



ALFA International

The Global Legal Network

Local Relationships Worldwide

Construire une meilleure piège
à souris international



Building a Better International Mousetrap

2018 ALFA INTERNATIONAL CONSTRUCTION SEMINAR

July 25-27, 2018

Fairmont Banff Springs

Banff, Alberta, Canada

www.alfainternational.com

Construire une meilleure piège à souris international **Building a Better International Mousetrap**

2018 ALFA INTERNATIONAL CONSTRUCTION SEMINAR



July 25-27, 2018
Fairmont Banff Springs
Banff, Alberta, Canada

WELCOME TO BANFF!

Welcome to Banff—one of the most precious, protected places in the world. A visit offers the chance to experience the spectacular Canadian Rocky Mountains and glacier-fed lakes, wildlife at its wildest, and small-town charm that only Banff can offer. Located in the heart of Banff National Park, a UNESCO World Heritage Site, the world famous Fairmont Banff Springs hotel stands as a landmark in the picturesque alpine town of Banff, Alberta—Canada’s “Castle in the Rockies.”

HOW TO GET HERE

The easiest way to access the Fairmont Banff Springs is by flying into Calgary International Airport (YYC), which offers connecting service from most major cities. The hotel is located within Banff National Park. After you land you will enjoy a scenic 90-minute drive along the multi-lane Trans-Canada Highway on your way to the hotel. ALFA International is pleased to offer group ground transportation from the airport to make getting to the seminar even easier. Please note, every person entering Banff National Park is charged a mandatory park fee of \$9.50 CAD, per person, per day. If you use the ALFA International provided transportation that fee will be included, but if you’re entering Banff National Park on your own please be aware of this fee.

“Build a better mousetrap, and the world will beat a path to your door.” This phrase, attributed to Ralph Waldo Emerson, has become a metaphor for the power of innovation. In the construction realm, building a better mousetrap starts with an innovative design and bringing it into the world through sound construction, while paying attention to business challenges, and managing risk along the way. This summer, join the ALFA International Construction Group at its symposium, Construire une meilleure piège à souris international—Building a Better International Mousetrap, and participate in the conversation on the strides, business concerns, and risks facing the industry around the world.

To build a better international mousetrap, start in an international setting. This year we will host the event in the world famous Fairmont Hotel at Banff Springs in the Canadian Rockies. Get your passport ready, because you will have the opportunity to catch up with old friends and meet new ones in the heart of Banff National Park, Alberta, Canada.

Innovation can take many paths. We have broken our program into three tracks that will allow you to explore different facets of the industry: The Business of Construction; Personal Injury and Property Damage Claims; and Design, Construction Defect and Insurance Litigation. Our panelists, industry leaders and ALFA International attorneys, will deliver a diverse slate of programs in each area. You will have the opportunity to choose the sessions most relevant to you. In addition, we will come together for plenary sessions on cybersecurity and the latest developments in construction law.

Join others in your industry who have decided to be a part of the innovation and inspiration it takes to build a better mousetrap, and take part in this fun-filled, educational event. Your journey will be rewarded with increased knowledge and a memory for a lifetime.

Grace Garcia

Co- Program Chair, 2018
Construction Seminar
MORRISON MAHONEY LLP
Boston, Massachusetts

Robert C. deRosset

Co- Program Chair, 2018
Construction Seminar
YOUNG MOORE AND HENDERSON P.A.
Raleigh, North Carolina

WHAT IS ALFA INTERNATIONAL?

ALFA International is the premier network of independent law firms. Founded in 1980, ALFA International was the first and continues to be one of the largest and strongest legal networks. We have 150 member firms throughout the world. Our 80 U.S. firms represent 95 of the 100 largest metropolitan areas. Our 70 international firms are located throughout Europe, Asia, Australia/New Zealand, Africa, Canada, Mexico, and South America.

ALFA International’s mission is to provide high quality, cost efficient legal services wherever our clients need them. The ALFA International model enables our members to use their local expertise to deliver highly effective legal solutions, often drawing upon the collective wisdom and experience of other member firms. ALFA International clients benefit from a geographically comprehensive network of exceptional law firms and accomplished trial and business counsel. Our member firms meet high standards to be part of the ALFA International network and are well respected by their peers in the legal and business communities.

www.alfainternational.com

Wednesday, July 25, 2018

2:00 p.m. – 6:00 p.m.

Registration

Alberta/
New Brunswick Foyer

2:00 p.m. – 5:30 p.m.

Faculty Rehearsal

Alberta/
New Brunswick Room

2:00 p.m. – 4:00 p.m.

Client Advisory Board Meeting

Oak Room


4:00 p.m. – 5:00 p.m.

WOMEN'S INITIATIVE RECEPTION

Grapes Wine Bar

Please join the Women's Initiative Practice Group for a fun and interactive international wine tasting led by a sommelier.

Nora Loftus
Women's Initiative Liaison
FRANTZ WARD
Cleveland, Ohio



5:30 p.m. – 6:30 p.m.

All ALFA International Attorney Meeting

DC Coleman

6:30 p.m. – 9:30 p.m.

Mountain Meadow Welcome

WELCOME RECEPTION, BUFFET DINNER, AND REGISTRATION

Garden Terrace & Cascade Ballroom

Welcome to the Canadian Rockies! Join us for a cocktail hour in the Garden Terrace and dinner in the Cascade Ballroom. This first evening is all about reconnecting and networking as you enjoy signature cocktails and an expansive buffet dinner.

Dress Code: Please come casual this evening.



Thursday, July 26, 2018

7:00 a.m. – 8:00 a.m.

BREAKFAST BUFFET

Cascade/Conservatory

8:00 a.m. – 1:00 p.m.

PROGRAM SESSIONS

Norquay/Ivor Petrak/Alberta/New Brunswick Rooms

8:00 a.m. – 8:15 a.m.

Introductory Remarks

Gary A. Bague

Chair, ALFA International Board of Directors
HAIGHT BROWN & BONESTEEL LLP
Los Angeles, California

Brett Marston

Construction Practice Group Chair
GENTRY LOCKE
Roanoke, Virginia

Grace Garcia

Co- Program Chair, 2018 Construction Seminar
MORRISON MAHONEY LLP
Boston, Massachusetts

Robert C. deRosset

Co- Program Chair, 2018 Construction Seminar
YOUNG MOORE AND HENDERSON, P.A.
Raleigh, North Carolina

8:15 a.m. – 9:15 a.m.

PLENARY SESSION:

Recognizing and Mitigating Cyber Security Risks in the Design and Construction Industry

While all businesses face cybersecurity risks, the design and construction industry is confronted with heightened risk due to the ever-increasing use of computer technology and linked devices. The volume of stored data and points of access to that data render design and construction firms rich targets for incursion. So too, the inherent fluidity of the construction labor force is viewed as a unique security risk. The massive data breach incurred by Target was initiated through a phishing email sent to a mechanical contractor that was a vendor for Target. In Germany, hackers gained access to the production network of a steel mill, where they compromised the control systems resulting in a blast furnace not being able to be properly shut down. This panel, including nationally recognized cyber security expert Jake Kouns, will discuss current and emerging cyber risks confronting the design and construction industry and strategies for risk mitigation.

David Draper

Moderator
LEWIS THOMASON
Knoxville, Tennessee

David Tomlinson

Data Protection Officer
HDR, INC.
Omaha, Nebraska

David Vanalek

Chief Operating Officer – Claims
MARKEL
Chicago, Illinois

Jake Kouns

Chief Information Security Officer and Chief Operating Officer
RISK BASED SECURITY
Richmond, Virginia

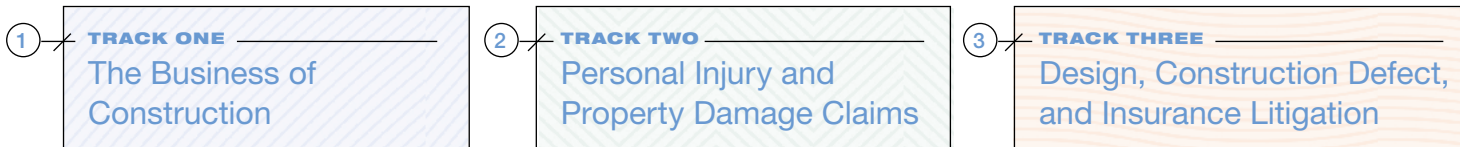
Jeremy Ward

FRANDEN FARRIS QUILLIN
GOODNIGHT & ROBERTS
Tulsa, Oklahoma

9:15 a.m. – 9:30 a.m.

