# HOW TO TRY AN INSURANCE COVERAGE CASE

2019 Insurance Law Seminar



Earn 7.00 MCLE Hours including .75 Hours Ethics!



Hotel Derek Houston, Texas March 29, 2019



Designed for Trial Lawyers, General Practitioners and Insurance Professionals

Sponsored by
THE INSURANCE LAW SECTION
OF THE STATE BAR OF TEXAS

*in cooperation with* The Texas Institute of Continuing Legal Education

### HOW TO TRY AN INSURANCE COVERAGE CASE

sponsored by The Insurance Law Section of the State Bar of Texas March 29, 2019

Hotel Derek \* 2525 West Loop South \* Houston, TX 77027

This course has been approved for 7.00 hours credit (including .75 hours of ethics credit) which will apply towards MCLE, the College of the State Bar of Texas, and the Texas Board of Legal Specialization in Consumer and Commercial Law. To obtain full MCLE credit, you must attend all sessions. If you need CLE credit in a state other than Texas, please let us know at the time of registration.

The Texas Institute of CLE is an accredited sponsor with the Texas Department of Insurance. An application has been filed for 7.00 hours of General credit (all license types).

### **PROGRAM**

### FRIDAY, MARCH 29, 2019

7:30 a.m. **Late Registration** – Ballroom Foyer, Hotel Derek, 2525 West Loop South, Houston, TX 77027

8:30 a.m. Welcome on Behalf of the Insurance Law Section

Lisa A. Songy, Dallas (Section Chair)

J. James Cooper, Houston (*Presiding Officer*) Christopher W. Martin, Houston (*Presiding Officer*)

8:45 a.m. PRE-SUIT STRATEGY – Let's Get This Party Started

Declaratory Judgment Actions, Duty of Loyalty Owed by Defense Counsel, Drafting and Responding to Reservation of Rights and Demand Letters, and Other Pre-Filing Concerns

Jamie R. Carsey, Houston Rebecca DiMasi, Austin

9:30 a.m. **PLAYING CHESS** 

Motions for Summary Judgment, Appraisal, Venue, Choice of Law and Other Tactical Moves

Robert M. Hoffman, Dallas Vincent E. Morgan, Houston

10:15 a.m. **Morning Break** 

10:30 a.m. **EXPERTS – Using and Abusing** 

.25 Ethics Credit How to Pick Them, Whether to Use Them, and How to Challenge Them

Moderator: Jamie P. Cooper, Houston

Justice Harvey G. Brown, Houston Charles L. Levy, Waco

11:15 a.m. **DISCOVERY AND MEDIATION** 

Unique discovery issues in insurance cases, institutional bad faith discovery strategies and mediation techniques to maximize pretrial opportunities

Christopher H. Avery, Houston Samantha Trahan, Houston

12:00 p.m. **Break for Lunch** 

12:15 p.m. **Lunch Presentation: JUDGES PANEL** 

(Lunch included in the registration fee.)

.25 Ethics Credit Judicial perspectives on how to best present your insurance case.

Moderator: J. James Cooper, Houston The Honorable Nancy F. Atlas, Houston The Honorable Gray H. Miller, Houston The Honorable Ravi Sandill, Houston

1:15 p.m. Break

1:30 p.m. **30 DAYS BEFORE TRIAL – Last Minute Challenges or First** 

Thing You Should Do

Limines, Jury Charge, and Other Key Considerations

R. Brent Cooper, Dallas Lisa A. Songy, Dallas

2:15 p.m. TRIAL TECHNIQUE

Voir Dire, Opening, Your Witnesses, Cross-Examination and

Closing

Moderator: Christopher W. Martin, Houston

Randal G. Cashiola, Beaumont Armando De Diego, Dallas J. Hampton Skelton, Austin Amy M. Stewart, Dallas

3:45 p.m. **Afternoon Break** 

4:00 p.m. WRAP-UP – How to Make a Jury Like an Insurance Company

and How to Make a Jury Dislike an Insurance Company

John S. Black, Houston

Christopher W. Martin, Houston

4:45 p.m. **Adjourn** 

### **CONFERENCE SPONSORS**









































### CONFERENCE FACULTY

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Christopher Avery, Houston Thompson, Coe, Cousins & Irons, LLP

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Justice Harvey G. Brown, Houston

The Lanier Law Firm

Jamie R. Carsey, Houston

Markel - Claims

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Vincent E. Morgan, Houston Pillsbury Winthrop Shaw Pittman LLP

Hon. Ravi Sandill, Houston

127th Civil District Court, Harris County
J. Hampton Skelton, Austin

Skelton & Woody

Lisa A. Songy, Dallas

Tollefson Bradley Mitchell & Melendi LLP

Amy M. Stewart, Dallas Stewart Law Group PLLC

Samantha Trahan, Houston Trahan Kornegay Partners LLP

### Chair, Insurance Law Section

Lisa A. Songy, Dallas Tollefson Bradley Mitchell & Melendi LLP

### **Presiding Officers**

J. James Cooper, Houston Reed Smith LLP

Christopher W. Martin, Houston Martin, Disiere, Jefferson & Wisdom, L.L.P.

