

ADVANCE REGISTRATION DEADLINE: APRIL 5, 2012



LIFE, HEALTH, DISABILITY AND ERISA CLAIMS SEMINAR

APRIL 25-27, 2012
SWISSÔTEL CHICAGO
CHICAGO, ILLINOIS

IN-HOUSE AND EXPERT SPEAKERS INCLUDING

CESAR R. BRITOS
UNUM GROUP

AMY T. HUDSON
THE HARTFORD

RICHARD J. MARQUEZ
DILIGENCE INTERNATIONAL GROUP LLC

THE HONORABLE NAN R. NOLAN
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS

MARK E. SCHMIDTKE
OGLETREE DEAKINS NASH SMOAK
& STEWART PC

REASONS TO ATTEND

- A chance to go beyond the case holdings and gain practical guidance from industry experts
- In-depth analysis regarding the ever changing world of ERISA litigation
- The very latest developments in life, health and disability law
- The continued implications of the Patient Protection and Affordable Care Act of 2010.
- A complimentary copy of *ERISA Litigation Primer*
- Earn up to 12.25 hours of CLE, including one hour of ethics credit
- Networking, education and business development opportunities

DRI DELIVERS RESOURCES TO BUILD YOUR PRACTICE



DRI's Life, Health, Disability and ERISA Claims Seminar offers unparalleled education and networking opportunities for claims and legal personnel. Our faculty includes distinguished and experienced in-house and outside counsel, who will offer in-depth analysis, practical pointers, and discussions on recent developments and their significance to your practice. The seminar will be packed with continuing legal education presentations, starting Wednesday afternoon and running until early Friday afternoon. The first day will offer six different presentations addressing issues in life, health, disability and ERISA. Attendees may concentrate on one track that day, or "change classes" by moving from one to another between the hour-long segments. Networking opportunities that start in "the halls between classes" that first day only increase with receptions later that evening and the next night, followed by the ever-popular dine-arounds hosted by in-house counsel and committee leadership. Added to these opportunities are the invitation-only counsel meetings organized by insurance companies. All this and the backdrop of Chicago, one of the nation's most vibrant cities, make this seminar the "must attend" event in the life, health and disability insurance industry for 2012.



Byrne J. Decker
Program Chair



Kenton J. Coppage
Program Co-Vice Chair



Leonor Maria Lagomasino
Program Co-Vice Chair



Gary Schuman
Committee Chair



Daniel W. Gerber
Committee Vice Chair



Michael F. Aylward
Law Institute

Presented by DRI's **Life, Health and Disability Committee**

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WHAT YOU WILL LEARN

- Advanced ERISA tutorial, including the impact of *CIGNA Corp. v. Amara*
- Cutting-edge issues in e-discovery
- How to prepare for and defend a conflict of interest 30(b)(6) deposition
- Combating plaintiffs' continued focus on the claims process in the post-*Glenn* world
- Answers to those tricky removal questions that seem to arise constantly
- Multi-faceted and comparison-based views of the Patient Protection and Affordable Care Act of 2010
- The emerging regulatory and legal issues surrounding escheatment

This seminar brochure is sponsored by



PROGRAM SCHEDULE

WEDNESDAY, APRIL 25, 2012

Laptop Computer Charging Station

Sponsored by **Ogletree Deakins Nash Smoak & Stewart PC**

12:30 p.m. **Registration**

1:45 p.m. **Breakout Sessions** (*select one to attend*)

Breakout A—Life Track: Beneficiary Designations

Offering practical guidance for in-house and outside counsel regarding the latest issues surrounding beneficiary designations, this presentation will address power of attorney issues, including the circumstances under which an attorney-in-fact can name himself or herself as a beneficiary and whether the POA must give such express power. Ms. Johnson will also explore ERISA issues surrounding changes to beneficiary designations, responsibilities for documenting changes as between employer and insurer, and more.