BREAK

BREAKOUT SESSIONS



9:30 a.m. – 10:30 a.m. **BREAKOUT SESSIONS – GROUP 1**

① **TRACK ONE**

The Battle of the Forms: AIA vs. ConsensusDocs

In 2017, the AIA released its latest update to its family of form contracts. What changes did the AIA make? How do the current forms compare with ConsensusDocs? In addition to identifying where these form contracts contrast, this panel will engage in a lively discussion on some of the more notorious contract clauses (depending on your point of view), including “no damage for delay,” indemnity, site risk, pay-if-paid, and dispute resolution.

Michael Gibson <i>Moderator</i> HIGGS, FLETCHER & MACK San Diego, California	Aren Fairchild <i>Chief Legal Officer</i> ARCADIS Chicago, Illinois	Jeff Casadont <i>Assistant General Counsel</i> GERDAU San Diego, California	Al DiVincentis HALLORAN & SAGE Hartford, Connecticut
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② **TRACK TWO**

Acceptance Doctrine—Analysis of Current Law

The “acceptance doctrine” holds that once a contractor has completed a construction project and the owner has accepted it, a third party who was injured by the constructed project may not assert a claim for personal injuries against the contractor. There are various exceptions, including when the latent defect is not observable or the contractor is still in exclusive control of the premises. This panel will analyze various states’ positions, the law as it develops, and exceptions to the general rule. This topic will be useful for most insurers and contractors involved in construction for public use.

Patrick Wilson <i>Moderator</i> WRIGHT LINDSEY JENNINGS Little Rock, Arkansas	Jeff Miller <i>General Counsel</i> HASKELL Oklahoma City, Oklahoma	Dan Fowler <i>Director, Finance & Business Development</i> CROMWELL ARCHITECTS ENGINEERS Little Rock, Arkansas	John Watt BAKER STERCHI COWDEN & RICE LLC Kansas City, Missouri
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③ **TRACK THREE**

The Shifting Sands of Design Liability—Can You Manage to Escape It, or Will You Struggle and Be Swallowed by the Desert?

Design-Build (DB), Engineer Procure Construct (EPC), Integrated Project Delivery (IPD), PPP, design-assist, value engineering, Building Information Modeling (BIM). These ever-changing and evolving project delivery systems, processes, and technologies have streamlined projects, shortened schedules, and reduced overall costs. But, they have also obscured the traditional role of the project designer, if not transferred it altogether, sometimes to unwitting parties ill-equipped to manage the risks. Increased collaboration, before and during construction, also results in new relationships, whether explicit or implied, that threaten to break down the protections that clear privity lines once provided. All of these developments converge to increase liability for design functions for stakeholders at all stages of the project lifecycle. This presentation will examine the legal implications of these changing relationships with real world examples of the impacts and consequences. The panel will discuss contractual, insurance and project management best practices to intelligently identify and manage the risk of a quickly shifting design environment.

Andy Burns <i>Moderator</i> COSGRAVE LAW Portland, Oregon	Ron Peppe <i>Vice President for Legal & Human Resources</i> CANAM STEEL CORPORATION Point of Rocks, Maryland	Nicolas Mesco <i>Assistant Vice President</i> RLI INSURANCE COMPANY Chicago, Illinois	Rochanne Keane <i>Claims Manager, Specialty Lines – A&E</i> BEAZLEY INSURANCE SERVICES San Francisco, California
			Ian Frank FRANTZ WARD Cleveland, Ohio

10:30 a.m. – 10:45 a.m.

BREAK

10:45 a.m. – 11:45 a.m. **BREAKOUT SESSIONS – GROUP 2**

①

TRACK ONE

Means & Methods of Resolving Construction Disputes

No matter how hard we try, the construction industry is naturally fraught with disputes. The number of ways in which it is possible to resolve these disputes is matched only by the variety of ways that these issues can arise. From litigation, arbitration, and mediation, to dispute resolution boards, executive meetings, and collaborative options, the menu is long and diverse for ways to get disputes behind the parties. This panel discussion will identify and evaluate these options and how they can be effective in practical terms, and in limiting the time-impact and cost of resolving construction industry disputes.

Brett Marston
Moderator
GENTRY LOCKE
Roanoke, Virginia

David Royer
Vice President & General Counsel
FRAMATOME, INC.
Lynchburg, Virginia

Chet McPhatter
Chief Operating Officer
BANKER STEEL COMPANY
Lynchburg, Virginia

Nora Loftus
FRANTZ WARD
Cleveland, Ohio

②

TRACK TWO

Ghosts of Construction Past: The Haunting Task of Addressing Environmental Hazards on Site

This panel will discuss issues relating to best practices for pre-construction investigations and planning in light of the potential exposure to toxic contaminants and hazardous substances on a construction site. But, as we all know, despite best planning, the unexpected can still happen, including the release of contaminated substances into the environment during construction. The panel will also address how to avoid these issues, minimizing risk through contractual and insurance considerations, and understanding the potential liability in the event a release occurs. This session is not to be missed, as the panel promises to show some really cool videos.

Trish Morrison
Moderator
BORDEN LADNER
GERVAIS LLP
Calgary, Alberta,
Canada

Kirkland McKenzie
Senior Claims Specialist
VELA INSURANCE
SERVICES
Walnut Creek, California

Rich Adamo
President
ADAMO GROUP, INC.
Detroit, Michigan

David Stechow
PLUNKETT COONEY
Detroit, Michigan

③

TRACK THREE

Right to Repair Statutes: A Fix to Construction Defect Litigation?

Right to repair statutes exist, or have been proposed, in roughly half of all U.S. states. This program will compare and contrast the many different right to repair laws, all of which were passed in an effort to curb construction defect litigation. The panel will discuss what aspects of certain laws have been successful and what aspects have fallen short of their stated goals. Also discussed will be how contractors, subcontractors, and others in the construction industry can take advantage of the opportunities afforded by these statutes. Insurance considerations, particularly a carrier's obligation to defend an insured during these presuit periods, will also be examined.

Michael Paul
Moderator
HALL & EVANS
Denver, Colorado

Erik Sikorski
GL Claim Manager
BUILDERS INSURANCE GROUP
Atlanta, Georgia

Michael Hinojosa
*Chief Claim Officer,
Senior Vice President*
NATIONAL CLAIM SERVICES
Atlanta, Georgia

Brad Frahm
Technical Director of Claims
US ADMINISTRATOR CLAIMS
Oak Ridge, Tennessee

Chris Seibold
BROWN & JAMES
St. Louis, Missouri

11:45 p.m. – 12:00 p.m.

BREAK

12:00 p.m. – 1:00 p.m. BREAKOUT SESSIONS – GROUP 3

1

TRACK ONE

**Get Paid, Not Screwed.
Best Practices for
Ensuring Payment for
Work Performed**

A construction project undertaken with the best of intentions can have the worst of outcomes when the payment process breaks down. For those hopefully rare occasions when getting paid promptly and in full becomes a challenge, contractors and suppliers are well-served to be familiar with the legal tools of the trade. This panel will discuss recent developments in the various means by which contractors and suppliers may enforce their right to payment including liens, bonds, stop notices, state specific remedies, and contractual escrow.

Rick Landers

Moderator
AXILON LAW GROUP
Bozeman, Montana

Johnny Lanning

Senior Vice President
NEW RIVER
ELECTRICAL
CORPORATION
Roanoke, Virginia

Mario Menanno

*Associate General
Counsel*
BARNARD COMPANIES
Bozeman, Montana

Daniel Utt

KEATING MUETHING
& KLEKAMP PLL
Cincinnati, Ohio

2

TRACK TWO

**Medical Causation:
Pre-existing Conditions
and Independent
Medical Examinations**

Injured employees and plaintiffs in personal injury cases may have pre-existing conditions that can impact their claims. Some pre-existing conditions make a plaintiff more susceptible to injury from a traumatic incident, while others may not relate to an incident. The panel will discuss how to recognize the difference and strategies to determine the same. In jurisdictions that allow for an independent medical examination, this discussion will focus on the best practices employed by attorneys and parties for determining whether to request an independent medical examination and how to best pursue a causation defense.

Donald McKay

Moderator
LEAKE & ANDERSSON
New Orleans,
Louisiana

Jessica Rogin

*Vice President,
Specialty*
LIBERTY MUTUAL,
COMMERCIAL
INSURANCE
New York, New York

Tina Hill

Director of Claims
BUILDERS MUTUAL
INSURANCE COMPANY
Raleigh,
North Carolina

Jason Mau

GREENER BURKE
SHOEMAKER
OBERRECHT, PA
Boise, Idaho

3

TRACK THREE

**Tips & Tricks for
Efficient Handling
of CD Claims**

It is easy to get bogged down in the minutiae of complex construction claims, leading to time consuming and costly litigation. This panel will focus on navigating such claims with efficiency. If implemented early, correctly, and sometimes creatively, there are many strategies that construction/design firms, lawyers, and insurance carriers alike can use to avoid, or at least limit, protracted litigation. The panel will also discuss tools such as detection of early warning signs, pre-claim carrier involvement, early investigation/retention of experts, resolution of indemnity/additional insured issues, tolling arrangements, pre-suit discovery, ADR, and pro tanto settlements.

