

**NEW!**

# Mealey's™ Wrap Insurance Conference

A cutting-edge look at a new type of insurance and risk management program for construction projects that reduces costs, claims and aggravation.

**Co-Chairs:**

**Clifford Shapiro, Esq.**

Barnes & Thornburg LLP  
Chicago

**Jason Weintraub, Esq.**

Vice President & General Counsel  
DRI Companies, Irvine, CA

**June 23 – 24, 2008**

**The Signature at MGM Grand  
Las Vegas**

# Mealey's Wrap Insurance Conference

## Why you should attend

Pervasive construction defect litigation over the past 15 years has produced an insurance crisis in the construction industry. Residential and commercial construction companies face soaring insurance costs and diminishing coverage.

As a result, over recent years, owner-controlled or contractor-controlled insurance programs—also known as “wrap” insurance—have surged in popularity as homebuilders and general contractors struggle to ensure projects are adequately insured.

**Mealey's Wrap Insurance Conference** focuses on the shared risk concept that forms the essence of wrap insurance—the theoretical aim to truly “wrap” the project by providing a single remedy for all claims. Attendees will hear from top experts in the field, regarding: **buying the right program ... policy administration ... risk management ... claims handling ... construction processes ... contractual relationships between builders/GCs and subcontractors ... and litigation strategies.**

This conference is **the first to provide a comprehensive discussion** concerning how the rise of wrap programs has affected other elements of construction risk management—from planning and construction of a project to customer service claims and litigation. You'll leave with an increased understanding of how the ever-increasing use of wrap insurance is fostering a new model of risk management for construction.

## How you will benefit

- Learn what you need to know about purchasing the latest “wrap” products, including the innovative Zurich HBPP program
- Examine how to reduce the cost of wrap-up program administration with the aid of the experts
- Find out how to lower costs and risk by sharing management responsibilities during the construction process
- Hear how to properly advise builders and contractors regarding SIR/ deductible contributions, conflicts of interest and subrogation clauses
- Discover how to handle current and upcoming coverage issues—such as offsite liability issues, triggers of coverage and faulty warranty work
- Get a handle on cost-effective methods of resolving right-to-repair statute claims and other claims
- Gain valuable insights into how to deal with “nightmare scenarios” such as policy exhaustion and carrier insolvency

## You'll network with

This conference is the ultimate place for attorneys, developers, in-house counsel, contractors, risk managers, claims personnel, adjusters and construction suppliers from around the country to connect with colleagues, conduct business and trade results-orientated ideas.

# Mealey's Wrap Insurance

June 23 – 24, The Signature at MGM Grand, Las Vegas

## Monday, June 23, 2008

### 8:00 Registration and Continental Breakfast

### 8:45 Introductory Remarks

### 9:00 Purchasing Power: Buying True "Wrap" Insurance

- The latest wrap products from the experts
- Innovative, risk sharing vehicles such as the Zurich HBPP program
- How much insurance should be purchased for wrap projects and what type of coverage do you really need?

**Michael Alberico**, Vice President, HRH, Chicago

**Toni Johnson, Esq.**, Beecher Carlson Insurance Services, LLC,  
San Francisco

### 10:00 Using Wrap Administration as a Cost Reduction Mechanism

- Ways to reduce the cost of wrap-up program administration
- What are the positives and negatives of net bidding and premium deductions? Which should you consider and when?
- Discussing the best enrollment practices and the role of the administrator and broker in wrap policies
- How to use these policies effectively to reduce construction risks including providing disclosures, implementing customer services programs, rating subcontractor performance, etc.

**George Dale**, Chief Executive Officer, DBH Resources, Los Angeles

**Larry Jackson**, Senior Vice President, Construction Insurance  
Partners, St. Louis

**Tommy Tso**, Director of Risk Management, J.F. Shea Co., Inc., Walnut, CA

### 11:00 Morning Break

### 11:15 In-House Roundtable: Reducing Costs and Sharing Risk Management Responsibility

- How to use pre-job planning initiatives to save your bottom line and the ways they relate to using your "wrap" policy as intended
- Effective and efficient sub-contractor selection processes and considerations: integrating risk management with purchasing
- The benefits of quality assurance, safety and customer service programs to your policy administration and the reduction of claims