Jeaneen J. Johnson, *Semmes Bowen & Semmes PC*, Baltimore, Maryland

Breakout B—Health Track: Emerging Trends in Health Care Class Actions

Mr. Bunn will discuss cases involving out-of-network reimbursement for providers at usual and customary rates, and limited reimbursement for the treatment of particular conditions. While the national health care reform legislation and state level reforms have imposed certain coverage mandates, the evolution of medical knowledge and accepted practices is creating areas of controversy that the class action bar can be expected to exploit. Be prepared to face such challenges.

Andrew O. Bunn, *DLA Piper*, Florham Park, New Jersey

Breakout C—Disability Track: Litigating Disability Benefit Claims Involving Subjective Complaints and Co-Morbidity Characteristics

Conditions or symptoms that are not necessarily susceptible to definitive objective laboratory tests or objective measurements (*i.e.*, pain and fatigue) can present certain challenges when assessing a claimant's overall functionality. Mr. Ryan will explore the types of evidence to use and those to avoid when investigating and defending such benefit claims, and will offer some practical litigation tips.

Daniel K. Ryan, *Hinshaw & Culbertson LLP*, Chicago, Illinois

2:45 p.m. **Refreshment Break**

Sponsored by **Funk & Bolton**

3:00 p.m. **Breakout Sessions** (*select one to attend*)

Breakout A—Life Track: The Latest Developments in STOLI and Other Schemes

Mr. Laska will review the variety of fraudulent investment schemes that have recently emerged, including stranger-owned annuities, life policies taken out with the intent to sell on a secondary market and others. The discussion will include a review of recent and proposed NAIC reforms and a review of the latest trends.

Joseph E. Laska III, *Manatt Phelps & Phillips LLP*, Los Angeles, California

Breakout B—Health Track: Special Investigative Units—Providers Under Review

Focusing on emerging developments in health care providers' efforts to combat fraud, Ms. Gerson will cover special considerations, such as complying with prompt pay laws and look-back statutes, as well as companies' own policies and procedures. Practical litigation strategies, when and whether to report to a regulatory agency, and statutory and plan obligations to investigate will be covered.

Shari L. Gerson, *GrayRobinson PA*, Fort Lauderdale, Florida

Breakout C—Disability Track: ERISA Fee Claims After *Hardt*

How are the courts dealing with fee claims in ERISA cases after *Reliance Standard v. Hardt*? This discussion will cover whether fees are available for a remand only, whether the catalyst theory applies to ERISA fee claims, and which courts are still applying the five-factor test. Ms. Edwards will also offer tips on when and how to challenge the lodestar evidence presented by the plaintiff once the court has awarded fees, as well as guidance as to when defendants can and should pursue fee claims.

Angela L. Edwards, *Dinsmore & Shohl LLP*, Louisville, Kentucky

4:00 p.m. **Adjourn**

5:30 p.m. **Networking Reception**

Sponsored by **Maynard Cooper & Gale PC
Smith Moore Leatherwood LLP**

7:00 p.m. **Women Lawyers Dine-Arounds**

Join colleagues and friends at selected restaurants for dinner (*on your own*).
More details on-site.



THURSDAY, APRIL 26, 2012

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Sponsored by **Ogletree Deakins Nash Smoak & Stewart PC**

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**

Sponsored by **Troutman Sanders LLP**

7:00 a.m. **First-Time Attendees Breakfast**

7:00 a.m. **In-House Counsel Breakfast** (*in-house counsel only*)

Speaker: Richard J. Marquez, *Diligence International Group LLC*, Addison, Texas

8:00 a.m. **Welcome and Introduction**

Michael F. Aylward, *Morrison Mahoney LLP*, Boston, Massachusetts

Gary Schuman, *Combined Insurance Company of America*, Glenview, Illinois

Byrne J. Decker, *Pierce Atwood LLP*, Portland, Maine

8:15 a.m. **Life and Accidental Death and Dismemberment Case Law Update**

An annual favorite, this presentation will review life insurance decisions over the last year. Ms. Publicover will focus on the types of claims that are being asserted and their viability, highlighting any trends and arguments that may be gaining acceptance.

