



# NATIONAL CONSTRUCTION DEFECT CONFERENCE

The Roosevelt New Orleans | New Orleans, LA  
November 14-15, 2024

## Conference Chairs

**Gary F. Baumann, Esq.**

Baumann, Gant & Keeley, P.A.

**Kelly Behrens, CRIS**

Vela Insurance Services

**Michael Bryant**

The RiverStone Group

**Steve Lokus**

Sompo

**Perrin Conferences**  
**National Construction Defect Conference**  
**Thursday, November 14 - Friday, November 15, 2024**  
**The Roosevelt New Orleans, A Waldorf Astoria Hotel**

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**Wednesday, November 13, 2024**

**4:30 PM – 5:30 PM CT: Pre-Registration** (Waldorf Astoria Ballroom-Mezzanine Level)

**5:30 PM – 6:30 PM CT: Networking Cocktail Reception** (The Blue Room- Lobby Level)  
*Sponsored by: Boyle, Leonard & Anderson, P.A.*

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**Thursday, November 14, 2024**

**8:00 AM – 8:45 AM CT: Registration and Light Breakfast** (Waldorf Astoria Ballroom-Mezzanine Level)

**8:45 AM – 9:00 AM CT: Welcome & Opening Remarks** (Crescent City Ballroom- Mezzanine Level)

**Gary F. Baumann, Esq.**, Baumann, Gant & Keeley, P.A., Fort Lauderdale, FL

**Kelly Behrens, CRIS**, Claims Manager-Construction Defect, Vela Insurance Services, Omaha, NE

**Michael Bryant**, Vice President, Head of P&C, The RiverStone Group, Manchester, NH

**Steve Lokus**, Vice President, Casualty Construction Claims, Sompco, Irvine, CA

**9:00 AM – 10:00 AM CT: Jurisdictional Analysis and Future Outlook of Nationwide Industry Trends**

- Jurisdictional overview of the most active and emerging jurisdictions
- Filing trends in 2024 and what to expect in 2025
- Building trends and emerging issues in CD litigation
- Ethical implications of utilizing AI for attorneys

**Moderator: Michael Bryant**, Vice President, Head of P&C, The RiverStone Group, Manchester, NH

**Benjamin W. Dowers, Esq.**, Gunther Legal, PLLC, Fort Lauderdale, FL

**Stephen J. Henning, Esq.**, Wood Smith Henning & Berman LLP, Los Angeles, CA

**Lee J. Hurwitz, Esq.**, Segal McCambridge, Chicago, IL

**Anita M. Thornell, CCLA**, Claims Consultant, Nationwide, Detroit, MI

### **10:00 AM – 11:00 AM CT: Enhancing Collaborative Partnerships Through Communication, Conflict Resolution, Trust, and Adaptability**

- Conflicting demands as to claims adjusting and litigation management
- Challenges faced in claims and litigation management
- Further disconnect and tensions
- Bridging the gap – new perspectives to improve strategic partnership satisfaction

**Moderator: Cynthia Pertile Tarle, Esq.**, Tarle Law, Carlsbad, CA

**Paul Balentine, CPCU**, AVP-Specialty Casualty Claims, Nationwide Insurance Company, Scottsdale, AZ

**Kevin Conway, AIC, LPCS**, Director -Construction Defect, Applied Claims Group LLC, Roanoke, TX

**Timothy Dobrenen**, Assistant Vice President – Claims, Hannover Re Services USA, Inc., San Tan Valley, AZ

**Jay Sever, Esq.**, Phelps Dunbar, New Orleans, LA

### **11:00 AM – 11:15 AM CT: Break (Waldorf Astoria Ballroom)**

**Sponsored by: S.C. Wright**

### **11:15 AM – 12:00 PM CT: The Impact of Social Media on Jury Pools and Settlements**

- Social media impact on jury pools and how it impacts verdicts
- Effectiveness of these social media claims
- Social media impact on settlement efforts including expectations to settle
- Reptile theory