Jon Lieb

Moderator
MCDOWELL KNIGHT
Mobile, Alabama

Kevin McGrath

*Vice President
of Licensed
Professional Claims*
BERKSHIRE
HATHAWAY
New York, New York

Cody Webb

*Vice President,
General Counsel*
ZACHRY
CONSTRUCTION
CORPORATION
San Antonio, Texas

Chris Mueller

TAYLOR DAY
GRIMM & BOYD
Jacksonville, Florida

1:00 p.m. – 2:00 p.m.

LUNCH BUFFET

Cascade/Conservatory

2:00 p.m. – 5:30 p.m.

**NETWORKING TIME AT
HOSPITALITY SUITE**

Tennis Courts/
Recreation Area

Enjoy this time to relax and unwind with fellow conference attendees. Connect with colleagues over beverages and take in all the resort has to offer.

6:00 p.m. – 10:30 pm

Banff Gondola Dinner

Cocktails and Dinner Stations



We are taking tonight's dinner to new heights—to the top of the mountain!

Buses will leave the hotel beginning at 6pm, with the last bus departing at 6:30pm, for the 10 minute drive to the nearby gondola. Guests will then enjoy a scenic 10 minute gondola ride in groups of 4 to the top of the mountain where cocktails and reception style dinner stations await. Bring your camera because the views are incredible! Buses will begin shuttling back to the hotel at 9pm with the last gondola leaving the top of the mountain at 10pm. We hope you're excited as this will truly be a night to remember.

Friday, July 27, 2018
8:00 a.m. – 9:00 a.m.
BREAKFAST BUFFET

Cascade/Conservatory

9:00 a.m. – 12:30 p.m.
PROGRAM SESSIONS

Norquay/Ivor Petrak/Alberta/New Brunswick Rooms

9:00 a.m. – 10:00 a.m. BREAKOUT SESSIONS – GROUP 4

1

TRACK ONE

Construction Law Beyond Borders

The construction industry is one of the largest industries worldwide offering many different opportunities. In addition to these opportunities, parties involved in international construction projects must deal with several challenges. Legal matters become particularly complicated in construction when the participants are from different countries, as the contractual relationships may be subject to different legal systems. Which law should be applicable or even chosen? What kind of dispute resolutions are possible? How are judgments enforced across the globe? What else must be kept in mind? The panel will discuss how these issues can be taken into account in practice.

Gero Schneider
Moderator
 TIEFENBACHER
 Heidelberg/Frankfurt, Germany

Matthew Moore
Corporate Legal Counsel
 SHAW INDUSTRIES
 GROUP, INC.
 Dalton, Georgia

Curt Paulsen
*Senior Vice President
 & General Counsel*
 SAFWAY GROUP
 HOLDING LLC
 Waukesha, Wisconsin

Annie Bernard
 FASKEN MARTINEAU
 DUMOULIN LLP
 Montreal, Quebec, Canada

Paula Boast
 CHARLES RUSSELL
 SPEECHLEYS
 Manama, Bahrain

2

TRACK TWO

Davis-Bacon, FLSA, and Joint Employment Concerns

The FLSA does not provide a bright line definition of employer. As a result, courts have developed a nebulous set of factors to determine whether an employment relationship exists. In the construction context, there have been numerous FLSA claims commenced involving allegations of joint employment between GC and subcontractor employees. This panel will discuss the FLSA's requirement, joint employment concerns and cases, and ways to protect against joint employment claims.

Matt Boyd
Moderator
 HAWKINS PARNELL
 THACKSTON & YOUNG
 Atlanta, Georgia

Virginia Pagliery
*Associate General
 Counsel*
 MASTEC, INC.
 Miami, Florida

Peter Fidopiastis
President and COO
 SCI LLC
 Queensbury,
 New York

Yvette Davis
 HAIGHT BROWN
 & BONESTEEL
 Los Angeles, California

3

TRACK THREE

Ethical Minefields in Corporate Designee Depositions

This session is geared to in-house counsel responsible for identifying and participating in the preparation of a witness identified under F.R.C.P. 30(b)(6) or comparable state statute. Who can represent your company in a deposition? What do you do about those former employees that have the most knowledge? As we all know, the corporate representative's deposition can be the turning point for litigation against any company. In a high-stakes Jeopardy game, our panelists will answer questions about best strategies for identifying and preparing the appropriate witness, and the potential ethical minefields faced by both internal and outside counsel.

Elaine Moss
Moderator
 BROWN & JAMES
 St. Louis, Missouri

Martha Kersey
*Special Liability
 Unit Manager*
 AMERISURE
 INSURANCE
 Farmington Hills,
 Michigan

Alicia Perrone
Claims Counsel
 CAPSPECIALTY
 Middleton, Wisconsin

Melanie Cheairs
 LORANCE &
 THOMPSON
 Houston, Texas

10:00 a.m. – 10:15 a.m.

BREAK

10:15 a.m. – 11:15 a.m. **BREAKOUT SESSIONS – GROUP 5**

1

TRACK ONE

Is Your Job Site Hazard Analysis Putting the Company at Risk?

A formal hazard analysis has many different names and faces—hazard analysis, job site safety analysis, risk assessment, hierarchy of controls...but the process is often very similar. This process, formalized in the late 1950's for product/reliability engineering (FMEA—failure modes and effects analysis), is even used for non-hazard assessment, e.g., on time production. It is utilized by hospitals, the CDC, and business management, in product design and manufacturing, and yes, in construction. Hazard analysis is a critical part of any construction project, and yet it is often overlooked, underused, underappreciated, and not updated. Guess what—there is an app for that! There are software programs for hazard analysis and not performing one pre-job, and even in real-time during the job, may cost your company large sums of money and, more importantly, lives. This panel will explore what it truly is, the necessity, benefits beyond the job site, process formalization, who is on the team, 21st century processes, and some case studies on what happens when you do it!

Matt Stanczyk

Moderator
PLUNKETT COONEY
Detroit, Michigan

Deb Boyd

Senior Claims Manager
GRANITE
CONSTRUCTION
Watsonville, California

Tim Swanson

Vice President
MEADE INC,
Chicago, Illinois

Joseph Carini

JOHNSON & BELL, LTD
Chicago, Illinois

2

TRACK TWO

You Owe Me! Enforcing Indemnity Agreements: A National Perspective

The utilization of indemnity agreements in construction contracts is nothing new. However, if, and how, such agreements are enforced varies nationally. This distinguished panel will discuss the enforcement of indemnity agreements from a national perspective. The discussion will include guiding principles for these agreements in states that enforce them, as well as states with anti-indemnity statutes.

Katie Gorrie

Moderator
JOHNSON &
BELL, LTD
Chicago, Illinois

Karen Rice

*Head of
Construction Claims*
XL CATLIN
Los Angeles, California

Patrick Blake

Vice President
CLARK
CONSTRUCTION
Bethesda, Maryland

E. Tyron Brown

HAWKINS PARNELL
THACKSTON &
YOUNG LLP
Atlanta, Georgia

3

TRACK THREE

How to Get the Insurance Coverage You Bought, Contracted for and/or Deserve

Insurance is often the security blanket those in the construction industry purchase or contract for, understanding that coverage will be available, if needed, in the future. But, purchasing the wrong coverage or requiring privities to provide the incorrect or inapplicable additional insured coverage can be disastrous when a claim occurs. This panel will provide the perspectives of the insured and the carrier to analyze coverage pitfalls, defense and indemnification challenges, and circumstances that might result in coverage gaps, if not carefully considered and appreciated.

Stephen Gross

Moderator
FOWLER WHITE
BURNETT
Miami, Florida

Jennifer Franklin

*Director of Construction
Defect Claims*
MSA GROUP
Jacksonville, Florida

Ken Gillespie

*Regional Litigation
Supervisor*
BUILDERS MUTUAL
INSURANCE COMPANY
Raleigh, North Carolina

Reed Grimm

TAYLOR DAY
GRIMM & BOYD
Jacksonville, Florida

11:15 a.m. – 11:30 a.m.

BREAK

11:30 a.m. – 12:30 p.m. PLENARY SESSION

Hot Topics and Staying on the Leading Edge

Don't put yourself in jeopardy by missing out on the latest developments in construction law. This program will cover recent important and relevant topics affecting the construction industry. Your host, Craig Allen, will quizz the panelists on recent changes and trends in the field. Regardless of who takes the championship, you will be a winner as the contestants bring you up to date on the state of construction law.

