



THE HAMILTON LAW ASSOCIATION & THE ONTARIO
INSURANCE ADJUSTERS' ASSOCIATION (HAMILTON CHAPTER)



are pleased to present:

THE 25th ANNUAL JOINT INSURANCE SEMINAR

WEDNESDAY, NOVEMBER 30, 2011

8:00 a.m. to 5:00 p.m.

The Hamilton Convention Center – Chedoke Room

1 Summers Lane, Hamilton

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Co-Chairs: **Keith Dyson**, State Farm
Robert Fiorido, McLarens Canada
David Hladysh, State Farm
Joseph Sullivan, Camporese Sullivan Di Gregorio Associates – Lawyers
Paul Tiller, McLarens Canada
Allen Wynperle, Allen J. Wynperle Personal Injury Law

AGENDA

- 8:00 am to 9:15 am **Professionalism Workshop (bonus content)**
Moderated by: **Joseph Sullivan**, Camporese Sullivan Di Gregorio Associates – Lawyers
- Law Society of Upper Canada Case Studies; Fact Scenario; Break out groups
- 7:45 am to 9:15 am **Registration and Continental Breakfast**
- 9:15 am to 9:25 am **Opening and Introduction**
Presented by: **Joseph Sullivan**, Camporese Sullivan Di Gregorio Associates – Lawyers
- 9:25 am to 10:25 am **Fighting the Good Fight – CAT Claims**
Presented by: **Robert H. Rogers / Kevin Griffiths**, Evans, Philp LLP
(*defence perspective*)
Dr. Brian E. Levitt, Psy.D., D.Psych., Kaplan and Kaplan Psychologists
and Assessment Centre (*alternate perspectives*)
- Status of the Pastore and Kusnierz Decisions
 - How to interpret AMA 4 given the ever-changing Law
 - How to ethically and professionally present a catastrophic case and to defend
- 10:25 am to 10:40 am **Break**
- 10:40 am to 11:20 am **Is the MIG Working? Tales from the Jungle!**
Presented by: **Laurie Walker**, McLarens Canada (*defence perspective*)
Bevin Shores, Daniel & Partners LLP (*plaintiff perspective*)
- Percentage of claimants being caught in the MIG
 - Alternate methods for avoiding the MIG
 - Practical advice with regard to the Minor Injury Guideline – Is it another PAF?
 - Professional handling of minor injury claims and how to present/defend such claims in an ethical manner
- 11:20 am to 11:50 pm **Top Ten Accident Benefit Cases**
Presented by: **Michelle Stark**, Wissensz Law
- 11:50 pm to 12:50 pm **Lunch Buffet**
- 12:30 pm to 12:45 pm **Hot Topics in Rules of Professionalism**
(*during lunch*)
Presented by: **Caterina Galati**, Competence Counsel, Law Society of Upper Canada
- Mandatory CPD – why?

- 12:50 pm to 1:20 pm **Threshold Update**
Presented by: **Jamie Trimble**, Hughes Amys LLP
- Review of recent case law from the courts
 - How to professionally and ethically present/defend threshold and how to negotiate same
- 1:20 pm to 1:40 pm **Ethical Preparation of the Insurance Professional**
Demonstration by: **Joseph Sullivan**, Camporese Sullivan Di Gregorio Associates – Lawyers
- What documents must the insurer produce?
- Insurance Professional: **Stephen Agnew**, McLarens Canada
- 1:40 pm to 2:10 pm **Cross Examination of the Insurance Professional**
Demonstration by: **Robert J. Hooper**, Hooper Law Offices
- Based on the Hamilton Farmers' Mutual facts
 - Fact Scenario – mushroom fire case
- 2:10 pm to 2:25 pm **Risk Management LAWPRO Presentation**
Presented by: **Dan Pinnington**, or alternate, LAWPRO
- 2:25 pm to 2:40 pm **Break & Sponsor Draws**
- 2:40 pm to 3:40 pm **Initial Claim Investigation – Best Practices**
Presented by: **Bob Phipps**, Bannatyne & Company (*adjuster*)
Marc S. Gorbet, Gerald A. Swaye & Associates (*insurance defence*)
- Statement taking – recorded v. written
 - When to involve experts
 - Managing the insured in first party cases
 - Non-waiver agreements – reservation of rights
- 3:40 pm to 4:25 pm **Panel Discussion: Damage Quantum**
Panelists: **Mr. or Madam Justice TBA**, Superior Court of Justice
Michael Flynn, Aviva Canada - adjuster
Kathryn McKague, Agro Zaffiro LLP - defence
Michael Lamont, Michael L. Lamont, Personal Injury Law - plaintiff
- Assessments and various fact scenarios
 - A consideration of useable tactics in presenting large damage claims in an ethical and professional manner
- 4:25 pm to 4:35 pm **Closing Remarks & Program Evaluation Draw**
- 4:35 pm – 5:00 pm **Cocktail Party**



REGISTRATION FORM

Early Bird Registration received PRIOR to October 1, 2011

\$267.00 + 13% HST = **\$301.71** per person (*HLA and OIAA members*)
 \$299.00 + 13% HST = **\$337.87** per person (*others*)
 \$214.00 + 13% HST = **\$241.82** per person (*articling students or non-practicing members or paralegals or law clerks from member law firms*)

*** 10% Group Discount for 5 or more registrants per firm.**

Registration Fee AFTER October 1, 2011

\$289.00 + 13% HST = **\$326.57** per person (*HLA and OIAA members*)
 \$321.00 + 13% HST = **\$362.73** per person (*others*)
 \$235.00 + 13% HST = **\$265.55** per person (*articling students or non-practicing members or paralegals or law clerks from member law firms*)

Fee includes materials, continental breakfast, refreshments, and buffet lunch, along with a complimentary drink ticket for the cocktail party.

Please register me for the **25th Annual Joint Insurance Seminar** to be held on November 30, 2011. I enclose a cheque for \$_____ payable to the Hamilton Law Association, **OR** I authorize the amount of \$_____ to be charged to my MasterCard or VISA. Please circle card type: MasterCard / VISA.

(Note: confirmations will be sent via email only)

Registrant Name _____ Firm _____ City _____
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 Card # _____ Card Holder Name _____ Expiry Date _____

Send to: **The Hamilton Law Association - Attn: Paula Bridgewood** pbridgewood@hamiltonlaw.on.ca
45 Main Street East, Suite 500, Hamilton, ON L8N 2B7 / Telephone: 905-522-1563; Fax: 905-572-1188

Refund Policy: Registration fee less 25% plus HST is refundable if cancellation is received FIVE working days before the program. (HST Registration #R122908171)
flyer updated July 20, 2011