

SEMINAR

A

AB Update: What's Hot What's Not!

Presented by Philippa Samworth, B.A.,LL.B., Partner and Andrea Lim, M.A.,LL.B., Associate, Dutton Brock LLP

TOP 10 cases at the Lat for 2019. The good, the bad and the very ugly. Hear about limitation periods, New Cat cases, and other exciting issues.



Philippa Samworth, B.A.,LL.B.

Philippa G. Samworth is a partner at Dutton Brock and her area of practice is in insurance defence (Accident Benefits), as well as providing Mediation and Arbitration services. Miss Samworth has a number of achievements and was retained by the Ministry of Finance of Ontario as a consultant to provide analysis and technical advice to the Ministry on its preparation and drafting of the new Automobile Insurance Legislation: Bill 59 and its regulations.

In May 1997, Philippa was appointed to the Minister's Committee for Designated Assessment Centres as Chair from September 1998 - September 2000, and again from December, 2001 to February 2004.

In 2000, she was asked by the Government of Ontario to Chair on Advisory Committee to make recommendations regarding the definition of Catastrophic Impairment. In March of 2004 Miss Samworth was again retained by the Minister of Finance to conduct stakeholder consultations and provide advice and recommendations on proposals to replace the DAC system. In October of 2007 Philippa was inducted into the American College of Trial Lawyers.



Andrea R. Lim, M.A.,LL.B.

Andrea R. Lim, is an associate of Dutton Brock LLP, who has practised in the area of insurance defence with an emphasis on first party accident benefits. Ms. Lim graduated from the University of Windsor Law in 2008, and articulated with Dutton Brock LLP following her call to the bar. She also received a

Master of Arts degree from Queen's University, and her Honours Bachelor of Arts from the University of Toronto, Trinity College. Ms. Lim has authored various published articles regarding first party accident benefits in Ontario, including "My Beautify Dark Twisted Fantasy: Combining Physical and Psychological Impairment", Toronto Law Journal, June 2012, and "The Fine Line Between Custodial and 'On Call' Care", Claims Canada, October 2012. Ms. Lim is currently an Executive Council Member of the Medico-Legal Society of Toronto (MLST), and the Co-Chair of the Membership Committee. She is also the Chair of Diversity and Inclusion Committee of the Canadian Defence Lawyers (CDL) – Legal Association Canada, a Board Member of the Canadian Defence Lawyers – Legal Association Canada, and the recipient of the 2016 Richard B. Lindsay Q.C. Exceptional Young Lawyer Award.

SEMINAR

B

Emerging Exposures in Property Claims

Presented by Lori Festarini, P.GEO, Vice President of Environmental Services, Stantec Consulting Ltd.

The presentation will be an introduction to the impact of emerging contaminants, including Per-and Poly Fluorinated Alkyl Substances (PFAS), that are becoming more frequent in commercial property fires. The use of firefighting foam (or Aqueous Film Forming Foams (AFFF)) is one mechanism that has increased the presence of PFAS in the environment. Many of the PFAS compounds are extremely persistent and mobile in the environment that results in some difficulty when these contaminants result in impacts to soil, ground-water or surface water.

The presentation will discuss potential sources of PFAS (manufacturing, AFFF, landfills, waste water treatment, septic, fire losses), the chemical properties, risks to the environment associated with property claims and how to assess and subsequently mitigate the risks.

A case study will be presented to showcase a commercial property claim involving PFAS.



Lori Festarini,

P.GEO, Vice President of Environmental Services, Stantec Consulting Ltd.

Lori Festarini is a Vice President of Environmental Services at Stantec Consulting Ltd., with over 26 years of experience in environmental consulting and geoscience. She is responsible for top line revenue growth in the Commercial Sector and currently serves as a National Sector Lead for Environmental Services at Stantec.

Throughout her career, Lori has managed numerous Phase II Site Assessments and Remediation projects for clients including those in the insurance, real estate and brownfield sectors. Ms. Festarini has experience in the preparation of project work plans and specifications, developing and controlling budgets and schedules, and organizing staff and subcontractors. Lori is proficient in resolving technical and project related matters as they arise. She is a licensed Professional Geoscientist in Ontario and a recognized Qualified Person under Ontario Regulation 153/04 of the Environmental Protection Act.