Craig Allen
Moderator
LEITNER, WILLIAMS, DOOLEY
& NAPOLITAN, PLLC
Chattanooga, Tennessee

Anna Perry
Legal Analyst
ACON RISK SOLUTIONS
Providence, Rhode Island

Janine Hudson Rea
Claims Legal Counsel
BUILDERS MUTUAL
INSURANCE COMPANY
Raleigh, North Carolina

George Netschke
Assistant General Counsel
BARTON MALOW COMPANY
Southfield, Michigan

Spencer Wiegard
GENTRY LOCKE
Roanoke, Virginia

12:30 p.m. – 1:30 p.m.

LUNCH BUFFET

Cascade/Conservatory

1:30 p.m. - 9:30 p.m.

Optional Activities

See activities sheet for afternoon & evening recreational options.

Faculty Bios

RICHARD M. ADAMO is President of The Adamo Group, headquartered in Detroit, Michigan. The Adamo Group has been a leader in the demolition industry for over 50 years. With over 20 years' specialized background in diverse fields that include the automotive and industrial sectors, Richard's premier expertise lies in managing complex municipal and government-based projects. His past service includes serving on the National Demolition Association's Board of Directors (2002-2004), including turns chairing both its Environmental Affairs and Awards Committees. Richard earned a Bachelor of Science degree in construction management from Michigan State University.

CRAIG ALLEN from the ALFA International firm, Leitner Williams Dooley & Napolitan, PLLC, is an experienced trial attorney having tried approximately 135 jury trials in 35 years. His practice emphasizes the defense of civil litigation with concentrations in construction, premises liability, products liability, and railroad litigation. He represents one of the largest homebuilders in the states of Georgia and Tennessee, has represented numerous other residential and commercial contractors and engineering firms, and

represents a major railroad company, and the world's largest fast food company.

GARY A. BAGUE is a partner at Haight, Brown, & Bonesteel LLP in Los Angeles. He is a past chair of the firm's Risk Management and Insurance Law Department, and continues to devote a large part of his practice to representing insurance carriers and corporate insureds in insurance coverage and complex litigation, both locally and as national coordinating counsel. He also enjoys advising clients regarding risk transfer in commercial transactions and construction contracts. He has served as a panelist for California's Continuing Education of the Bar, is a contributing author for the book, *CAUSES OF ACTION*, James Publishing, and writes and lectures frequently on risk management, particularly with respects to construction, health, and manufacturing industries. Gary received his Juris Doctor from the University of California Hastings College of the Law. He obtained his bachelor's degree in Business Administration, with Honors, from the California State University at Los Angeles. He has been recognized with top lawyer honors by various organizations and is rated AV Preeminent by Martindale Hubble. He is a member of the ALFA International Insurance

Practice Group, is a past chair of the ALFA International Construction Practice Group, and currently serves as Chair of the ALFA International Board of Directors.

ANNIE BERNARD is a partner in the Montreal, Quebec, Canada office of Fasken Martineau DuMoulin LLP. Her practice focuses on a broad range of complex matters, including construction and class action litigation. She represents clients in almost every sector of the construction industry ranging from owners to general contractors, subcontractors, and suppliers on issues involving financing, construction defects, project management, professional liability, and breach of contract. She has also developed expertise in issues relating to invitations to tender, legal hypothecs for construction, as well as the conditions under which the permit of the Régie du bâtiment du Québec is issued. In the course of her practice, Annie also prepares and revises contractual documentation, such as the CCDC contract forms, and deals with bond and co-ownership issues. She has also been involved in the defence of several class action cases. Annie was notably involved in a class action lawsuit stemming from the Canadian ice storm of 1998.

PATRICK BLAKE is the Vice President for Legal with Clark Construction Group, LLC, one of the largest general contractors in the United States. He is based out of the company's headquarters in Bethesda, Maryland. In his role at Clark, Patrick advises senior management and operations staff regarding risks associated with projects and pursuits. He also manages the resolution of construction claims that arise on projects throughout the country. Patrick regularly teaches courses in Clark's Corporate University on Ethics, Owner Contracts, and Subcontracts. Prior to joining Clark, Patrick practiced at Jones Day in Atlanta, and Griffin & Murphy and Goulston & Storrs in Washington, DC. Patrick earned a bachelor's degree in economics from the University of Tennessee—Chattanooga and a Juris Doctor from the University of Georgia.

PAULA BOAST is Head of Construction Engineering & Projects at ALFA International member firm, Charles Russell Speechlys—a law firm headquartered in London, with offices in the UK, Europe, and the Middle East. She has been based in the Middle East region since 2006 and specialises in construction projects, with a focus on Bahrain, Oman, and Saudi Arabia. Her extensive experience includes real estate and development, regeneration, infrastructure and utilities, hotels, leisure and tourism, residential, industrial and commercial, education, and healthcare, both in the private and public sectors. Paula acts on behalf of government and regulatory clients including the Ministry of Works, project employers and developers, lenders and investors, contractors, subcontractors, and consultants. Projects Paula has worked on include Shangri-La Oman, Bahrain National Assembly, Durrat Al Bahrain, Doha Convention Center, Bahrain Bay to include Four Seasons Hotel, Riffa Views, Diyar Al Muharraq, Bahrain Airport, King Abdullah Medical City, Education City Doha, Lusail Doha, Investment Gateway Bahrain and Reef Island. Paula also assisted the Bahrain Ministry of Works in the drafting and publication to market of its first ever Standard Suite of Construction Contracts (2009 Edition) based on FIDIC forms. Paula is admitted to practise in England and Wales.

DEB BOYD is the Senior Claims Manager Granite Construction Company. Granite is a provider of construction services in mining, earthwork, water/sewer, power, tunneling,

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MATT BOYD is a partner in the ALFA International Atlanta firm, Hawkins Parnell Tackston & Young. His practice consists of defending and advising employers in labor and employment matters, with an emphasis on complex litigation, including class actions, collective actions, multi-plaintiff litigation, and arbitrations. A substantial portion of Matt's practice is devoted to defending employers in wage and hour claims under the Fair Labor Standards Act and similar state laws. Matt also has extensive experience in defending, advising, and training employers with respect to all types of state and federal employment-related matters, including discrimination claims, compliance with disability and family and medical leave laws, whistleblower and violation of public policy claims (including under the False Claims Act, Sarbanes-Oxley, and state whistleblower statutes), and employee privacy issues. Matt also has extensive expertise in drafting, negotiating, and enforcing employment agreements (including senior executives and other professionals, as well as college coaching and sports agreements), restrictive covenants, and contractual provisions to protect employers' trade secrets and confidential information. Finally, Matt has conducted a number of highly sensitive internal investigations for employers involving senior employees accused of harassment, illegal activities, retaliation, and similar misconduct.

E. TYRON BROWN is a Partner at Hawkins Parnell Thackston & Young LLP and has extensive litigation, arbitration and other dispute resolution experience in complex business, construction and professional liability cases including construction design and defect claims against property owners, developers, contractors, architects, engineers and construction managers, contract disputes, directors and officers liability, business torts, unfair trade practices, business fraud, civil RICO and other professional liability claims. Ty has successfully represented some of the most recognizable Fortune 500 companies in these areas of law. For 2015 - 2018, Ty was

selected for inclusion in The Best Lawyers of America in the field of Construction Law. He is a member of the ALFA International Construction Practice Group and serves on the Boards of Directors of the Litigation Section and the Construction Law Section of the Atlanta Bar Association. He was awarded the 2006 Attorney of the Year by the Judicial Council of the Gate City Bar Association. He is a past Vice-President of the Gate City Bar Association and a member of the American Bar Association and the National Bar Association. He served as Co-Chair of the Fundraising and Sponsorship Committee for the NBA Atlanta 2007 Convention. Ty received a B.S. in Political Science and his J.D. from Florida State University, where he served as Student Body President.

ANDY BURNS has been the head of Cosgrave's construction practice group for 12 years in addition to serving at the firm's managing partner until 2017. Mr. Burns represents contractors, developers, architects and engineers litigating construction disputes, professional negligence claims, and providing advice and counsel in managing and preventing disputes. He frequently speaks and writes on all aspects of design and construction. Mr. Burns is a graduate of the University of Oregon and Northwestern School of Law at Lewis & Clark University. He is a member of the OADC, ABA, AIA and CLM. Mr. Burns has been named by his peers as a "Best Lawyer" in the field of construction law.

