 'client-first' attitude" and "is recognized in the market for his leading trial and negotiation skills, with an undisputed national presence."
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Peter A. Halprin is an attorney in Anderson Kill's New York office. Mr. Halprin's practice concentrates in commercial litigation and insurance recovery, exclusively on behalf of policyholders. Mr. Halprin also acts as counsel for U.S. and foreign companies in domestic and international arbitrations (including London and Bermuda Form arbitrations).

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 **July 10, 2017**.