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Economic Loss: Looking at Reality

Presented by Gary Phelps, CPA, CMA, CFF, CFE,
Partner, Davis Martindale

A focus on strategies to resolve economic loss claims on a timely basis, by considering reality and case facts. Topics include:

- What happens when people age?;
- Consideration of participation rates;
- Common issues with self-employed individuals; and
- Earnings statistics.



Gary Phelps, CPA, CMA, CFF, CFE,
Partner, Davis Martindale

Gary Phelps is a Chartered Professional Accountant, Certified Management Accountant, Certified in Financial Forensics and a Certified Fraud Examiner.

A practice leader with Davis Martindale since 2009, Gary has been working in the insurance and litigation industry since 1990. Gary has brought his expertise to the judicial system, appearing as an expert witness in the Ontario Superior Court and at the Financial Services Commissions of Ontario. His practice specializes in economic loss claims, commercial insurance claims, providing commercial and personal injury litigation support, fraud/forensic investigations and being an expert witness.

SEMINAR



The New Simplified Rules: Investigation, Litigation Strategies and Cost Considerations

Presented by Talaal Bond, Partner, Matthews Abogado LLP

This is a discussion of the recent amendments that will encompass a review of the changes and how they will affect litigation, touching on an insured's duty to cooperate, key timelines, and the effect of capped financial risks in determining resolution choices.



Talaal Bond,
Partner, Matthews Abogado LLP

Talaal has been representing insurers and their insureds in a wide range of matters including property and casualty, and professional liability since his call to the Ontario Bar in 2001. He has appeared at all levels of court in Ontario, private arbitrations and administrative tribunals. He is currently 2nd Vice President of Canadian Defence Lawyers and chairs the Intervener Committee. He frequently gives seminars on various topics, and has been named a Lexpert Leading Lawyer in the category of Litigation – Insurance, Commercial in 2017, 2018 and 2019.

SEMINAR



A Claims Transformation Journey: A Roundtable Discussion with Insurance Leaders

Panel includes:

Karen Mican, HBA, CHRP, CIP, Senior Vice President Claims, RSA

Ewen Cameron, MBA, FCIP, Senior Vice President Claims, RSA

Bryant Vernon, MBA, B.Sc, Chief Claims Officer, AVIVA

Moderator - Leanne B. Hardman, BSc. Hons. CIP

A moderated senior leadership panel. Senior leaders will discuss their claims transformation journeys, how they are responding to the ever changing needs of their customer, what keeps them up at night and what they are doing to ensure they attract and retain top claims talent.



**Karen Mican, HBA, CHRP, CIP, Senior Vice
President Claims, RSA**

Karen was appointed Senior Vice President of Claims in August 2018, with responsibility for the Casualty, Legal and Complex, Legal and Property teams. Prior to joining RSA in 2017 as Vice President Casualty Claims & Auto Physical Damage Contact Centres, Karen's previous leadership roles with Aviva Canada and State Farm Insurance provided her with a diverse background on claims, underwriting and operations working with multiple distribution models. Karen has a BA (Hons.) from the University of Toronto, completed the Ivey Business Executive Program, is a Certified Insurance Professional (CIP) and is a Certified Human Resources Professional (CHRP).



Ewen Cameron, MBA, FCIP, Senior Vice President Claims, RSA

Ewen was appointed Senior Vice President of Claims in August 2018 with the responsibility for the Shared Services and Auto Physical Damage contact centre teams. Ewen has held many senior roles at RSA and Johnson since joining in 2003. In his most recent role as Vice President of Claims Shared Services, Ewen led the Vendor Management, Subrogation, Fraud and Claims Optimization teams. He has held various leadership roles throughout RSA including leading the enterprise transformation program, plan benefits and strategic products as well as operational strategy. Ewen is a Fellow Chartered Insurance Professional and holds an MBA from Richard Ivey School of Business and a BA (Hons) from Queen's University.