JOSEPH B. CARINI, III is co-chair of Johnson & Bell's Construction Law group. He concentrates his practice in construction litigation and general negligence. He has extensive experience defending owners, project managers, general contractors, architects, engineers, and subcontractors in construction litigation involving personal injury accidents and construction defect and design disputes. He also defends contractors and municipalities in litigation involving accidents arising out of highway construction, signage, and signal maintenance. Mr. Carini serves as an emergency on-site presence for catastrophic accident investigations. He also conducts risk management seminars for managers and workers, addresses insurance coverage issues, and provides contract review services. His success as a trial attorney has been recognized by his peers, who have honored him with an AV

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JEFF CASADONT is a Senior Corporate Counsel of Gerdau, a global steel manufacturing company. Jeff oversees all legal matters involving its reinforcing steel division, Gerdau Reinforcing Steel, and its steel mill located in California. Gerdau has a global presence with more than 35,000 employees, including 100 locations in North America and employs approximately 9,000 people in the United States and Canada. The company primarily serves the construction, automotive, agricultural, service center, and energy markets through its vertically integrated network of steel mills, recycling operations, and downstream processing facilities. Based in San Diego, Gerdau Reinforcing Steel operates 9 fabrication facilities located throughout California, Washington, Nevada, Utah, Arizona and Colorado. As the head of Gerdau Reinforcing Steel's legal department, Jeff is responsible for overseeing all litigation, compliance enforcement, insurance matters, worker's compensation, risk management, and contract review. Jeff is also a trustee on several ironworker union trusts. Prior to joining Gerdau in 2011, Jeff practiced law for 15 years focusing on construction litigation and business disputes.

MELANIE R. CHEAIRS is a shareholder at the ALFA International firm of Lorange & Thompson P.C. Her Litigation and Trial practice focuses on the Hospitality and Transportation Industries where she represents a broad array of Regional and National Hotel and Restaurant Chains, and Transportation Companies in their liability and employment matters. Melanie was recently awarded the prestigious ALFA International, Nate Fishbach Attorney of the Year Award, for outstanding service to the ALFA International Organization. She served a three year term on the ALFA Board of Directors, from 2013-2016 and currently she serves on the ALFA International Marketing Committee as the Vice Chair. Melanie is also active on the Steering Committees of both the Transportation and Women's Initiative Practice Group and participates in the National Association of Professional Women. Melanie is a frequent author and speaker on matters of importance to her industry clients. Melanie received her Juris Doctor in 1989 from South Texas

College of Law- Houston. She is a Fellow with the Texas Bar Foundation. Melanie received her undergraduate degree from Texas A&M University, where she was an All-American Swimmer, and was chosen to the Southwest Conference Women's All-Decade Team. As an avid Aggie, she served on the Board of Directors of the Texas A&M Women Former Student's Network, and was WFSN President in 2012. Melanie currently serves as President of the Advisory Board of Youth For Christ-Houston, on the National Board of United Methodist Action Reach-Out Mission by Youth-(UM ARMY), and as the Director for Kingwood United Methodist Church, UM ARMY Youth Camp.

YVETTE DAVIS is a partner in the ALFA International firm of Haight Brown & Bonesteel, LLP in Los Angeles, California. She is the leader of the firm's Employment & Labor Practice Group and is also a member of the firm's Construction Defect Practice Group. Her practice is concentrated in the defense of clients in a wide variety of matters including sexual harassment, wrongful termination, discrimination, wage and hour, and claims under the Americans with Disabilities Act in both Federal State Courts. Prior to rejoining Haight Brown & Bonesteel, LLP, Ms. Davis interned in the Labor & Agencies Department of a national insurance client, working closely with Human Resources. She is a graduate of the USC School of Law, and UCLA. Yvette serves on ALFA International's Labor & Employment Steering Committee, and its Women's Initiative Practice Group Steering Committee.

ROBERT DEROSSET practices law in the field of civil litigation with a special emphasis on construction, business litigation, and product liability. Robert tries cases in the Superior Court throughout North Carolina and in each of North Carolina's three federal district courts. Robert is licensed to practice law in both North Carolina and South Carolina, and is certified by the North Carolina Dispute Resolution Commission to conduct mediated settlement conferences in Superior Court cases. Prior to joining Young Moore and Henderson in 2001, Robert practiced law for two years in Columbia, South Carolina and served as a United States Peace Corps Volunteer in León, Nicaragua. Through his experience in Nicaragua, Robert became fluent in written and spoken Spanish and has been able to use his language skills to better serve

clients of Young Moore and Henderson, and effectively mediate cases involving parties whose primary language is Spanish.

ALFRED A. DIVINCENTIS is a partner at Halloran & Sage LLP and is the Chair of the Construction Practice Group. Al represents contractors, subcontractors, developers, design professionals, manufacturers, and insurers in all facets of the construction industry from inception to completion. Al has drafted and negotiated design and construction agreements for multiple public and private construction projects with values in excess of \$80M and has litigated complex construction and commercial cases with values in excess of \$100M. Before becoming a lawyer, Al spent 15 years working his way up the ranks in construction, ultimately becoming vice president of a major Connecticut construction company. For his commitment, dedication and service to the construction industry, Al was awarded the Dr. Stuart R. Bennett Alumni Award from Central Connecticut State University in 2008 and the Associated General Contractors of Connecticut's Service Provider of the Year in 2010. Al is an appointed member of the Associated General Contractors of America National Committee on Contract Documents and of the Associated Builders and Contractors Legislative and Government Relations Committee. Al is a frequent lecturer on construction-law topics and is an appointed arbitrator.

DAVID DRAPER is a long-time ALFA Construction Practice Group member with Lewis Thomason in its Knoxville, Tennessee office. He is a Knoxville native and shareholder in the firm's construction law practice group. He is an AV-rated trial lawyer with broad experience in civil litigation and ADR. His practice is concentrated in construction, professional liability defense, commercial disputes, and insurance coverage disputes. His construction clients include owners, designers, industrial, commercial, utility, and residential general contractors, subcontractors, and suppliers. He has prosecuted and defended a broad range of construction and professional liability claims involving such issues as design error, construction defect, construction site injury, payment disputes, and delay. He regularly advises clients in contract formation and contract negotiation. He also maintains a very active insurance coverage practice connected principally with

CGL and E&O policies in the construction market. He also advises clients on OSHA compliance and defends OSHA enforcement cases. Mr. Draper has extensive arbitration experience and he serves as both an arbitrator and mediator. He is a Tennessee Supreme Rule 31 listed Civil Mediator.

AREN FAIRCHILD joined Arcadis North America in January 2017 as its Chief Legal Officer and Company Secretary. Aren is also a member of the Executive Committee for North America and the Chief Compliance Office. Aren is responsible for all legal and compliance functions. Aren leads a team of twenty attorneys and professional staff in North America for Arcadis. Prior to joining Arcadis, Aren was Chief Counsel for Design and Consulting Services in the Americas at AECOM, the largest sector of AECOM's business. Before AECOM, Aren was General Counsel at Pernix Group, a focused provider of construction and infrastructure management projects in international markets. Founded in 1888 in the Netherlands, Arcadis is a leading global design and consultancy firm around the globe. Arcadis has over 27,000 employees in over 350 offices located across 40 countries with net revenues over Euro 3.4 billion. North American operations represents approximately 40% of Arcadis' overall revenue and size.

DAN FOWLER is Cromwell Architect Engineers Director of Finance & Business Development. Dan joined Cromwell as an intern at 19 years old, and now holds the position of Chief Operating Officer, managing financial and business operations for the company. Dan is an accomplished design architect with a personal interest in urban, adaptive reuse, and campus projects. He has been actively involved in numerous urban projects and is heavily involved in the redevelopment and preservation of historic downtown areas in Central Arkansas. During his tenure at Cromwell, he has instituted various programs and initiatives that strengthen the balance between Design, Project Management, and Business Management, providing a symmetry that is so integral to a building services company. He is a graduate of the Leadership Greater Little Rock and Leadership Arkansas programs sponsored by respective chambers of commerce. Outside of work, Dan enjoys spending time with his family, traveling, and painting.

BRAD FRAHM, JD, AIC, practiced as an insurance defense attorney and claims attorney for 20 years in Dallas, Texas before moving to Knoxville, Tennessee. He is now the Technical Director of Claims for the General Liability section of U.S. Administrator Claims in Oak Ridge, Tennessee. He oversees the handling of complex construction defect matters and insurance coverage matters. He earned a Bachelor of Business Administrator degree at the University of Texas at Austin and a Juris Doctorate at the Benjamin N. Cardozo School of Law/ Yeshiva University in New York City.

IAN H. FRANK is a partner with the ALFA International member firm of Frantz Ward, LLP in Cleveland, Ohio, where his practice is dedicated to construction and surety law. Ian is a former Chair of ALFA International's Construction Practice Group, and currently serves as its Chair Emeritus. He counsels contractors, subcontractors, specialty trades, material/equipment manufacturers, and design professionals in managing, resolving, and litigating complex commercial construction disputes. He represents clients in various industry segments, including road and bridge construction; heavy civil, earthwork and utility projects; structural steel fabrication and erection; MEP trade work; and all other aspects of general trades and commercial building construction. Ian is a graduate of Baldwin-Wallace College and Cleveland-Marshall Law School. He is a Member of the AGC, the ABA Forum on Construction Law (Division 9 Chair), the American Arbitration Association, and the Dispute Resolution Board Foundation. Since 2006, he has been recognized as a "Leading Lawyer" in Construction by Chambers USA.

JENNIFER FRANKLIN is the Director of Construction Defect Claims for Main Street America Group. She has over twenty years of experience in the Property and Casualty claims industry, including SIU investigations, complex claims handling, and management of losses throughout the United States. She is responsible for the claims handling and oversight of all construction defect claims and is the resident expert at the Main Street America Group in the construction defect area. She has become intricately involved in developing a strategic plan to streamline the handling of these complex cases. Prior to her role as a Director, she was a field unit manager responsible for all third

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GRACE V.B. GARCIA, a Partner in the Boston office of Morrison Mahoney LLP, concentrates her practice in the areas of product liability, construction law—including personal injury, construction defect, and contractual—OSHA, commercial litigation, employment litigation, premises liability, and Americans with Disabilities Act (ADA) cases. Grace is on the ALFA Board of Directors, is Vice Chair for the Construction Practice Group, and is the former Chair of ALFA's Women's Initiative Practice Group. Grace has an AV Preeminent Rating from Martindale Hubbell and in 2013, and was honored by Massachusetts Lawyers Weekly as a "Top Women of Law." Grace has 20 years of trial practice and litigation experience, and has obtained successful outcomes on behalf of her clients in both state and Federal Court trials. She also has successfully argued before the Appeals Court in *North American Specialty Ins. Co. v. Payton Construction Corp.*, 80 Mass. App. Ct. 367 (2011). Beyond ALFA, she is actively involved in many professional groups, and is Past President of the Massachusetts Defense Lawyers Association and is a member of the Executive Management Board of the Massachusetts Bar Association. She is a routine lecturer on defending brain injuries, risk transfer and indemnity issues, best discovery practices and deposition techniques, and OSHA.

MICHAEL R. GIBSON, is a partner at Higgs Fletcher & Mack, LLP, in San Diego, California, focuses his practice on advice counsel, risk management, and complex commercial litigation, including business-versus-business disputes in the construction, real estate and hospitality industries. He also represents clients before state and federal administrative agencies when licensing and regulatory compliance issues are involved. A graduate of the University of Southern California and the University of San Diego School of Law, he is a frequent speaker on current legal topics and trends.

KEN GILLESPIE has over 13 years of claims experience in the insurance industry. He is a graduate of the University of Illinois at Urbana-Champaign with a BS degree in

Biology. After a number of years in sales for the pharmaceutical industry, he entered the claims industry in 2005 gaining experience in Georgia as a self-employed independent adjuster and a construction estimator. Ken joined the Builders Mutual Insurance Company in the first quarter of 2011 as a Multi-State Senior Adjuster specializing in litigated claims. Ken is now a Litigation Specialist handling litigated construction claims throughout the Southeast and Mid-Atlantic. Ken is co-chair of the CLM Insurance Coverage Committee and treasurer of his local CLM chapter. Ken has presented on panels for DRI, ALFA and CLM.

KATIE E. GORRIE is a shareholder at the Chicago office of Johnson & Bell LTD. Her practice centers on construction and general negligence. Ms. Gorrie defends owners, construction managers, general contractors, and subcontractors in construction litigation involving personal injury, property damage and construction defects. Her other clients include health clubs and fitness facilities for general litigation needs such as personal injury and property damage. Ms. Gorrie has handled construction-related litigation in state and federal courts, as well as before the Illinois Court of Claims. In addition, she has served as both first and second chair for jury trials that went to verdict in the Law Division of the Circuit Court of Cook County. Risk-management education is central to Ms. Gorrie's practice, as she teaches construction professionals on ways to avoid litigation, and writes extensively on the subject. A member of the Illinois State Bar Association and Chicago Bar Association, she has served as one of the hosts of "Legal Ease—Voice of the Young Lawyer," a webcast series sponsored by West LegalWorks that focused on issues affecting young lawyers. She's also served as a mentor/panelist for Chicago minority job fairs, focusing on the placement of minorities in the Chicago legal market.

REED W. GRIMM is a shareholder with the Jacksonville, Florida ALFA International firm Taylor, Day, Grimm & Boyd, and is a graduate of Stetson University and Stetson College of Law. His practice includes complex commercial, construction and insurance extra-contractual and coverage litigation. He has been Board Certified in Construction Law by the Florida Bar Board of Legal Specialization and Education since 2007. He represents general contractors,

subcontractors and manufacturers and suppliers in all areas of construction law as well as insurers in coverage matters related to construction claims. He is AV rated by Martindale-Hubbell, has been included in Florida Super Lawyers and Florida Trend's Legal Elite and has been named as one of north Florida's best lawyers by Jacksonville Magazine.

STEPHEN GROSS is a shareholder at the Fort Lauderdale office of Fowler White. Mr. Gross focuses his practice on litigation and insurance coverage matters. The majority of his practice involves complex litigation, coverage, and defense matters. These matters include, but are not limited to, construction and commercial matters. Prior to joining Fowler White Burnett, Stephen handled general litigation and professional liability matters. He regularly defended architects, engineers, and design and building professionals.

TINA J. HILL has over 30 years of claims experience in the insurance industry. She began her insurance career with Aetna Insurance Company in 1988 and progressed through a variety of positions over her 8 years there. Tina furthered her claim experience with Aegis Administrative Services beginning in 1996 where she was soon promoted to Claims Supervisor working solely with the Builders Mutual Insurance Company Account. In 2015, Tina played a pivotal role on the Builders Mutual Insurance Company team that transitioned the claims department in house and was ultimately promoted to Director of Workers Compensation Claims. She currently leads a diverse team handling claims in North Carolina, South Carolina, Tennessee, Virginia, Mississippi, Georgia, Florida, Maryland, and the District of Columbia. Tina has significant experience with customer service, technology, and litigation management with specific focus on catastrophic claims management. She has also obtained her CBIA designation.

MICHAEL A. HINOJOSA is Chief Claim Officer, Senior Vice President for National Claim Services Inc., a third party claims administrator for Allstar Financial Group, a managing general underwriting agency. He has been a claims executive with over 30 years of experience in all lines of insurance. His responsibilities include the overall claim management of all areas of claims. Prior to

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ROCHANNE KEANE is the Focus Group Leader of the US A&E Claims Team. In addition to managing the A&E claims team, she handles complex professional liability claims nationally and internationally for design professionals. Prior to joining Beazley she worked as a Claims Specialist handling claims for design professionals on a nationwide basis for ACE USA. She was the Assistant Vice-President and placing broker at HRH Professional Practice Insurance Brokers, Inc. and provided risk management and contract review services to her design professional clients. She began her career as a defense lawyer working for two New York based law firms, L'Abbate, Balkan, Colavita & Contini, LLP and Landman Corsi Ballaine & Ford P.C. handling insurance coverage disputes, construction defect litigation and other general insurance defense. Rochanne received her B.A. from the University of California Santa Cruz and J.D. from Pace University. She is admitted to practice law in the states of California, New York and New Jersey.

MARTHA KERSEY is an insurance professional and Illinois licensed attorney with over 28 years of experience in Claims and Corporate Legal. In her current role as Manager of the Special Liability Unit for Amerisure, she is responsible for Amerisure's book of asbestos and environmental mass tort claims. Her past experience includes managing extra-contractual litigation and coverage for QBE on a Nationwide basis, handling litigated claims and coverage for Country Financial and claims for State Farm as well as trial experience with Nally Haasis Jordan and Bauer. She authored Lexis Nexis—Chapter 18 of New Appleman on Insurance, Law Library Edition entitled Duty to Indemnify—Bodily Injury and Property Damage which was cited by the Wisconsin Supreme Court in Schinner v Gundrum, 349 Wis.2nd 529 (June 2013). She co-authored Ridley and Advance Pay—Claims Analysis in Fast Forward I Unique Venues published in the CLM Magazine. She has served on the CLM Claim College Executive Council since 2010 and has

designed and drafted course materials for CLM as well as instructed courses at the College. She has been a guest speaker for the Defense Research Institute, and Alpha International. She is a past vice-president of the Champaign County Bar Association and past President of the East-Central Illinois Women Attorneys Association.

JAKE KOUNS is the CISO for Risk Based Security that provides vulnerabilities and data breach intelligence. He previously oversaw the operations of the Open Sourced Vulnerability Database (OSVDB.org) and DataLossDB. Kouns has presented at many well-known security conferences, including RSA, Black Hat, DEF CON, DerbyCon, Bsides, CISO Executive Summit, IEEE, FIRST, CanSecWest, InfoSecWorld, SOURCE and SyScan. He is the co-author of Information Technology Risk Management in Enterprise Environments, Wiley, 2010, and The Chief Information Security Officer, IT Governance, 2011. He holds both a bachelor of business administration and master of business administration degree from James Madison University, with a concentration in information security. In addition, he holds a number of certifications, including: ISC2's CISSP, and ISACA's CISM, CISA and CGEIT. He has briefed the DHS and Pentagon on Cyber Liability Insurance issues and is frequently interviewed as an expert in the security industry by *Information Week*, *eWeek*, *Forbes*, *PC World*, *CSO*, and *CIO Magazine*. He has appeared on CNN as well as the Brian Lehrer Show, and was featured on the cover of *SCMagazine*.

FREDERICK P. "RICK" LANDERS is a member of Axilon Law Group, PLLC, practicing in the firm's Bozeman, MT office. His practice focuses on construction, real estate, and litigation defense. Rick represents contractors, developers, and design professionals in litigation and arbitration, as well as insurance companies on coverage and surety matters. On transactional matters, Rick provides advice and counsel on Montana land acquisition, construction, and development projects. Rick received his Bachelor of Science from Georgia Institute of Technology and his J.D. from the University of Georgia. He is admitted to practice in state and federal courts in Montana and Georgia, and before the U.S. Court of Appeals for the Ninth Circuit. Rick is AV-rated by Martindale-Hubbe.

JOHNNY LANNING began his career with New River Electrical Corporation in 1983 and currently serving as Senior Vice President. His experience ranges from substation construction to underground distribution through extra high voltage. Johnny has achieved the status of New River's Master Electrician/Qualifying Agent for 37 state licenses which has allowed New River to expand its geographical footprint across the United States.

JON LIEB is a partner with ALFA International member firm McDowell Knight Roedder and Sledge in Mobile, Alabama. While representing clients across several areas of the law, Jon has accumulated diverse experience applicable to a variety of types of litigation. His involvement in numerous complex construction defect cases has equipped him with particular expertise in this area. He has worked extensively with contractors, engineers and architects to successfully investigate, analyze and litigate a myriad of construction related claims. Jon is actively involved in ALFA's Transportation and Construction practice groups and is a member of the Federation of Defense and Corporate Counsel (FDCC).

NORA LOFTUS devotes her practice to the construction industry. From front-end contract review and assisting clients with project documentation in real-time to ensure they are in the best position to defend or prosecute claims, Nora helps clients identify, avoid, and resolve project disputes. Nora has represented owners, architects, engineers, general contractors, subcontractors, manufacturers, suppliers, and sureties, which enables her to spot issues and risks from all sides. Nora has served as both first and second chair for numerous trials and arbitrations throughout the country. Nora received her B.A. from Miami University and her J.D. from Cleveland State University.

K. BRETT MARSTON is the head of the construction law practice group at Gentry Locke in Roanoke, Virginia, and a member of the firm's management committee. He has extensive experience in contract negotiations and preparation, payment disputes, mechanic's liens, bond claims, construction defects, delay claims, insurance, and OSHA matters. He handles significant construction matters in federal and state courts, arbitration, and mediation for general contractors, subcontractors,

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JASON MAU concentrates his primary practice at GBSO in the areas of commercial, real estate, employment, and construction litigation. He represents a variety of clients, including national banks and corporations, as well as local professionals, business owners, not-for-profit entities, and individuals. Jason is also a volunteer with the Idaho Volunteer Lawyers Program, participating regularly in the Veterans and Nonprofit/Business Startup Clinics sponsored by the IVLP. He is admitted to practice in all State and Federal courts of Idaho. Prior to joining GBSO, Jason had an opportunity to gain experience in a wide range of areas while practicing with a Boise civil litigation firm in its commercial and litigation practice, after two years working with the Idaho Supreme Court. While working for the Idaho Supreme Court, he had the rare and unique opportunity to serve as an appellate clerk for two different Chief Justices. He graduated from the Dickinson School of Law at Penn State University, where he served on the Editorial Board for the Penn State Law Review, and carried a significant caseload for the Penn State Elder Law and Consumer Protection Clinic. Prior to law school, Jason spent ten years in various capacities for southwest Colorado's leading title insurance company.

KEVIN MCGRATH is Vice President of Licensed Professionals Claims at Berkshire Hathaway Specialty Insurance. Kevin is responsible for professional liability claims relating to lawyers, contractors, architects, engineers, and other design professionals. He has more than 12 years of experience managing and litigating professional liability claims. Prior to joining Berkshire Hathaway in 2016, Kevin was most recently a Claims Manager at Beazley. Before working in the insurance industry, he spent 9 years with two boutique New York City litigation firms. Kevin has extensive experience in all aspects of professional liability claims and products, with a focus on design professional liability. Kevin's relevant experience includes professional liability primary, excess and

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DONALD E. MCKAY, JR. is a partner at the ALFA International firm of Leake & Andersson, LLP in New Orleans, Louisiana. He has been a principal partner of the firm since 1990 and is the firm's co-practice leader for the construction practice area. Donald devotes a large part of his practice to representing contractors, suppliers, vendors, and design professionals in construction defect and design disputes, as well as matters of insurance coverage. His practice includes all aspects of litigation, appearing in State and Federal District and Appellate Courts, including the Louisiana Supreme Court, and in frequent arbitration hearings and mediation conferences. Donald was recently recognized as a Top Attorney in New Orleans by New Orleans magazine, was included in the Best Lawyers in America 2011-2018 and was selected 2016 New Orleans Business Leader in Law. Donald graduated from Louisiana State University and from Loyola University School of Law.

KIRKLAND MCKENZIE is a Senior Claims Specialist at Vela Insurance Services (a Berkeley Company) and is responsible for handling construction defect and environmental claims. He graduated from California State University Dominguez Hills achieving a Bachelors of Science Degree in Business Management. He is currently licensed in 31 states, including Florida, California and Texas.

CHET MCPHATTER is the Chief Operating Officer of Banker Steel Company in Lynchburg, Va. As project manager, and now as COO, Chet has been involved in all aspects of the operations of Banker Steel, which has fabricated structural steel for projects including the Barclays Center in Brooklyn, Hudson Yards in New York City, the Washington Nationals Ballpark in Washington D.C., and the One Vanderbilt project in New York City. Chet is 1993 graduate from Virginia Tech with a B.S. in Civil Engineering.

MARIO MENANNO is Associate General Counsel for Barnard Companies, a heavy civil construction firm based in Bozeman,

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NICOLAS MESCO is an Assistant Vice President for RLI Insurance Company, where he manages RLI's professional liability claim group, which includes design professional and miscellaneous professional liability claims. Prior to joining RLI, Nic was an insurance coverage litigator with Tressler LLP. Nic received his B.S. from the University of Nevada, Las Vegas and his J.D. from the Loyola University Chicago School of Law.

JEFF MILLER is Vice President and Chief Counsel for The Haskell Company. Jeff has 24 years of legal experience representing insurers, manufacturers, business owners, design and construction professionals, general contractors, construction managers, and subcontractors of all types and sizes. As head of the Legal Department at Haskell, Jeff leads a team of highly competent legal and contract professionals. He serves as the lead negotiator of all Design-Build/EPC contracts for Haskell and its subsidiaries, advises company management on all aspects of commercial risk, and leads the company in management of construction litigation, including claims for breach of contract, defective design drawings and specifications, construction defect claims, Miller Act claims and those involving similar state and federal statutes, and mechanic's

lien claims. Jeff is an Oklahoma native and works in Haskell's Oklahoma City office, traveling frequently to Haskell's headquarters in Jacksonville, Florida. He earned his Law degree from the University of Oklahoma and his undergraduate degree in Manufacturing Engineering Technology from Oklahoma State University.

MATTHEW MOORE is Senior Counsel at Shaw Industries Group, Inc., the world's largest manufacturer of carpet, and a leading provider of carpet, resilient, hardwood, tile & stone, and laminate flooring products, synthetic turf, and other specialty items for residential and commercial flooring markets worldwide. Headquartered in Dalton, Georgia, Shaw has annual revenues of almost 6 billion USD and is a wholly owned subsidiary of Berkshire Hathaway, Inc. The company employs 22,000 associates with offices; R&D, manufacturing, warehousing and distribution locations; product showrooms; and/or salespeople throughout the U.S., as well as Australia, Belgium, Brazil, Canada, Chile, China, France, India, Mexico, Singapore, United Arab Emirates, and the United Kingdom. Matthew began his career at Shaw over 14 years ago, where his practice has primary focused on transactional matters, as well as the responsibility for Shaw's Corporate Compliance function.

TRISH MORRISON is the National Practice Group Leader of Borden Ladner Gervais LLP's Construction Group, practicing in Calgary, Alberta, Canada, and is also a partner in BLG's Public-Private Infrastructure Projects and Environmental Law Focus Groups. Trish focuses her practice on all facets of the construction industry—acting for owners, contractors and sureties in construction disputes and front-end construction project matters such as tendering and other procurement methods, as well as contract drafting, including the negotiation and drafting of P3 agreements. Trish also provides advice on environmental matters, having acted as counsel on numerous contaminated-site litigation cases and advising on environmental issues in commercial transactions. She has appeared before all levels of Court in Alberta and has acted as counsel in many arbitration proceedings and mediations. Trish is qualified to practice law in Alberta and Manitoba, is a Fellow of the Canadian College of Construction Lawyers, and has

been recognized as a Leading Lawyer in Construction by Chambers Canada and as a Litigation Star in Construction and Environmental by Benchmark Canada.

ELAINE MOSS is counsel to the ALFA International law firm of Brown & James, P.C., headquartered in St. Louis, Missouri. She focuses her practice on insurance coverage and complex insurance litigation, including large scale construction disputes. She frequently writes and speaks on coverage related topics. She also enjoys working with small startup companies in developing policy, procedures and contract templates. She was responsible for creating a comprehensive litigation training program for her firm and she is one of the founders of the firm's Fifth Friday Women's Initiative. She is actively involved in efforts to increase diversity in the legal profession with a particular focus on increasing the presence and profile of women attorneys. She received both her undergraduate and law school degrees from the University of Arkansas – Little Rock. She began her legal career in Los Angeles working for a predecessor to Reed Smith. She is Marketing Chair for ALFA International's Insurance Law Practice Group and Construction Law Practice Group, serves on the ALFA International Marketing Committee and was recently elected to the ALFA International Board of Directors.

CHRISTOPHER J. MUELLER is a shareholder with ALFA International member firm, Taylor, Day, Grimm & Boyd, P.A. in Jacksonville, Florida, and Board-Certified as a specialist in construction law by the Florida Bar. Chris graduated cum laude from Florida State University and then received his J.D. from the Walter F. George School of Law at Mercer University. His practice primarily includes the defense of general contractors, subcontractors, designers, and material suppliers in construction defect litigation. He also represents insurance carriers on coverage matters related to defect claims. Chris is AV-rated by Martindale-Hubbell, has been named a Rising Star by Super Lawyers magazine in construction law annually since 2010, and was named one of Jacksonville's best lawyers by *904 Magazine* and *Jacksonville Magazine*.

GEORGE NETSCHKE is an Assistant General Counsel for Barton Malow Company headquartered in Southfield, Michigan. Founded in 1924, Barton Malow Company is

a 100% American-owned contractor serving North America in various markets that include commercial, industrial, education, energy, healthcare, manufacturing, sports, and entertainment facilities. With more than 2,000 employees and 15 offices nationwide, the company's core purpose is to Build with the American Spirit: People, Projects, and Communities. Recent notable projects include Little Caesars Arena, the redevelopment of Daytona International Speedway, University of Michigan's CS Mott Children's Hospital, University of Notre Dame Campus Crossroads, and General Motors Corporation's M5 Program. With a goal of doubling efficiency by 2024, Barton Malow is focused on the future of construction through implementing new engineering technologies and delivering a customer value proposition that is the envy of the industry. Prior to his employment at Barton Malow, George was a private practice trial attorney for 15 years, primarily with Plunkett Cooney. In addition to specializing in construction litigation and the defense of design professions in errors and omissions claims, he litigated a wide variety of general commercial, property damage, product liability, and personal injury claims.

VIRGINIA PAGLIERY is in-house counsel for MasTec, Inc. MasTec is an infrastructure construction company with approximately 22,000 employees located in the United States, Canada and Mexico. Virginia is responsible for managing the company's labor and employment issues, including wage and hour matters. She also works with and trains MasTec's Human Resource professionals in a variety of employment related areas. Prior to her position with MasTec, Virginia was a shareholder with the Florida firm of Gunster, Yoakley & Stewart, P.A. where she specialized in advising management on employment matters. While at Gunster, Yoakley & Stewart, P.A., she successfully represented employers in numerous jury trials of employment related claims. Virginia is a 1988 graduate of Boston University School of Law.

MICHAEL PAUL is a member in the law firm of Hall & Evans, LLC in Denver, Colorado. He focuses his practice on construction, general liability, product liability, asbestos, and professional liability disputes at the trial and appellate levels. He serves as regional counsel for national insurers and has successfully defended a wide variety of businesses throughout the Rocky Mountain

Region, including Colorado, Wyoming, Montana, New Mexico, Utah, Nebraska, North Dakota, South Dakota, and Iowa. He is AV-rated by Martindale-Hubbell and currently serves on his Firm's Board of Directors.

CURT PAULSEN is Senior Vice President and General Counsel at Safway Group Holding, LLC, a conglomeration of entities which combine into one of North America's largest scaffolding and industrial insulation and painting service providers. Curt has responsibility for Safway's Legal, Risk, HR, and Training departments. Prior to joining Safway in 2003, Curt was a partner with the Milwaukee firm Whyte Hirschboeck Dudek S.C., having practiced there for about 18 years. Curt received his B.S. degree in Marketing from the University of St. Thomas in St. Paul in 1982 and his J.D. degree from Marquette University in 1985. Curt enjoys competitive swimming, biking, golfing, and traveling.

RON PEPPE is the VP for Legal and Human Resources for Canam Steel Corporation, and oversees legal, human resources, and risk management issues for the company. Canam is the US subsidiary of Canam Group Inc., the largest steel fabricator in North America. Canam Group specializes in designing integrated solutions and fabricating customized products for the North American construction industry. The Company operates in three groups of products and services: building construction, structural steel construction and bridge construction which can also include the supply of preconstruction, project management and erection services. Ron previously served as VP Law and Technology for the Association of Corporate Counsel, and Vice President and Associate General Counsel at Prudential Home Mortgage. Ron is currently the co-chair of the ERISA subcommittee of the ACC Employment and Labor Law Committee. He previously served as co-chair of the ACC Environment and Sustainability Committee. Ron has served as a member of the City Council and as Chairman of the School Board, of Falls Church, Virginia and was President of the Board of Education of Frederick County, Maryland. Ron earned a B.A. from The Johns Hopkins University, an M.A. from The Johns Hopkins School of Advanced International Studies, and a J.D. from The University of Maryland School of Law,

where he served as Notes and Comments Editor of the Maryland Law Review.

ALICIA PERRONE is Claims Counsel at CapSpecialty, where she supervises complex coverage and extra-contractual litigation and provides legal counsel on claims-related issues to the company's property and casualty adjusters and underwriters. She moved to CapSpecialty from QBE in 2016. At QBE, she served as Counsel for nine years, managing coverage, extra-contractual, and complex claims litigation. Prior to joining the insurance industry, Alicia worked in private practice in Chicago, Illinois at Anderson, Rasor & Partners, where she focused on medical malpractice and railroad litigation. Alicia is a graduate of the Chicago Kent College of Law, and she received her undergraduate degree from Georgia State University.

ANNA PERRY is a Legal Analyst for the Brokerage Analytics group. As a national resource she is able to work with a wide range of client service teams and clients in order to apply her expertise to client contract questions. She focuses on providing a greater understanding of how indemnity language will be applied in the applicable state, and provides benchmarking reports and presentations on the contractual insurance requirements. Anna writes White Papers on recent court decisions to keep Construction Risk Portal users up to date on how states are interpreting policy language and how this will impact coverage going forward. She also works with the entire Brokerage Analytics team to keep information in the Construction Risk Portal up to date and ensure relevant topics are being added to ensure users have the information they are interested in seeing. Anna earned her J.D. from Suffolk University Law School while working at Aon. She earned a Bachelor of Arts degree in both European History and American Government from Suffolk University.

JANINE HUDSON REA is Claims Legal Counsel for Builders Mutual Insurance Company in Raleigh, North Carolina. Janine utilizes her 16 years of litigation and insurance experience to advise and support the commercial and workers' compensation claims teams. Janine began her career practicing employment defense and corporate law for regional and national law firms whose clients included several

domestic insurance carriers. In 2008, she joined Lloyd's of London syndicate, