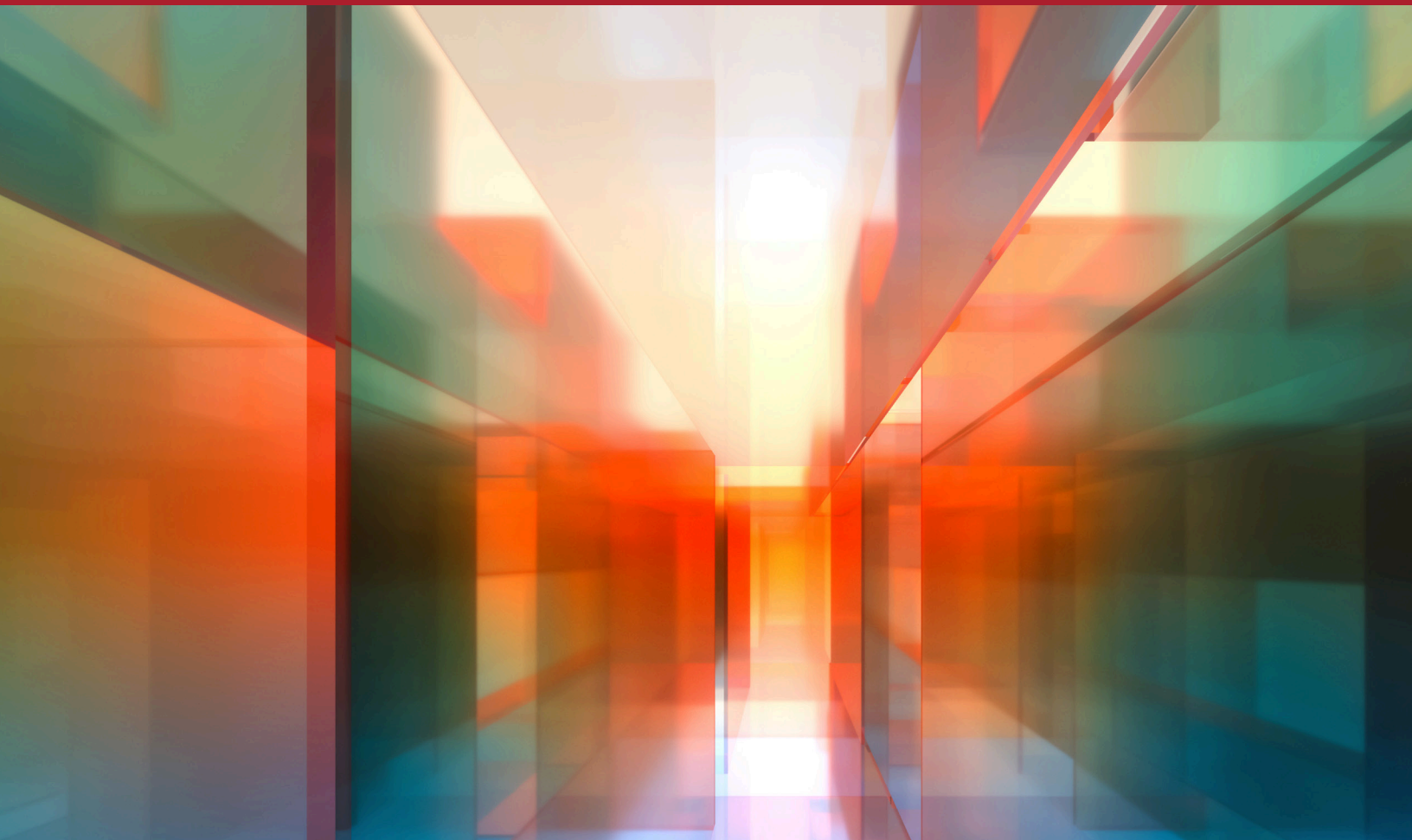




Pre-Conference Brochure



# **ARIAS•U.S. 2020 VIRTUAL FALL CONFERENCE**

November 5-6, 2020 | Online Everywhere



# WELCOME FROM THE CONFERENCE PROGRAM CO-CHAIRS

Dear Colleagues:

While our world is certainly different from this time last year, some things do not have to change. On November 5-6, ARIAS·U.S. will hold its annual Fall Conference for the first time in the virtual space. Although undoubtedly we would prefer to see each other in person, that will not prevent us from learning about topical issues relevant to both the (re)insurance industry and the arbitration community, networking with industry colleagues. The sessions will cover topics of value to arbitrators, business people, and lawyers, including:

**COVID-19 Insurance and Reinsurance.** We will have two separate programs related to COVID-19. One will discuss recent court decisions related to insurance coverage disputes between policyholders and insurers arising from the pandemic. The other panel, consisting of experienced arbitrators, will address the various types of reinsurance disputes that might arise from COVID-19 claims, as well as the factors that arbitrators might consider relevant to the outcome of such disputes.