Bryant Vernon, MBA, B.Sc, Chief Claims Officer, AVIVA

Bryant Vernon is the Chief Claims Officer at Aviva Canada and recently joined the company this May. He is accountable for the operational and financial performance of the claims organization, including auto & property, healthcare, casualty claims, customer service, enablement, as well as the legal and anti-fraud teams. His primary areas of focus are introducing more analytical rigor to claims and transforming the culture to be more transparent, people centric, and accountable for results.



Leanne B. Hardman, BSc. Hons. CIP

Leanne began her insurance career with The Co-operators in 2001 as an Accident Benefits Adjuster. She obtained her CIP in 2009 and after a decade of handling claims, she joined Unifund Assurance as a Supervisor in their AB department. Leanne is an instructor with the Insurance Institute of Ontario and has been a subject matter expert and technical facilitator for "Understanding Serious Injury" an Insurance Institute course for experienced injury adjusters. Her passion for education led Leanne to develop a clinic for continued education and skill enhancement for adjusters at RSA/Unifund. Leanne has volunteered since 2010 for the Ontario Insurance Adjusters Association, first as a Toronto Delegate and now as the 89th President of the OIAA. She is President of a Board of Directors for a Condominium Corporation in York Region.

SEMINAR **F**

Casualty Update: A Year In Review

Presented by Ian Gold, LL.B. and Adam Bucci, B.A. (Hons), J.D., Thomas Gold Pettingill LLP

Ontario courts have rendered a number of important decisions over the past year on a variety of casualty-related issues. From highways to hallways, from motor vehicle accidents to occupier's liability and property claims, and everything in between, we hope to address a cross-section of some of the more important issues in insurance law. Regardless of your background in the insurance industry, we trust that you will find our review of the most important decisions of 2019 to be informative and helpful.



Ian Gold, LL.B

Ian Gold is a founding partner in Thomas Gold Pettingill LLP. He is a skillful civil and commercial litigator having extensive trial experience with judges and juries. His practice spans all fields but emphasizes complex insurance litigation. Ian has handled all matters of insurance and insurance coverage cases on behalf of insurers including professional malpractice, directors and officers liability, property and casualty claims, class actions, environmental litigation, subrogation, and insurance fraud.



Adam Bucci, B.A. (Hons), J.D.

Adam is a partner at Thomas Gold Pettingill, LLP. Adam joined the firm in 2013 and works primarily in the insurance defence group working on motor vehicle, property, casualty, municipal and liability claims. He is also eagerly growing his practice in insurance coverage. Adam has appeared regularly on behalf of his clients at motions court in the Superior Court of Justice, and appellate level court. He has also conducted a number of Small Claims Court trials dealing with a wide variety of issues involving insurance defence and coverage.

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Cyber Crime: Insuring Against an Ever-Changing Threat

Presented by **Katherine Kolnhofer**, Partner, Bell Temple LLP

Katherine Kolnhofer, Partner at Bell Temple LLP will present on the State of the Union in Canada on Cyber Crime, AI, and challenges to the insurance industry, with a discussion on Silent Cyber coverage issues.



Katherine Kolnhofer,
Partner, Bell Temple LLP

Katherine Kolnhofer is an experienced Civil Litigator and Partner in a leading Toronto law firm. She chairs the firm's Privacy, Cybersecurity and Technology Law Group, and is Harvard educated in Cybersecurity Risk Management. She focuses on identifying and managing operational, litigation and reputational risk, and data breach management. With the recent implications of the GDPR and the Canadian Mandatory Privacy Breach Notification Regulations, she is consulting for organizations on breach mitigation and preparedness. A significant portion of her practice is insurance defence in a various lines, including Property Casualty, CGL, coverage work, professional liability, and product liability. She is published in the Cybersecurity space and is a frequent speaker, including engagements at NetDiligence and Toronto Police Headquarters.

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IBC Government Reforms, Driver Care Update Cannabis Legalization Edibles, Extracts & Topical Forms of Cannabis

Presented by **Todd Jerry**, Director, Government Relations, Ontario, **Marc Lefebvre**, BA, Underwriting Coordinator, IBC, and **Mario Fiorino**, B.A, LL.B, M.ED, Senior Legal Counsel of IBC

An IBC update on anticipated government reforms and Driver Care. Cannabis: how we got to where we are legislatively and the latest legalization developments. The first portion of the seminar will be on the initial legalization of cannabis in Canada and the second portion will be on Edibles, Extract and Topicals.