**Moderator: Kelly Behrens, CRIS**, Claims Manager, Vela Insurance Services, Omaha, NE

**James J Orland, Esq.**, Orland Law Group APC, Manhattan Beach, California

**Richard L. Righi, Esq.**, Righi Fitch Law Group, Phoenix, AZ

**Sabrina Rochelle**, Senior Unit Manager, North American Risk Services, Altamonte Springs, FL

**Jannea Rogers, Esq.**, Adam and Reese LLP, Mobile, AL

### **12:00 PM – 1:15 PM CT: Lunch (on your own)**

### **1:15 PM – 2:15 PM CT: Navigating Ethical Challenges in the Tripartite Relationship**

- Cumis counsel
- Bad faith allegations
- What scenarios should you stay away from?

**Moderator: Donald C. Partridge, Esq.**, Maron Marvel, Jackson, MS

**Sean Gallagher**, Senior Unit Manager, North American Risk Services, Altamonte Springs, FL

**Christine Gudaitis, Esq.**, Ver Ploeg & Marino, Miami, FL

**Spencer Mallard, Esq.**, Lydecker LLP, Miami, FL

### **2:15 PM – 3:15 PM CT: Driving Progress: Innovations in Construction Technology**

- Challenges that face claims professionals and legal counsel handling disputes associated with this new construction technology

- Understanding the complexities that these new construction techniques pose to those handling the inevitable construction disputes that will arise as this technology is employed in more locations throughout the U.S.

**Moderator: Steve Lokus**, Vice President, Casualty Construction Claims, Sompco, Irvine, CA

**Rose Hall, PE**, Senior Vice President, Head of Innovation, Americas, AXA XL, Irvine, CA

**Terence Kadlec, P.E.**, Senior Vice President – Technical Services, MC Consultants, Inc., Denver, CO

**Ryan Pitterson**, Managing Director, Turner Surety and Insurance Brokerage, Inc., Dallas, TX

**3:15 PM – 3:30 PM CT: Break** (Waldorf Astoria Ballroom)

*Sponsored by: DeSimone Consulting Engineering*

**3:30 PM – 4:30 PM CT: Construction Defect Best Practices**

**Moderator: Jason Daniel Feld, Esq.**, Kahana & Feld, LLP, Houston, TX

**Donna Friis, PE**, Senior Project Manager II, Walter P Moore, Orlando, FL

**Katherine L. Klapsa, Esq.**, Wood Smith Henning & Berman LLP, Orlando, FL

**Chris Miles**, Casualty/General Liability Property Adjuster, Engle Martin, Jacksonville Beach, FL

**A. Paloma Ramirez, JD**, Director, Construction Defect, AmTrust Financial Services, Inc., New York, NY

**4:30 PM – 5:15 PM CT: Demystifying Indemnity, Liability, and Risk Management**

- What is indemnity?
- Risk transfer including CCIP, OCIP, OPPI, OPPL
- Builders' risk
- Outside of the CGL policy, what else is out there?
- Controlled insurance and wrap up issues

**Rebecca C. Appelbaum, Esq.**, gartner + bloom P.C., Tampa, FL

**Mark Boyle, Esq.**, Boyle, Leonard & Anderson, Fort Myers, FL

**Tara Leigh Lucas**, SVP, North America Claims, Casualty Specialty, Chubb, Jersey City, NJ

**Paul Mason**, Claims Manager, Energy and Construction, XL Specialty Insurance Company, AXA XL, Los Angeles, CA

**5:15 PM – 6:15 PM CT: Networking Cocktail Reception** (Waldorf Astoria Ballroom-Mezzanine Level)

*Sponsored by: Chapman Glucksman*

**9:00 PM – 12:00 AM CT: The Perrin Rock n Roll Threaux Down** (The Foundation Room, House of Blues, 225 Decatur Street)

*All registered attendees and speakers are invited to join us for this exclusive Perrin event with live music, open bar and hors d'oeuvres. Additional information is available at the end of the brochure.*

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## Friday, November 15, 2024

**8:15 AM – 9:00 AM CT: Coffee and Light Breakfast** (Waldorf Astoria Ballroom)

**9:00 AM – 10:00 AM CT: Product Liability Claims in Construction – Litigation, Coverage, Tips, and Strategies** (Crescent City Ballroom)

- Legal theories against the product manufacturer and/or supplier/seller
- Key defenses available to the manufacturer
  - Statute of Repose/Limitations issues
- Coverage issues to consider
- Strategies for handling the coverage and defense including risk transfer tips

**Moderator: Elaine K. Fresch, Esq.**, Hawkins Parnell & Young, Los Angeles, CA  
**Jay Graif, Esq.**, Freeman Mathis & Gary, LLP, Scottsdale, AZ  
**Henrietta Hinojosa**, Senior Vice President, National Claim Services LLC, Atlanta, GA  
**Phyllis Modlin**, Director & Senior Counsel, Specialty International Claims-Casualty, Markel, Carlsbad, CA

**10:00 AM – 10:45 AM CT: Hot Topics in Defending Design and Construction Defect Claims**

- Repping the A/E: Uptick in *Design Claims Across Construction Cases*
  - Heightened Standards of Care - Contracts and AI
  - FHA/ADA Claims
  - Construction Administration
- Claims Corner - Uptick in design, life safety, and warranty claims since *Surfside*
  - Trying to Tap Coverage Beyond the OCIP/CCIP
- Coast-to-Coast CD Caselaw Survey 2024

**Anthony D. Capasso, Esq.**, Murphy Schiller & Wilkes LLP, Newark, NJ  
**Daniel A. Cribbs, Esq.**, Chapman Glucksman, Los Angeles, CA  
**Tom Gesner, CRIS**, Vice President – Construction Defect, Applied Claims, Addison, TX  
**Christopher Ling, AIA, NCARB, LEEDap**, ARCHforensic, New York, NY  
**Luke P. Ryan, Esq.**, Shinnick & Ryan LLP, San Diego, CA

**10:45 AM – 11:00 AM CT: Break** (Waldorf Astoria Ballroom)  
*Sponsored by: Kennedys*

**11:00 AM – 11:45 AM CT: Construction Defects—The Importance of Risk Management**

- During Preconstruction Phase
- During Construction Phase
- After Construction

**Moderator: Richard H. Glucksman, Esq.**, Chapman Glucksman, Los Angeles, CA  
**Kelly A. Elkin**, Construction Defect Field Consultant, Nationwide, Columbus, OH  
**Jeff Miragliotta, Esq.**, Kahana & Feld, LLP, New York, NY  
**Matthew Scheps, PE, PMP**, Principal Consultant, Rimkus, Houston, TX

### 11:45 AM – 12:30 PM CT: Best Practices for Expert Test Selection and Evaluation

- The appropriate methods an expert should follow when selecting tests
- How to ensure the expert conducts proper tests without limiting the expert
- Review case studies of conducted tests and determine whether the tests were appropriate

**Stephanie Chesney, Esq.**, Cozen O'Connor, Boston, MA

**Kevin Follet**, Executive Claims Analyst, The RiverStone Group, Manchester, NH

**Keith Lazere, Esq.**, Anderson Kill, New York, NY

**Kenneth R. Quigley, PE, MS**, Executive Vice President, CCA Construction Consulting Associates, LLC, Boston, MA

### 12:30 PM CT: Conference Concludes

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## Perrin Conferences National Construction Defect Conference November 14-15, 2024

*\*Speaker and Agenda are subject to change.*

### CONFERENCE LOCATION

**The Roosevelt New Orleans, A Waldorf Astoria Hotel  
130 Roosevelt Way  
New Orleans, LA 70112**

### REGISTRATION

**Registration Rate:** \$1225

**Paralegal Rate:** \$395

All in-house counsel and insurance claims professionals receive complimentary registration at Perrin Conferences live programs.