**Social Inflation: What Does It Mean to Cedents and Reinsurers?** The latest buzzword in claims is "social inflation." This panel will discuss the meaning and origin of the social inflation concept, why it is a significant issue for insurance companies, and what it means for reinsurers.

**Representations and Warranties Insurance.** Representations and Warranties Insurance (RWI) is an insurance product increasingly used in business transactions and an area of growth for many insurance companies. This session will address the nature of coverage provided by this product, discuss the recent growth in the use of RWI in transactions, and provide a broad overview of the types of issues that are common in claims by policyholders under such policies, most of which have arbitration clauses. The panel will also discuss the claims process in the RWI claims investigation/adjustment and the types of arbitrators that parties may need to resolve disputed RWI claim issues.



**Managing the Consolidation of Arbitrations: Issues and Guidelines.** This session will explore some of the recent court decisions on arbitration consolidation and the issues involved for panels reviewing requests for consolidation. The panel will propose a “tool kit” of guidelines for arbitrators and umpires to consider when reviewing such consolidation requests, and for managing the consolidated arbitration as it moves forward.

Other general and breakout sessions will explore issues, including:

- Exploring Dissenting Opinions by Arbitrators in this interactive roundtable discussion will explore a number of questions concerning an arbitrator’s dissenting opinion.
- The developing landscape related to cyber and privacy issues, including significant differences in the coverages provided under various cyber policies and the insurability of regulatory fines and penalties under a variety of applicable U.S. and foreign laws; and
- Ethical issues related to legal disputes and arbitration.

There will also be a session related to the promotion of diversity, equity and inclusion in the insurance and reinsurance industry.

Of course, the conference is not all business. After the first day, attendees will be divided into small interactive groups to network and catch up with old and new friends.

All program materials will be provided electronically in advance. As always, the conference will be conducted in accordance with the ARIAS•U.S. Antitrust Policy, which is available in the *About ARIAS* section of the website, at [www.arias-us.org](http://www.arias-us.org).

See you in November!

Sincerely,  
Program Co-Chairs:

**Robert W. DiUbaldo,**  
Carlton Fields, P.A.



**Beth Levene,**  
Transatlantic Reinsurance Co.



**Eileen Sorabella,**  
Arch Capital Services Inc.



# WEDNESDAY, NOVEMBER 4, 2020

11:00 AM - 12:00 PM

Sponsored By:

CHAFFETZ  
LINDSEY

Steptoe

1:00 PM - 5:00 PM

# THURSDAY, NOVEMBER 5, 2020

12:00 PM - 12:10 PM

ARIAS•U.S. Fall 2020 Virtual Conference Welcome

Michael Frantz, Munich Re, ARIAS•U.S. Board Chairman

12:10 PM - 12:30 PM

Kenneth R. Feinberg, Founder & Managing Partner, Law Offices  
of Kenneth R. Feinberg, PC

12:35 PM - 1:25 PM

*During this session, the panelists will explore some of the recent court decisions on arbitration consolidation and will then explore the issues involved for panels in reviewing requests for consolidation. The panel will propose a "tool kit" of guidelines for arbitrators and umpires to consider when reviewing such consolidation requests, and for managing the consolidated arbitration as it moves forward.*

**Moderator:** Robert A. Whitney, Sulloway & Hollis PLLC

**Panel:** Susan E. Grondine-Dauwer, SEG-D Consulting LLC

Sylvia Kaminsky, ARIAS•U.S. Certified Arbitrator

David Thirkill, The Thirkill Group

1:30 PM - 2:20 PM

*The latest buzzword in claims is "social inflation." This panel will discuss the meaning and origin of the social inflation concept, why it is a big issue for insurance companies, and what it means for reinsurers.*

**Moderator:** Larry P. Schiffer

**Panel:** Paul Braithwaite, FTI Consulting

Elizabeth Geary, Transatlantic Reinsurance Co.

Cynthia Koehler, American International Group, Inc.

2:20 PM - 2:30 PM

## 2:35 PM - 3:25 PM

*Breakout sessions will run concurrently and then repeat. Participants will have the opportunity to participate in two of the three choices.*

### **Breakout One | Exploring Dissenting Opinions by Arbitrators**

*This interactive roundtable discussion will explore several questions concerning an arbitrator's dissenting opinion. What ethical constraints apply? Should an arbitrator dissent only on the grounds that would support vacating the award? Can a draft dissent influence a panel's final award? What consequences might flow if the dissent becomes public?*

**Moderator: Kevin J. Tierney, ARIAS Certified Neutral Arbitrator**

**Panel: Patricia Taylor Fox, Deputy General Counsel, Reinsurance, AIG  
Michele L. Jacobson, Partner, Stroock & Stroock & Lavan LLP  
Andrew Maneval, ARIAS Certified Umpire and Arbitrator**

### **Breakout Two | COVID-19 Insurance Coverage Case Law Developments**

*Even those not involved in the (re)insurance industry are aware of the avalanche of disputes between policyholders and insurers related to the COVID pandemic. This session will provide an overview of recent court decisions addressing coverage disputes arising from the pandemic and other relevant legal developments.*

**Speaker: Elizabeth Kniffen, Zelle LLP**

### **Breakout Three | Covid-19 Pandemic Reinsurance Issues From The Arbitrator's Perspective – What Companies and Counsel Should Know To Prepare For Potential Disputes**

*The panel will address what types of reinsurance disputes might arise, involving what types of losses, and the factors that arbitrators could consider relevant to the outcomes of such disputes, as well as whether such proceedings could or should be conducted virtually.*

**Moderator: Mark Gurevitz, MG Re Arbitrator & Mediator Services LLC & Heritage Reinsurance Company Ltd.**

**Panel: John Cole, Wiley Rein LLP  
Paul Dassenko, AzuRe Advisors, Inc  
Jonathan Rosen, Arbitration, Mediation and Expert Witness Services**

## 3:30 PM - 4:20 PM

*Breakout sessions repeated.*

## 4:25 PM - 5:00 PM

Sponsored By:



MINTZ

*Attendees will break into small interactive groups to network, exchange ideas, and/or to discuss any topic of interest to the group.*

# FRIDAY, NOVEMBER 6, 2020

## 8:30 AM - 9:00 AM

Sponsored By:  **TransRe**  
*We value risk.*

*Attendees will break into small interactive groups to network, exchange ideas, and/or to discuss any topic of interest to the group.*

## 9:05 AM - 9:30 AM

**Ivy Kusinga, Chief Culture Officer, Chubb**

## 9:35 AM - 10:25 AM

*The session will discuss the basics of Representations and Warranties Insurance (RWI), the nature of coverage provided by this product, and the recent growth in the use of RWI in transactions. The discussion will provide a broad overview of the types of issues that are common in claims by policyholders to the insurers under such policies (most of which have arbitration clauses). The panel will also discuss the claims process in the RWI claims investigation/adjustment and the types of arbitrators that parties may need to resolve disputed RWI claim issues.*

**Panel: Steven J. Brodie, Carlton Fields P.A.**

**Jay Rittberg, Managing Principal, Euclid Transactional**

**Anna Rozin, American International Group, Inc.**

**Marc Sherman, Alvarez & Marsal LLC**

## 10:30 AM - 11:20 AM

*As cyber and privacy regulations proliferate, enterprises face significant compliance risks. Mistakes can be costly; regulators may be empowered to level staggering fines for non-compliance and even shut down information processing until compliance is achieved. Some laws also provide a private right of action for consumer lawsuits. In this panel, we will provide an overview of the regulatory landscape and discuss the different approaches taken by cyber insurers offering regulatory coverage, highlighting significant differences in the coverages provided under various cyber policies, and the insurability of regulatory fines and penalties under a variety of applicable U.S. and foreign laws.*

**Moderator: Kyle Medley, Hinshaw & Culbertson LLP**

**Panel: Seth Goldberg, Transatlantic Reinsurance Co.**

**Judy Selby, Hinshaw & Culbertson LLP**

## 11:25 AM - 12:00 PM

**Richard W. Painter, Attorney at Law & Professor,  
University of Minnesota Law School**

**Steve Schwartz, Chaffetz Lindsey, LLP, ARIAS•U.S. Board President**



# THANK YOU TO OUR SPONSORS

**CARLTON  
FIELDS**

**CHAFFETZ  
LINDSEY**

**M** MINTZ

**Steptoe**

 **TransRe**  
*We value risk.*

ARIAS•U.S. is accredited by the New York State Continuing Legal Education Board as a provider of CLE training. A total of 6 NY CLE credits are available to those who attend this conference (5 general credits, 1 ethics credit.) CLE Credits for IL and PA are pending.

## 2020 ARIAS•U.S. PROGRAMS

- ▶ **2020 Intensive Arbitrator Training Workshop**  
**October 21, 2020 | 8:30am - 4:30pm EST**  
Online Everywhere
- ▶ **2020 Arbitrator and Umpire Seminar**  
**November 4, 2020**  
Online Everywhere

*Details for all events are on the  
ARIAS•U.S. website calendar.*

[www.arias-us.org](http://www.arias-us.org)





# 2020 Virtual Fall Conference Registration Form

(a separate form is required for each attendee)

Prefix: Mr. / Mrs. / Ms. First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Badge First Name (ie, Bob for Robert): \_\_\_\_\_ ☐ I am a First-Time Attendee

Which best describes your participation at the conference? Check all that apply: ☐ Law Firm ☐ Company ☐ Arbitrator

Title: \_\_\_\_\_ Company Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Suite/Floor: \_\_\_\_\_

City: \_\_\_\_\_ State/Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Country: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

I would like to earn CLE credits for the following state (mark all that apply): ☐ NY ☐ PA ☐ for IL CLE, please provide a

7-digit ARDC Number: \_\_\_\_\_ ☐ Other: \_\_\_\_\_

ADA or Special Needs: \_\_\_\_\_

Emergency Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

## ARIAS-U.S. 2020 Virtual Fall Conference Registration Fees

(please circle your fee):

Registrant Type	Early (due Oct. 7)	Regular (due Oct. 26)	Late (due Nov. 2)
Member*	\$575.00	\$625.00	\$675.00
Non-member**	\$750.00	\$800.00	\$850.00
First-Time Attendees & Young Professionals***	\$250.00	\$300.00	\$350.00

\*Members include designated corporate representatives and individual members.

\*\*Non-members may apply for membership and receive member rates.

Application is available online through the Membership section of the website.

\*\*\*Young Professionals include all those under the age of 35.

## BREAKOUT SESSION SELECTION:

Please rank your top two (2) breakout topics in order of preference with "1" being your first choice of interest.

1.	Exploring Dissenting Opinions by Arbitrators
2.	Covid-19 Insurance Coverage Case Law Developments
3.	Covid-19 Pandemic Reinsurance Issues From The Arbitrator's Perspective – What Companies and Counsel Should Know To Prepare For Potential Disputes

## PAYMENT INFORMATION

You may register for the 2020 ARIAS-U.S. Fall Conference online at [www.arias-us.org](http://www.arias-us.org) or complete the following credit card information and submit the form to: ARIAS-U.S., 7918 Jones Branch Drive, Suite 300, McLean, VA 22102 or via fax 703-506-3266 or via email [info@arias-us.org](mailto:info@arias-us.org). For payment by check, please make the check payable to ARIAS-U.S. (Fed ID #13-3804860) and send to: *By First Class mail:* ARIAS-U.S., 6599 Solutions Center, Chicago, IL 60677-6005; *By Overnight mail:* ARIAS-U.S., Lockbox #776599, 350 E. Devon Ave., Itasca, IL 60143

Credit Card #: \_\_\_\_\_

Exp Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Billing Zip Code: \_\_\_\_\_ Sec Code: \_\_\_\_\_

Name as it appears on card: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Cancellation Policy:** The cutoff date for a full refund of the Conference Registration fee is October 7. Anyone who cancels between that date and October 26 will receive a refund, less a \$100 administrative fee. Notification must be received in writing by email to [info@arias-us.org](mailto:info@arias-us.org). Refund will be issued by check. Failure to cancel by October 26 will result in forfeiture of the entire registration fee.

**Financial Hardship Policy Statement:** As required by the New York and Illinois CLE Boards, if a member of the state's bar would like to attend an ARIAS-U.S. conference, but finds that he or she would incur a financial hardship by doing so, an application for waiver of the attendance fee may be made to the Board of Directors of ARIAS-U.S. Such application would be held in strict confidence. By registering for this ARIAS-U.S. event you consent to the ARIAS-U.S. Data Privacy Policy, which can be found online at <https://www.arias-us.org/about-arias-us/arias-u-s-data-privacy-statement/>.





