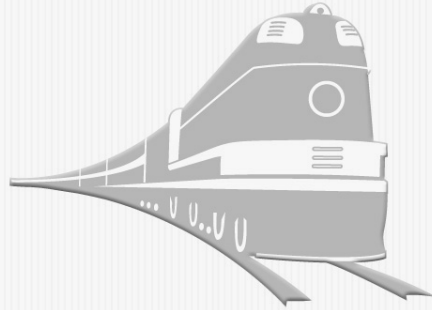


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# 2007 BUSINESS LITIGATION EXPRESS

## Catching Flies with Honey: How to Make Effective Insurance Claims

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## Key Theme: Be Proactive

- » Stay on top of insurance needs
- » Identify and manage major claims
- » Aim to work with insurance carriers
- » Capitalize on business relationships

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## Maintaining Adequate Insurance

- » Review existing coverage
- » Address coverage amounts/gaps
- » Track risk profile

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## Identifying Major Claims

- » Establish internal reporting mechanisms
- » Ensure prompt notice
- » Assess coverage issues early

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## Dealing with Selected Types of Coverage

- » “Duty to Defend” policies
- » “Claims-made” v. “Occurrence”
- » “First-party” property claims

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## Managing Major Claims After Notice

- » Meet policy deadlines
- » Keep carriers informed
- » Move process along
- » Consider assigning “point person”
- » Pay attention to policy renewals

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## Working with Insurers

- » Maintain dialogue
- » Address privilege issues
- » Seek common ground in valuing claims
- » Involve excess carriers as appropriate

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## Building Business Relationships

- » Frame disputed claims in terms of overall “customer” relationship
- » Develop relationships with key underwriters, claims handlers
- » Weigh long-term value against short-term cost savings

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