Contact Bethany Corio ([bcorio@perrinconferences.com](mailto:bcorio@perrinconferences.com)) 610-220-1817 or Lynnsey

Perrin ([lperrin@perrinconferences.com](mailto:lperrin@perrinconferences.com)) 610-804-6165 with questions or to register at the complimentary rate.

**Register Online:** [National Construction Defect Conference | Perrin Conferences](#)

**Register by Mail/E-mail:** Complete the Mail-In Registration Form at the end of brochure.

**Mail to:** Perrin Conferences, 214 Orchard Way, Wayne, PA 19087

**Register by Phone:**

Lynnsey Perrin

610-804-6165

lperrin@perrinconferences.com

Bethany Corio

610-220-1817

bcorio@perrinconferences.com

Each registration includes private website access to course materials and admission to all sessions and networking events such as refreshment breaks and cocktail receptions.

*Group discounts available, please inquire.*

### **HOTEL ROOM BLOCK**

**The Roosevelt New Orleans, A Waldorf Astoria Hotel,  
130 Roosevelt Way, New Orleans, LA 70112**

Please make your room reservations by using the group booking link below. The group rate is \$349/night. We advise you to make your reservation as soon as possible before the room block sells out.

[Reservation Link Perrin Conferences Room Block](#)

### **CLE & CE CREDIT INFORMATION**

Applications are being made to all CLE states as requested by attendees.

The conference is approved for CE Adjuster credit in Florida and Texas, and pending in North Carolina, New Hampshire and Oklahoma.

Please note, there will be no partial credit awarded for CE credit – The full conference must be attended to earn credit. Please send requests for state specific accreditation to Kelsey Miner at [kaminer@perrinconferences.com](mailto:kaminer@perrinconferences.com).

### **CANCELLATION POLICY**

If you cannot attend the conference, please notify us prior to **October 31, 2024** and we will refund your fee or provide a credit for a future conference. The credit needs to be used within one year from the conference date. Cancellations received on **November 1, 2024** and after will not be refunded. You may enroll a substitute at any time before the conference starts.

### **FINANCIAL AID POLICY**

Perrin Conferences is dedicated to providing high-quality continuing legal education to attorneys interested in course offerings. Program registrants who are unable to afford

registration fees due to financial hardship may apply for a complete registration waiver or reduction in fee. Factors to be considered include employment status and annual income. Please send a written letter to Lynnsey Perrin addressing your financial situation for consideration. All requests must be submitted 14 days prior to the start of the program and are kept confidential.

### **THE PERRIN ROCK N ROCK THREAUX DOWN – THURSDAY 11/14**

Thursday, November 14<sup>th</sup>, 9:00pm-12:00am  
The Foundation Room, House of Blues, 225 Decatur Street

Enjoy a New Orleans style Threaux Down with live entertainment, open bar, light hors d'oeuvres and lively conversation at this iconic venue.

\*This is a private Perrin event for registered attendees and speakers. Those who are not registered for the conference will not be permitted to attend.





# THE PERRIN ROCK 'N' ROLL THREAUX DOWN



## House of Blues Foundation Room November 14, 9:00 PM

All National Construction Defect Conference attendees are invited to this one-of-a-kind event with live music by Coco Slipstk!

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**Perrin Conferences**  
**National Construction Defect Conference**  
November 14-15, 2024 – New Orleans, LA

Mail-in Registration Form

Attendee Name \_\_\_\_\_

Company/Firm Name \_\_\_\_\_

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City \_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_

Email Address \_\_\_\_\_

**CIRCLE ONE:** Attorney    Non-Attorney    Insurance Professional    In-House Counsel

***Registration Fee: \$1225***

*\*All Insurance Professionals & In-House Counsel receive Complimentary attendance*

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***Please Mail Form to: Perrin Conferences, 214 Orchard Way, Wayne, PA 19087***

***Email Form to: [bcorio@perrinconferences.com](mailto:bcorio@perrinconferences.com) or [lperrin@perrinconferences.com](mailto:lperrin@perrinconferences.com)***

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