Adrienne C. Publicover, *Wilson Elser Moskowitz Edelman & Dicker LLP*, San Francisco, California

9:05 a.m. **Preparing for and Defending the “Conflict of Interest” 30(b)(6) Deposition**

Addressing a relatively new procedural development in ERISA cases, expert in-house and outside counsel will explain how to select and prepare the witness, maintain confidentiality, limit the scope of the questioning and prevent expansion into the merits. The talk will also highlight the pros and cons of using the process to elicit evidence of measures taken to promote accuracy.

Cesar R. Britos, *Unum Group*, Portland, Maine

Henry T. Morrisette, *Hand Arendall LLC*, Mobile, Alabama

10:00 a.m. **Refreshment Break**

Sponsored by **Wilson Elser**

10:20 a.m. **Investigations and Social Media**

Mr. Gerber will offer a guide to using social media in the life, health and disability context, particularly with respect to investigating claimants. He will focus on the practical ways insurers can use social media, discuss emerging trends in litigating social media issues, and offer tips on navigating the ethical boundaries.

Daniel W. Gerber, *Goldberg Segalla LLP*, Buffalo, New York

11:15 a.m. **Emerging Trends in E-Discovery**

Magistrate Judge Nolan will talk about the e-discovery pilot program being pioneered in the Seventh Circuit and discuss the impact of these e-discovery principles and procedures and the importance of incorporating proportionality and cooperation in civil litigation.

The Honorable Nan R. Nolan, *U.S. District Court for the Northern District of Illinois*, Chicago, Illinois

12:05 p.m. **Lunch** (*on your own*)

1:30 p.m. **Difficult Removals: Revealing the Disguise**

Congress authorized federal diversity jurisdiction to prevent undue favoritism and depoliticize disputes among citizens of different states. A constant challenge for practitioners, however, is recognizing a diversity claim that is masquerading in state court. To what length and expense should a defendant go to unmask this disguise, and at what risk? What evidence do the courts require to demonstrate a fraudulent joinder? Should an insurer always err on the side of removal (risking remand and sanctions) or is it better to wait?

Forrest S. Latta, *Burr & Forman LLP*, Mobile, Alabama

2:20 p.m. **Disability Insurance Update**

The law of disability insurance seems to develop in conjunction with medical and psychiatric diagnoses. A knowledgeable disability lawyer will review recent case law on disability claims, including hot topics, such as contractual limitations issues and total versus partial disability. Ms. Windsor will go beyond the case law holdings and will provide practical guidance in conjunction with current trends.

Laura D. Windsor, *Troutman Sanders LLP*, Richmond, Virginia

3:10 p.m. **Refreshment Break**

Sponsored by **Wilson Elser**



3:30 p.m. **Defeating Procedural Arguments in ERISA Cases**

Since the Supreme Court's decision in *Glenn*, the popular plaintiff strategy has been to try to distract courts from the actual evidence in the record by focusing, instead, on the insurer's claims processes. To counter these arguments, in-house and outside counsel will cover dealing with Social Security awards; attacks on consulting physicians and vendor relationships; addressing treating physicians' opinions; surveillance and other investigative information; "full and fair review" arguments under the DOL regulations; and affirmatively offering evidence of measures taken to promote accuracy.

Amy T. Hudson, *The Hartford*, Simsbury, Connecticut
Edith Sanchez Shea, *Burke Williams & Sorensen LLP*, Los Angeles, California

4:15 p.m. **Current Developments in Escheatment**

Escheatment is one of the hottest topics currently confronting insurers. This session will explore the most recent developments surrounding states' efforts to recover unclaimed funds. Issues discussed will include the use of Social Security lists of deceased persons, whether proposed best practices exist, relevant ERISA preemption issues that arise and how those issues square with insurers' positions regarding use of Retained Asset Accounts.

Kelly A. Cruz-Brown, *Carlton Fields PA*, Tallahassee, Florida

5:00 p.m. **Life, Health and Disability Committee Meeting**

(open to all)

6:00 p.m. **Networking Reception**

Sponsored by **Barger Wolan LLP**

7:30 p.m. **Dine-Arounds**

Join colleagues and friends at selected restaurants for dinner (*on your own*).
More details on-site.

FRIDAY, APRIL 27, 2012

Laptop Computer Charging Station

Sponsored by **Ogletree Deakins Nash Smoak & Stewart PC**

7:30 a.m. **Registration**

7:30 a.m. **Continental Breakfast**

Sponsored by **Bradley Arant Boult Cummings LLP**

8:30 a.m. **Announcements**

Byrne J. Decker, *Pierce Atwood LLP*, Portland, Maine

8:35 a.m. **Advanced ERISA**

One of the country's leading ERISA lawyers will offer an in-depth discussion of recent developments in ERISA jurisprudence, providing valuable insight as to whether there may be trends developing that could affect current and future litigation. This talk will emphasize *CIGNA Corp. v. Amara*, the case law development since the Supreme Court's decision, and the practical ramifications.

Mark E. Schmidtke, *Ogletree Deakins Nash Smoak & Stewart PC*, Valparaiso, Indiana

9:25 a.m. **A Comparative Look at the Patient Protection and Affordable Care Act of 2010**

This session will reflect upon the timely and politically charged issue of health care reform and the attendant constitutional issues. Several circuit courts of appeal and multiple district courts have ruled on key aspects of the PPACA legislation. The stage is set for review by the Supreme Court. A panel of experts will analyze the legislation from both angles and will include a special segment on the Canadian health care system.

Elizabeth J. Bondurant, *Smith Moore Leatherwood LLP*, Atlanta, Georgia

Ronald J. Clark, *Bullivant Houser Bailey PC*, Portland, Oregon

Sandra L. Corbett, *Field LLP*, Edmonton, Alberta

10:25 a.m. **Refreshment Break**

Sponsored by **Gordon & Rees LLP**

10:45 a.m. **A Guide to Vocational Issues in Disability Cases**

Discussion will include the extent to which, when you need to retain a vocational expert, it is acceptable to use DOT or O*NET to identify the material duties of an occupation, and critiques lodged against insurers for allegedly morphing own occupation determinations into any occupation determinations. Tips on dealing with differing job descriptions and opposing vocational experts who exceed the limits of their expertise will be offered.

William D. Hittler, *Nilan Johnson Lewis PA*, Minneapolis, Minnesota

11:30 a.m. **Ethics and the Corporate Client**

Representing the corporate or organizational client presents ethical challenges for in-house and outside counsel. This program examines some of the ethical pitfalls for the unwary, including threats to the attorney-client privilege in ERISA cases.

Brooks R. Magratten, *Pierce Atwood LLP*, Providence, Rhode Island

12:30 p.m. **Adjourn**

GENERAL INFORMATION

CLE ACCREDITATION

This seminar has been approved for MCLE credit by the State Bar of California in the amount of **12.25** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Credit availability and requirements vary from state to state; please check our website at www.dri.org for credit information for your state.

REGISTRATION

The registration fee is **\$745** for members and those who join DRI when registering and **\$975** for nonmembers. The registration fee includes course materials, continental breakfasts, refreshment breaks and networking receptions. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **April 5, 2012** (*please allow 10 days for processing*). Registrations received after **April 5, 2012**, will be processed on-site.

REFUND POLICY

The registration fee is fully refundable for cancellations received on or before **April 5, 2012**. Cancellations received after **April 5** and on or before **April 12, 2012**, will receive a refund, less a \$50 processing fee. Cancellations made after **April 12** will not receive a refund, but the course materials on CD-ROM and a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax to DRI's Accounting Department at 312.795.0747. All refunds will be mailed within four weeks after the date of the conference. Substitutions may be made at any time without charge and must be submitted in writing.

HOTEL ACCOMMODATIONS

A limited number of discounted hotel rooms have been made available at the **Swissôtel Chicago, 3232 East Wacker Drive, Chicago, Illinois 60601**. For reservations, visit www.dri.org and go to the Life, Health, Disability and ERISA Seminar page or **contact the hotel directly at 312.565.0565**. Please mention **DRI's Life, Health, Disability and ERISA Seminar** to take advantage of the group rate of **\$289 Single/Double**. The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **March 27, 2012**, to be eligible for the group rate. Requests for reservations made after **March 27** are subject to room and rate availability.

SPECIAL DISCOUNTS

GROUP DISCOUNT

The first and second registrations from the same firm or company are subject to the fees outlined above. The registration fee for additional registrants from the same firm or company is **\$695**, regardless of membership status. All registrations must be received at the same time to receive the discount.

IN-HOUSE COUNSEL

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys, who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates and subsidiaries. In order to qualify for free registration, the individual must also be a DRI member and a member of DRI's Corporate Counsel Committee. Offer excludes the DRI Annual Meeting.

TRAVEL DISCOUNTS

DRI offers discounted meeting fares on various major air carriers for **DRI's Life, Health, Disability and ERISA Seminar** attendees. To receive these discounts, please contact Hobson Travel Ltd., DRI's official travel provider, at 800.538.7464. As always, to obtain the lowest available fares, early booking is recommended.

The taping or recording of DRI seminars is prohibited without the written permission of DRI.

Speakers and times may be subject to last-minute changes.

DRI policy provides there will be no group functions sponsored by others in connection with its seminars.



FACULTY

Michael F. Aylward is a senior partner at Morrison Mahoney LLP in Boston and chair of its complex insurance claims group. A veteran of 30 years of coverage litigation, Mr. Aylward is a frequent lecturer and published author on insurance issues. He has been a leader in the insurance defense bar, including the leadership of insurance committees for DRI, FDCC and IADC, and a term on the DRI Board of Directors. He currently serves as vice chair of DRI's Law Institute.

Elizabeth J. Bondurant is a partner at Smith Moore Leatherwood LLP in Atlanta. Ms. Bondurant is a business litigator with extensive experience in financial services litigation. She has represented corporations in a variety of cases involving complex insurance issues, ERISA, managed care matters, RICO, life, health, disability, accidental death benefits and class action litigation. Ms. Bondurant is a former chair of DRI's Life, Health and Disability Committee. She has published extensively on financial services, insurance and ERISA topics in DRI publications.

Cesar R. Britos is assistant vice president and senior counsel for Unum Group in Portland, Maine, where he has worked on disability and life insurance lawsuits since 1998. His responsibilities include management of ERISA and non-ERISA litigation related to LTD and IDI policies throughout the United States and Canada. A member of the ABA and formerly active in the DRI Life, Health and Disability Committee, he is admitted to practice in Maine and Massachusetts.

Andrew O. Bunn is a partner in DLA Piper's litigation practice, based in Florham Park, New Jersey. He represents companies in court, arbitration and regulatory proceedings, in cases including individual and class action claims on such issues as consumer complaints, business disputes, contract and policy interpretations, benefit entitlements, sales practices, ERISA, securities, financial instruments, managed care and regulatory disputes. His professional memberships include DRI's Life, Health and Disability Committee, the New Jersey State Bar Association and the New York State Bar Association.

Ronald J. Clark is a partner with Bullivant Houser Bailey PC in Seattle, Washington, and Portland, Oregon. Mr. Clark's practice over the past 23 years has focused on insurance coverage litigation involving first- and third-party claims. He has defended multiple insurance bad faith cases in the western United States and is a frequent author and speaker on insurance and litigation issues. A former director on the DRI board and member of the DRI Finance Committee, Mr. Clark is licensed to practice in Oregon, Washington and Idaho.