**Moderator: Jason Weintraub, Esq.**, DRI Companies, Irvine, CA

**Maureen Thomas, Esq.**, Legal & Risk Management Counsel, Building  
Materials Holding Corporation, White Lake, MI

**Stephen Messutta, Esq.**, Norwood Builders Inc., Park Ridge, IL

# Conference

## 12:30 Networking Lunch

### 1:30 Beyond Risk Transfer: A New Risk Management Model for Wrap Projects

- Addressing the contractual issue on wrap projects
- Ways to ensure the subcontract embraces the same risk sharing approach as the wrap-up policy
- Focusing on certain clauses and other legal issues: indemnity, defense, SIR/deductible contributions, conflicts of interest and subrogation clauses

**Jason Weintraub, Esq.**, Vice President & General Counsel, DRI Companies, Irvine, CA

**Jeffrey Masters, Esq.**, Cox, Castle & Nicholson LLP, Los Angeles

### 2:45 How Tight is the Wrap? Coverage Issues on Wrap Projects

- Anticipating the battles to come: coverage triggers, off-site liability issues, complete versus partial project coverage
- Dealing with faulty warranty work and contractor contribution policies
- Traditional, conventional construction defect claims and coverage & does a wrap policy address and solve the same

**Thomas Schaufelberger, Esq.**, Saul Ewing LLP, Washington, D.C.

**Clifford Shapiro, Esq.**, Barnes & Thornburg LLP, Chicago

**Tim Walsh**, Regional Director, Aon National Wrap-Up Group, Aon Risk Services, Southfield, MI

**Bruce Brazas**, Chief Financial Officer, Edwards Engineering, Inc., Elk Grove Village, IL

## 4:00 Afternoon Break

### 4:15 Claims Management: Minimizing Costs by Sharing Risk When Claims Arise

- Taking advantage of Right to Repair Statutes: the national landscape and more
- Cost effective litigation strategies
- Important insurance tactics: duty to defend and reservation of rights theories

**Moderator: Theodore Koerth, Esq.**, Barnes & Thornburg LLP, Chicago

**John Shugrue, Esq.**, Morgan, Lewis & Bockius, LLP, Chicago

**Stephen Messutta, Esq.**, Norwood Builders Inc., Park Ridge, IL

## 5:00 Networking Reception

## Tuesday, June 24, 2008

### 8:30 Continental Breakfast

#### 9:00 From 40 to 1: Unified Defense on Wrap Projects

- How are conflicts of interest resolved? How is the SIR satisfied?
- Moving forward with a case under a wrap policy: will cases be defended differently without the cross-complaints against subcontractors? To what extent should subcontractors be involved in the litigation?
- What happens when coverage has been exhausted under a wrap policy?
- Looking at how claims are processed under a wrap policy versus how a claim should look under a wrap policy

**Mitchell Lathrop, Esq.**, Duane Morris LLP, San Diego

**Jill Berkeley, Esq.**, Howrey LLP, Chicago

**Raymond Meyer, Jr., Esq.**, Bremer Whyte Brown & O'Meara, LLP, Newport Beach, CA

**Maureen Thomas, Esq.**, Legal & Risk Management Counsel, Building Materials Holding Corporation, White Lake, MI

### 10:00 Morning Break

#### 10:15 The Nightmare Scenario: Wrap Policy Exhaustion

- Resolving claims where wrap policy limits have been exhausted or the carrier is insolvent
- How do the various defendants share risk in this scenario?
- Discussing equitable versus contractual indemnity—legal aspects as well as practical aspects
- Considering the likelihood of alter ego claims against corporate assets

**Bruce Schoumacher, Esq.**, Querrey & Harrow, Chicago

**Eileen Ridley, Esq.**, Foley & Lardner LLP, San Francisco

#### 11:15 Look to the Future

- Insurance: the endurance of wraps in a softening market. Will coverage expand? Can residential wraps ever mirror large commercial wrap projects?
- Construction: will wraps spur increased emphasis on risk management in purchasing? Do builders and subcontractors face bigger stakes in construction risk management?
- Litigation: will shared defense ever become a reality? How will wrap coverage affect joint defense objectives? Will contractual risk transfer become a dinosaur on wrap projects?