# SPONSORSHIP OPPORTUNITIES

## ARIAS•U.S. 2020 VIRTUAL FALL CONFERENCE

November 5-6, 2020

ARIAS•U.S. (AIDA Reinsurance & Insurance Arbitration Society) is the leading not-for-profit trade association for the insurance and reinsurance industry. ARIAS•U.S. promotes excellence, advancement, and education around insurance and reinsurance alternative dispute resolutions as well as provides a pool of certified arbitrators. Membership is open to law firms, corporations, and individuals interested in helping to achieve the goals of the Society.

While 2020 has had its challenges, it has been a great year for the ARIAS Community as they have embraced the opportunity to engage online in a virtual space. The Fall 2020 Virtual Conference has meaningful and rich content lined up, with networking breakouts that will provide for a more intimate space for individuals to share ideas, meet up and learn.

### WHY YOU SHOULD BE INVOLVED

Involvement with ARIAS•U.S. provides your company with:

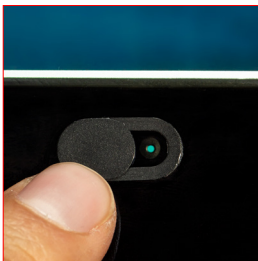
- Brand exposure to this lucrative target market before, during, and after the event;
- The opportunity for your company to interact with ARIAS•U.S. leadership and core supporters; and
- A win-win scenario for your company, your target audience and ARIAS•U.S.

Sponsorship opportunities are customizable, so if you do not find the opportunity that's perfect for your company from the list below, please contact us! [smeier@arias-us.org](mailto:smeier@arias-us.org)

## ARIAS FALL 2020 CONFERENCE SWAG

(multiple sponsorship opportunities available)

Make the virtual experience more memorable by treating participants to some stay-at-home gifts to enjoy during the meeting! Each product will have your logo alongside the ARIAS-U.S. logo for a personalized opportunity to promote your brand. If you would like to sponsor a gift not listed as an option below, please let us know so that we can find the swag that is the right one to represent your company.



**Webcam Cover**

**\$1,000**



**Hand sanitizer**

**\$1,500**



**Stress ball  
with face mask**

**\$1,500**



**Cork Coaster**

**\$1,500**



**Snacks**

**\$1,500-\$2,000**



**Mouse Pads**

**\$1,500-\$2,000**



**Wine glass**

**\$2,500**



**Coffee Mugs  
or Tumblers**

**\$2,000-\$3,000**

## NETWORKING BREAKOUT SPONSOR

(\$2,000, multiple sponsorships available)

A virtual conference won't stop us from networking! The networking events hosted after the day's sessions provide an opportunity for attendees to unwind and connect, and for sponsors to be recognized! Give opening/closing remarks or provide a pre-recorded message to play during the event to promote your company, brand, or services as well as have acknowledgement on the conference website and in promotional materials. Additionally, your logo will be featured during the event and receive verbal recognition as the event's sponsor.

For even more recognition, consider sponsoring a branded swag item to be gifted to all conference attendees, such as a wine glass or face mask! Just because we're staying home doesn't mean attendees should walk away empty handed. Check out the swag sponsorship opportunities below.

## WOMEN'S NETWORKING SESSION

(\$2,000, 2 sponsorships available)

The Women's Networking Group meets year-round in smaller mentoring circles, virtually and at larger in-person events. The Fall Event is a great chance to get your company's name in front of senior executives and women rising through the ranks. In addition to providing an opportunity for the women in the industry to learn more about their colleagues, the meeting offers the occasion to have fun while creating food for thought to bring back to the professional setting.





## **DIGITAL SWAG BAG**

(\$1,000, multiple sponsorships available)

Don't miss out on being a part of this first-ever virtual welcome packet! You're sure to get noticed when you promote your company in the attendee welcome package. Your brand logo will be incorporated into the entry point and you will have an opportunity to provide gift cards, discount cards, digital publications, online course registrations, or other digital content to promote your brand.

## **TECHNOLOGY DEMO**

(\$2,000, 2 sponsorships available)

Engage ARIAS-U.S. Fall Conference attendees in a 30-minute live demo of your technology product. Demos will be scheduled when no educational events are taking place and will be promoted on the ARIAS-U.S. website and in conference materials. Demos will be done via Zoom link. It is recommended that all demos are done live, but a pre-recorded demo could also be used. Attendees will then be able to chat with sponsors during a live Q&A session following the presentation.