Kenton J. Coppage is a partner at Smith Moore Leatherwood LLP in Atlanta. His practice is concentrated in ERISA and life, health and disability insurance litigation. Mr. Coppage frequently publishes articles related to these areas of law. He is an active member of DRI's Life, Health and Disability Committee, serving as co-author of the ERISA update column in *Life, Health and Disability News*, the committee's quarterly newsletter, and is a vice chair of ABA-TIPS Life Insurance Committee Institute. Mr. Coppage is the program co-vice chair of this seminar.

Sandra L. Corbett is a partner at the law firm of Field LLP in Edmonton, Alberta. She is extensively involved in the civil defense bar in Canada and the United States. Ms. Corbett is a past president of Canadian Defence Lawyers, and remains on the CDL Board of Directors. She has served as the DRI Canadian Regional Director and as the DRI General Council Representative for Canada. She enjoys membership in a number of DRI committees.

Kelly A. Cruz-Brown is a shareholder with Carlton Fields PA in Tallahassee, Florida. She concentrates her practice in insurance regulation and administrative law. Ms. Cruz-Brown is chair of the Insurance Regulation Committee and a member of the ABA-TIPS Task Force for Federal Involvement in Insurance Regulation and Modernization; the Association of Insurance Compliance Professionals; the Federation of Regulatory Counsel; the International Association of Insurance Receivers; and the Insurance Regulatory Examiners Society.

Byrne J. Decker is a partner in the Portland, Maine, office of Pierce Atwood LLP. He focuses his practice on the defense of life, health, disability and ERISA litigation. Mr. Decker defends insurers and employers in such matters in courts across the country. An active member of DRI's Life, Health and Disability Committee, he is the program chair for this seminar.



Angela L. Edwards, a partner in the Louisville, Kentucky, office of Dinsmore & Shohl LLP, concentrates her practice in ERISA and other benefits litigation. Ms. Edwards is a member of the State Bar of Kentucky and is admitted in the Eastern and Western Districts of Kentucky and the Sixth Circuit Court of Appeals. Vice Chair of Marketing for the ALFA Insurance Practice Group Steering Committee, Ms. Edwards has been a moderator and presenter at ALFA programs. She is also a member of DRI's Life, Health and Disability Committee.

Daniel W. Gerber chairs Goldberg Segalla LLP's global insurance practice group in its New York, Pennsylvania, New Jersey and Connecticut offices. In addition to representing insurers in life, health, disability and ERISA litigation, he maintains an international practice in reinsurance disputes. Mr. Gerber is editor of the *Insurance and Reinsurance Report* and the author of the life insurance chapter for New Appleman's *Insurance Law Practice Guide*. He chairs DRI's Social Media Task Force and regularly consults on successful social media strategy and implementation.

Shari L. Gerson is a shareholder at GrayRobinson PA in Fort Lauderdale, Florida. She concentrates her practice in managed health care law and ERISA litigation. Ms. Gerson is also an arbitrator and mediator for the American Health Lawyers Association. She is admitted to practice in the U.S. District Courts: Southern, Middle and Northern Districts of Florida and the Eleventh Circuit Court of Appeals. She is a member of the American Health Lawyers Association, the Florida Bar Health Law Section and DRI.

William D. Hittler is a shareholder in the law firm of Nilan Johnson Lewis PA in Minneapolis. He concentrates his practice in ERISA and state law insurance benefits litigation. Mr. Hittler is active in ALFA International, serving as the co-chair of the ERISA sub-group of the Insurance Steering Committee. He is also a member of the Federal Bar Association, the Minnesota, Wisconsin and Iowa state bar associations and the DRI Life, Health and Disability Committee.

Amy T. Hudson practices in the litigation group at The Hartford in Simbury, Connecticut. She manages a nationwide litigation caseload arising from the company's group life and disability, individual life, and wealth management products, and serves as the lead litigator for cases involving the company's book of association group benefit business. Ms. Hudson regularly counsels clients on ERISA, general claim and coverage practices, privacy issues, commercial disputes, bad faith and the attorney-client privilege.