- Legislation: is legislative oversight of wraps going to continue and what are the key areas?
- Current market conditions: the impact on the housing market downturn

**Jason Weintraub, Esq.**, Vice President & General Counsel, DRI Companies, Irvine, California

**Patrick Wielinski, Esq.**, Cokinios, Bosien & Young, PC, Dallas

**Toni Johnson, Esq.**, Beecher Carlson Insurance Services, LLC, San Francisco

## 12:30 Adjourn

## The Co-Chairs

**Clifford Shapiro, Esq.**, is a partner in the Chicago office of Barnes & Thornburg LLP, where he is Chairperson of the firm's Construction Law Practice Group. He concentrates his practice in construction law and litigation, insurance coverage litigation and other complex commercial litigation. Mr. Shapiro is ranked among the top construction attorneys by *Chambers USA*. He represents owners, contractors and subcontractors in construction defect, delay and indoor air quality/mold claims, as well as related insurance coverage claims and disputes. He has handled numerous matters in mediation, arbitration and litigation involving construction and/or design claims related to office buildings, university housing, parking structures, warehouses, residential conversion projects and new residential developments. In addition, Mr. Shapiro often negotiates and, when necessary, litigates insurance coverage claims on behalf of construction industry and other policyholder clients.

**Jason Weintraub, Esq.**, is Vice President and General Counsel of the DRI Companies, one of the largest residential and commercial roofing, waterproofing and renewable energy subcontractors on the West Coast. Prior to joining DRI, Mr. Weintraub gained extensive experience in complex and class action litigation at the Howard Rice Law Firm and at Horvitz & Levy LLP. Mr. Weintraub has presented at numerous continuing education seminars on such issues as product liability, construction defect law, insurance coverage, unfair competition law, and complex civil litigation. In 2006, 2007 and 2008, Mr. Weintraub was selected by his peers as a "Rising Star" lawyer in the *Southern California Super Lawyers Edition* magazine, published in conjunction with *Law & Politics* and *Los Angeles* magazine. Articles written by Mr. Weintraub have appeared in *California Litigation* and *The Verdict* magazines.

## Conference Faculty

### Michael Alberico

Vice President, HRH  
Chicago

### Jill Berkeley, Esq.

Howrey LLP  
Chicago

### Bruce Brazas

Chief Financial Officer  
Edwards Engineering, Inc.  
Elk Grove Village, IL

### George Dale

Chief Executive Officer  
DBH Resources  
Los Angeles

### Larry Jackson

Senior Vice President  
Construction Insurance Partners  
St. Louis

### Toni Johnson, Esq.

Beecher Carlson Insurance  
Services, LLC, San Francisco

### Theodore Koerth, Esq.

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Chicago

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Park Ridge, IL

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Bremer Whyte Brown & O'Meara,  
LLP, Newport Beach, CA

### Eileen Ridley, Esq.

Foley & Lardner LLP, San Francisco

### Thomas Schaufelberger, Esq.

Saul Ewing LLP, Washington, D.C.

### Bruce Schoumacher, Esq.

Querrey & Harrow, Chicago

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Chicago

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Building Materials Holding  
Corporation, White Lake, MI

### Tommy Tso

Director of Risk Management  
J.F. Shea Co., Inc., Walnut, CA

### Tim Walsh

Regional Director, Aon National  
Wrap-Up Group, Aon Risk Services  
Southfield, MI

### Patrick Wielinski, Esq.

Cokinos, Bosien & Young, PC  
Dallas

## Registration Information

### Registration Fee

The registration fee includes attendance to all conference sessions, a copy of the conference handbook on CD, continental breakfast each day, one luncheon, networking reception, coffee breaks and continuing education credit processing. The registration fee is \$1195 for the first attendee.

### Special Discounts\*

- Early-bird registration, by April 28, 2008—\$1095 (save \$100). Payment required at time of registration.
- Additional registrants from the same firm or company—\$1045 (save \$150)
- Corporate discount†—\$995 (save \$200)
- Paralegals—\$598 (save \$597)
- Sitting Judges or Special Masters—attend free

**Group Pricing and Passport Packages Available**—contact Mealey's regarding additional savings for your firm's practice group or legal department. Package pricing available for a single conference or a series of conferences.

### CLE, CPD & CPCU Credits Included\*

Mealey's conferences are worth an average of 9 to 12 CLE credit hours. CLE credit will be available for all mandatory CLE states. International accreditation will also be available at this conference, as will CPCU credit through the American Institute for CPCU. For more information or to confirm the exact CLE credit approval for your state(s) of license, please visit [www.lexisnexis.com/conferences](http://www.lexisnexis.com/conferences).