## Not an Insurance Law Section Member? Join now to register at the member rate. You save \$50!

Check the appropriate box on the registration form and include the dues with your payment.

### STATE BAR OF TEXAS



**INSURANCE LAW SECTION** 

### Membership Benefits include:

- Complimentary subscription to the Insurance Law Journal
- Discounts to all section sponsored CLE programs
- Complimentary subscription to "Right Off the Press" Email Updates
- Access to the Member's Only section of the www.insurancelawsection.org website
- Online access to past CLE course materials and brief bank
- A listing in the online Membership Directory

For more information about Texas Institute of CLE seminars and available CLE materials see our website at <a href="https://www.clesolutions.com">www.clesolutions.com</a>.

### GENERAL INFORMATION

**Hotel Derek** — A limited number of rooms have been reserved at the special rate of \$135.00 per night plus taxes for a single/double. Hotel Derek is located at 2525 West Loop South, Houston, TX 77027. **The hotel deadline is March 7, 2019 or until the room block is exhausted, whichever comes first.** Please call the hotel directly at (866) 292-4100 or (713) 961-3000 and request the "Texas Institute of Continuing Legal Education" group rate. We recommend that you make your hotel reservation immediately if you plan to attend this course.

**Pre-Registration** — To ensure sufficient materials are available for all attendees, advance registration is strongly encouraged. Door registration incurs an additional fee.

**Registration by Telephone or Online** — You may register by calling (512) 451-6960 or visiting <a href="https://www.clesolutions.com">www.clesolutions.com</a>. Phone and online registrations require an AMERICAN EXPRESS, VISA or MASTERCARD number, expiration date, security code, email address and billing address with zip code.

**Cancellations and Refunds** — Refunds, less a \$50.00 processing fee, will be given to registrants who cancel by 5:00 p.m. on the Friday preceding the course. No refunds will be granted thereafter. Audio CDs and course materials will automatically be mailed to prepaid registrants who were not able to attend.

**Special Accommodations** — If special arrangements are required for a person with a disability to attend this program, please contact us at (512) 451-6960.

### REGISTRATION FORM

Mail to:	Texas Institute of Continuing Legal Educ	cation	FAX to: (512) 451-2911		
	2019 Houston Insurance Law Seminar P.O. Box 4646		Phone: (512) 451-6960 Online at: www.clesolutions	com	
Austin, TX 78765-4646			(Phone, Fax and Online Registrations		
Make checks payable to: Texas Institute of CLE			must be accompanied by American		
			Express, Visa or MasterCard Info	ormation.)	
	gister me for the course as follows:				
Pre-Registration fee for INS Section Members (Due by 5:00 p.m. March 8)					
Pre-Registration fee for Non-Members (Due by 5:00 p.m. March 8)				\$ 295.00	
Corporate Counsel Registration fee (Due by 5:00 p.m. March 8)				\$ 99.00	
Late Registration fee (After 5:00 p.m. March 8 and before 5:00 p.m. March 22)				\$ +35.00	
Door Registration fee (After 5:00 p.m. March 22 and at the door) Insurance Law Section Dues (to be eligible for the discounted member registration fee)					
Insur	ance Law Section Dues (to be eligible for	the disc	ounted member registration fee)	\$ 30.00	
conferenc	s have the option of choosing between elec e materials. Please choose one option below nd printed materials, an additional \$54.13 i	w. If you	would like to receive both		
☐ USB Version (includes hard copies of PowerPoint presentations for note-taking.)				\$ -0-	
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I cannot	attend the conference. Please forward	l the fo	llowing:		
$\square$ Audio CDs & course materials ( $\square$ USB $\underline{or}$ $\square$ Printed) at \$245 + .0825 tax				\$ 265.21	
☐ Course materials only (☐ USB <u>or</u> ☐ Printed) at \$100 + .0825 tax					
TOTAL ENCLOSED					
	No refunds after 5:00 p.m., Friday, Mai	rch 22,	2019. See cancellation policy above.		
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**Texas Institute of Continuing Legal Education**P.O. Box 4646
Austin, TX 78765-4646



# HOW TO TRY AN INSURANCE LAW COVERAGE CASE 2019 INSURANCE LAW SEMINAR

Designed for Texas lawyers, insurance industry professionals, and others interested in learning the latest methods and strategies for trying an insurance law case in Texas.

March 29, 2019 Hotel Derek Houston, Texas

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