# SPONSORSHIP COMMITMENT FORM

## ARIAS•U.S. 2020 VIRTUAL FALL CONFERENCE

### EVENT SPONSORSHIP

☐ Networking Breakout Sponsor - \$2,000 ☐ Women's Networking Session - \$2,000

☐ Digital swag bag - \$1,000 ☐ Technology Demo - \$2,000

☐ ARIAS Fall 2020 Conference Swag (check all that apply)

☐ Security Camera Slider - \$1,000 ☐ Stress ball with face mask - \$1,500

☐ Hand sanitizer - \$1,500 ☐ Cork Coaster - \$1,500

☐ Snacks - \$1,500-\$2,000 ☐ Mouse Pads - \$1,500-\$2,000

☐ Wine Glasses - \$2,500 ☐ Coffee Mugs or Tumblers - \$2,000-\$3,000

**Sponsorship Total:** \_\_\_\_\_

### CONTACT INFORMATION

Contact Name: \_\_\_\_\_ Company: \_\_\_\_\_

Street Address, City, State Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

This document serves as a contract. All sponsorship requests are final. Execution of this sponsorship commitment form signifies assumption of legal responsibility to pay for all sponsorship as stipulated on the form. Sponsorship is not confirmed until full payment is received. Payment must be made in U.S. dollars drawn on a U.S. bank prior to the event date.

### PAYMENT INFORMATION

☐ Invoice ☐ American Express ☐ MasterCard ☐ Visa

Name on Card: \_\_\_\_\_

Credit Card Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_ CVV Code: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Signature: \_\_\_\_\_

**Cancellation Policy:** All sponsorship fees are non-refundable.

**Please fax or email your completed form to 703.506.3266 or [smeier@arias-us.org](mailto:smeier@arias-us.org).**



AIDA Reinsurance & Insurance Arbitration Society  
7918 Jones Branch Dr., Suite 300 • McLean, VA 22102  
Phone: 703-506-3260 • Fax: 703-506-3266  
Email: [info@arias-us.org](mailto:info@arias-us.org)

# BOARD OF DIRECTORS

## CHAIRMAN

**Michael A. Frantz**  
Munich Re America  
555 College Road East  
Princeton, NJ 08543

## PRESIDENT

**Steve Schwartz**  
Chaffetz Lindsey LLP  
1700 Broadway, 33rd Floor  
New York, NY 10019

## VICE PRESIDENT

**Cynthia R. Koehler**  
AIG  
322 Cabot Street  
Newton, MA 02460

## VICE PRESIDENT

**Alysa Wakin**  
Odyssey Reinsurance Company  
300 First Stamford Place  
7th Floor  
Stamford, CT 06902

## TREASURER

**Peter A. Gentile**  
7976 Cranes Pointe Way  
West Palm Beach, FL 33412

## **Sylvia Kaminsky**

405 Park Street  
Upper Montclair, NJ 07043

## **Beth Levene**

Transatlantic Reinsurance Co.  
One Liberty Plaza  
165 Broadway, 17th Floor  
New York, NY 10006

## **Marc Abrams**

Mintz, Levin, Cohn, Ferris,  
Glovsky and Popeo, P.C.  
666 Third Avenue,  
New York, NY 10017

## **Sarah Gordon**

Steptoe & Johnson LLP  
1330 Connecticut Avenue, NW  
Washington, DC 20036

## **Joshua Schwartz**

Chubb  
436 Walnut Street  
Philadelphia, PA 19106

## **Scott Birrell**

Travelers  
1 Tower Square, 4 MS  
Hartford, CT 06183

## CHAIRMAN EMERITUS

**T. Richard Kennedy\***

## DIRECTORS EMERITI

**Charles M. Foss**  
**Mark S. Gurevitz**  
**Charles W. Havens, III**  
**Ronald A. Jacks\***  
**Susan E. Mack**  
**Robert M. Mangino\***  
**Edmond F. Rondepierre\***  
**Daniel E. Schmidt, IV**

\*deceased

## ADMINISTRATION

## EXECUTIVE DIRECTOR AND CORPORATE SECRETARY

**Sara Meier, M.S.Ed, CAE**  
7918 Jones Branch Dr., Suite 300  
McLean, VA 22102  
703-574-4087  
[smeier@arias-us.org](mailto:smeier@arias-us.org)