Todd Jerry,
Director, Government Relations, Ontario

Todd brings to his role at Insurance Bureau of Canada (IBC) a decade of experience working with the federal and Ontario governments in highly regulated sectors, including auto insurance and major government procurements. He has in-depth knowledge of provincial and federal policy files and internal government processes. During his time with the federal government, Todd held a number of senior roles, including Director of Issues Management and Parliamentary Affairs to the President of the Treasury Board.



Marc Lefebvre,
B.A., Underwriting Coordinator, IBC

Marc has over thirty years of experience in the property and casualty insurance industry. In July 2010, he joined Insurance Bureau of Canada (IBC) as Underwriting Coordinator, overseeing the activities of the Wordings Advisory Group and its various wording task forces and working groups. Through these groups, industry benchmark wordings are developed as a foundation for member companies to draft their own policies.



Mario Fiorino,
B.A, LL.B, M.ED, Senior Legal Counsel of IBC

Mario Fiorino is Director, Legal Services and Assistant General Counsel for the Insurance Bureau of Canada and secretary and coordinator of the Commercial Lines Standing Committee and the Claims Advisory Group. As a lawyer author, educator, Mario has worked with insurance professionals (insurers and brokers) in all Canadian jurisdictions, the United States and Australia on technical, organizational development, change management and emerging issues.

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The Transformation of Client Experience

Presented by:

Darryl D'Silva, P. Eng., Sr. Vice President, Integricon Property Restoration & Construction Group,

Ged Brady, HO Claims Specialist, RSA Canada,

Greg Madill, SRD Executive General Adjuster, ClaimsPro,

and **Colin Young** Assistant Vice President, JS Held LLC

Client experience is defined by interactions between clients and their organization throughout business relationships. An interaction can include awareness, discovery, cultivation, advocacy, purchases and service. The panel will be discussing the foundation of collaboration communication and trust between all key stakeholders of the claim handling process.



Darryl D'Silva,

P. Eng., Sr. Vice President, Integricon Property Restoration & Construction Group

Darryl D'Silva is the Sr. Vice President of Integricon. Darryl offers over 25 years experience in the building and construction industry specializing in project management. Darryl offers a unique blend of vision, knowledge and possess strong communication skills coupled with the ability to lead by example and with patience.



Ged Brady,

HO Claims Specialist, RSA Canada

Ged has been with RSA for over 40 years. During this time, he has held various technical and leadership roles in many countries, including UK, Chile, Saudi Arabia, Oman and Canada. He has handled some of the company's largest and most complex property claims. Ged has extensive CAT experience including 18 months in Chile following the earthquake (2010 - 11), a secondment to Canada following the 2013 flood claims and 5 months in Fort McMurray following the 2016 wildfires. Ged is Customer driven with a focus on optimal outcome.



Greg Madill,

SRD Executive General Adjuster, ClaimsPro

Greg Madill is an Executive General Adjuster with ClaimsPro, operating out of the downtown Toronto office, handling large, complex and industrial commercial losses as part of the Specialty Risk Division. Greg brings more than 35 years' industry experience to his current role and holds the professional designations of CIP and CCFI-C. An Independent Adjuster since 1982, Greg has handled a wide variety of all lines losses, including high profile cases for Insurers, counsel and clients with self insured retentions. He is highly skilled in managing communications and mediation with all stakeholders. Prior to joining ClaimsPro, Greg was the founding principal proprietor of Upper Canada Adjusters Inc. He has published several articles in Without Prejudice, an OIAA publication and has delivered several lectures at industry events and conferences.



Colin Young,

Assistant Vice President, JS Held LLC

Colin Young is a construction and insurance industry expert, bringing over 19 years of both project management and estimating experience to the J.S. Held team. As Assistant Vice President working out of the Toronto office, Colin provides client-focused consulting and advisory services, with expertise in the areas of complex loss quantification and estimating, large project management and on-site project monitoring, throughout Canada and Internationally.