Jeanee J. Johnson is counsel to Semmes Bowen & Semmes PC in Baltimore. She focuses her practice in general civil litigation, concentrating on life, health and disability insurance defense and ERISA claims, administrative claims before insurance regulators, insurance coverage, and general liability defense before the courts of Maryland and the District of Columbia. Ms. Johnson's professional memberships include the District of Columbia Bar Association, the Maryland State Bar Association and DRI's Life, Health and Disability Committee.

Leonor Maria Lagomasino is a shareholder with Carlton Fields PA in Miami, Florida. Her litigation practice focuses on insurance coverage disputes and defense of bad faith claims, including individual and group disability, life insurance and commercial first-party insurance coverages. She is the program co-vice chair of this seminar.

Joseph E. Laska III is an attorney in the Los Angeles office of Manatt Phelps & Phillips LLP. He specializes in representing life, health and disability insurers in bad faith insurance litigation. Mr. Laska also has experience in all aspects of business litigation in state and federal court, including contractual disputes, labor and employment, intellectual property, unfair competition, class actions and appeals. He is active in DRI's Life, Health and Disability Committee and has published numerous articles for various DRI publications.

Forrest S. Latta is a partner in Burr & Forman LLP in Mobile, Alabama, where he defends insurers in damage suits for breach of contract and bad faith. He chairs the firm's appellate practice section and has participated in over 100 appellate cases, including some landmark U.S. Supreme Court cases that reshaped the law of punitive damages. Mr. Latta is a former vice chair and program chair for DRI's Life, Health and Disability Committee and a member of the FDCC and the Association of Life Insurance Counsel.

Brooks R. Magratten is a partner in Pierce Atwood LLP in Providence, Rhode Island, and an adjunct professor of federal practice at the Roger Williams Law School. Mr. Magratten has more than 20 years of experience in insurance, product liability and commercial litigation. He is a member of DRI's Law Institute, a former DRI Northeast Regional Director and past chair of the DRI Life, Health and Disability Committee. Mr. Magratten is "AV" rated, and recognized as a New England "Super Lawyer" in the field of employee benefits litigation.



Richard J. Marquez is the managing director and partner of Diligence International Group LLC in Addison, Texas, a leader in international investigations and anti-fraud solutions and services for the financial services industry. He has more than 30 years of experience in foreign investigations and information/database technology. Before Diligence, Mr. Marquez worked for 28 years at Prudential Financial. He is one of the industry's most highly sought consultants for his expertise in international investigations and anti-fraud solutions.

Henry T. Morrisette is a member of Hand Arendall LLC, a full service law firm with offices throughout Alabama. Mr. Morrisette represents insurance companies in life, health and disability insurance, sales practices, bad faith and ERISA litigation. He served as president of the Alabama Defense Lawyers Association in 2001 and as Alabama State Representative for DRI from 2002–2005. Mr. Morrisette is listed in *The Best Lawyers in America* and in *Alabama Super Lawyers* 2008–2012.

The Honorable Nan R. Nolan was appointed as a United States Magistrate Judge for the Northern District of Illinois in 1998. She began her legal career as a staff attorney for the Federal Defender Program in Chicago, and then worked in private practice. Magistrate Judge Nolan is a member of the Advisory Board for the Sedona Conference and a member of the Georgetown University Law Center E-Discovery Advisory Board. She is the chair of the E-Discovery Committee overseeing the Seventh Circuit Electronic Discovery Pilot Program.

Adrienne C. Publicover is a partner in the San Francisco office of Wilson Elser Moskowitz Edelman & Dicker LLP and the chair of the firm's Life, Health, Disability and ERISA Practice Group. Ms. Publicover represents insurers and plans in matters throughout the United States. She consults with and represents clients in connection numerous insurance claims and coverage issues. She is a member of DRI's Life, Health and Disability Committee.

Daniel K. Ryan is a partner in the Chicago office of Hinshaw & Culbertson LLP. He is the leader of his firm's business litigation practice group and a member of its executive committee. Mr. Ryan has a national practice in the areas of employee benefits and employment law. He has handled hundreds of ERISA and non-ERISA employee benefit cases, including trials to verdict and oral arguments before various appellate courts, defense of claims for benefits, breach of fiduciary duty claims and reporting and disclosure claims.

Mark E. Schmidtke is a shareholder in Ogletree Deakins Nash Smoak & Stewart PC in Valparaiso, Indiana, and Chicago, Illinois. He represents insurance and other clients in life, health and disability litigation in state and federal courts throughout the United States. Mr. Schmidtke has authored many books and articles on employee benefit issues and is a frequent speaker at national seminars. He is coauthor of the *ERISA Litigation Primer* (2009) published by DRI, a former chair of DRI's Life, Health and Disability Committee and a current DRI national director.

Gary Schuman is senior litigation counsel for Combined Insurance Company of America in Glenview, Illinois. Mr. Schuman is responsible for providing legal advice to the company's claims, underwriting and policyholder service departments, as well as managing nationwide life, health and disability insurance bad faith litigation. He lectures frequently and is widely published on a variety of related topics. Mr. Schuman is currently the chair of the DRI Life, Health and Disability Committee and a vice chair of the ABA-TIPS Life Insurance Committee.

Edith Sanchez Shea is a partner in the Los Angeles office of Burke Williams & Sorensen LLP. She is an experienced civil litigator and her practice includes the areas of bad faith insurance law, ERISA litigation and business litigation. Ms. Shea has contributed to the DRI Trial Tactics Committee newsletter on the topic of cross-examination of expert witnesses. Prior to entering the private sector, Ms. Shea was a trial attorney with the United States Department of Justice. She is admitted to practice in California, New York and New Jersey.

Laura D. Windsor is a senior associate at Troutman Sanders LLP in Richmond, Virginia. Ms. Windsor's practice focuses on employment and employee benefits litigation, including the defense of disability, life and health insurance claims under ERISA and state law. She is the author of "The FLSA and Beyond," published in DRI's *In-House Defense Quarterly* (Winter 2008). Ms. Windsor is an active member of the DRI Life, Health and Disability Committee, and a member of the state bars of Georgia and Virginia.



SEMINAR
SPONSORS

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2012 SEMINAR
SCHEDULE

February 2-3	Civil Rights and Governmental Tort Liability <i>Eden Roc Renaissance Miami Beach, Miami Beach, FL</i>	May 10-11	Drug and Medical Device <i>Hilton New Orleans Riverside, New Orleans, LA</i>
February 9-10	Toxic Torts and Environmental Law <i>Fontainebleau Miami Beach, Miami Beach, FL</i>	May 10-11	Retail and Hospitality <i>Swissôtel Chicago, Chicago, IL</i>
February 16-17	Trucking Law <i>The Westin Kierland, Scottsdale, AZ</i>	May 17-18	Business Litigation and Intellectual Property <i>Sheraton New York Hotel & Towers, New York, NY</i>
February 23-24	Sharing Success— A Seminar for Women Lawyers <i>The Westin Kierland, Scottsdale, AZ</i>	June 7-8	Diversity for Success <i>Swissôtel Chicago, Chicago, IL</i>
March 8-9	Medical Liability and Health Care Law <i>Hilton New Orleans Riverside, New Orleans, LA</i>	June 14-15	Young Lawyers <i>JW Marriott Eden Roc, Miami Beach, FL</i>
March 14-16	Trial Tactics <i>Bally's Las Vegas, Las Vegas, NV</i>	June 21-22	Appellate Advocacy <i>Hyatt Regency Cambridge, Cambridge, MA</i>
March 14-16	Rainmaking <i>Bally's Las Vegas, Las Vegas, NV</i>	September 20-21	Construction Law <i>Arizona Biltmore, Phoenix, AZ</i>
March 28-30	Insurance Coverage and Claims Institute <i>The Westin Michigan Avenue, Chicago, IL</i>	September 20-21	Nursing Home/ALF Litigation <i>The Cosmopolitan of Las Vegas, Las Vegas, NV</i>
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