### How to Register

Please register online at [www.lexisnexis.com/conferences](http://www.lexisnexis.com/conferences), call 800-MEALEYS, fax your registration form to 610-205-1167, e-mail [mealeyseminars@lexisnexis.com](mailto:mealeyseminars@lexisnexis.com) or mail your registration form with payment to LexisNexis Mealey's, P.O. Box 7247-6167, Philadelphia, PA 19170-6167. Receipt of payment guarantees your registration. Walk-in registrations are welcome, however, please call in advance to confirm availability. A \$75 service fee may be charged for any on-site registrations.

### Cancellation Policy

Substitutions are welcome at any time. Cancellations must be received in writing. Registrants who are paid in full but do not attend the conference forfeit a refund or credit. Registrants who cancel up to four weeks prior to the conference date will receive a full refund. Registrants canceling from two weeks to four weeks prior to the conference date will receive a full credit. Cancellations made between one week to two weeks prior to the conference date will be subject to a 25% administrative fee; the remaining amount will be credited to the attendee. Cancellations made within one week of the conference are not eligible for a refund or credit. Credits must be used within six months of the date of issuance and may be applied toward any LexisNexis Mealey's conference product or program. Mealey's reserves the right to cancel any of its programs. Speakers, sessions and times are subject to change.

### Conference Venue & Hotel Accommodations

The Signature at MGM Grand is located at 145 East Harmon Avenue, just several minutes from Las Vegas McCarran International Airport. Attendees should make reservations directly with the hotel by calling 877-612-2121. When making reservations, indicate that you are attending Mealey's Wrap Insurance Conference, June 23 - 24, 2008. A block of rooms has been reserved for attendees at a rate of \$229 per night for a single or double room, plus a \$15 resort fee. The cut-off date for this rate is May 3, 2008. After that date, this rate will be offered based on space availability. Please note, there is a limited number of rooms in our room block so make your reservations early. \* PLEASE BE ADVISED that there is a five minute walk via moving walkways from the hotel to the meeting space.

For alternative hotels, please call us at 800-MEALEYS.

### Special Needs

Should you have any special needs, please contact Mealey's at least three weeks prior to the conference, to allow us time to make reasonable accommodations.

### Can't Attend in Person? Purchase the Conference on CD

Mealey's Multimedia Service allows you to bring the best of our live programs to your home or office. The CD includes audio recordings and speaker materials for only \$499 or purchase the speaker materials on CD for \$299. Prepayment is required. The CDs are nonrefundable. Call 1-800-MEALEYS or e-mail [mealeyseminars@lexisnexis.com](mailto:mealeyseminars@lexisnexis.com) for more information. Visit [www.lexisnexis.com/conferences](http://www.lexisnexis.com/conferences) for a complete list of recorded programs.

### Sponsorship & Exhibit Opportunities

Increase your exposure, maintain contacts, obtain new leads by sponsoring an event or exhibiting at this conference. Contact Lynnsey Perrin Hee at 610-804-6165 for details.

\*Cannot be combined with any other offer. Discounts do not apply to single or half-day registrations. For questions regarding discounts, please call Mealey's customer relations at 610-205-1000.

†Corporate discount not applicable to law firms, outside counsel, accounting firms, consulting groups or investment banks.

\*Approval pending at time of printing.

## Registration Form

**Mealey's Wrap Insurance Conference, June 23 – 24, 2008, The Signature at MGM Grand, Las Vegas.**

- Register for the Conference.** Multiple attendees: please submit form for each attendee.
- Written materials on CD for \$299.** (U.S. & Canada: Please add appropriate sales tax to your order.)
- Multimedia CD (audio plus written materials) for \$499.** (U.S. & Canada: Please add appropriate sales tax to your order.)
- MP3 audio file plus written materials on CD for \$499. **NEW!****

**Please contact me regarding:**

- Group or package **DISCOUNT** pricing
- Sponsorship and exhibit opportunities
- Special needs at the conference \_\_\_\_\_.
- Three-month trial subscription to **Mealey's Litigation Report: Construction Defect Insurance.**

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June 23 - 24, 2008

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A cutting edge look at an all new type of insurance program for owners, developers and contractors that reduces costs, claims and aggravation.

### Curious About Wraps?

Wrap insurance is designed to provide coverage for all parties in large construction projects under a single policy. They rely on volume discounts and increased purchasing power to reduce insurance costs, thereby allowing for increased coverage. Wraps reduce claims handling expenses by allowing for a unified, shared defense of claims.

**Early Bird Special!**  
Save \$100 when you  
register by April 28, 2008.

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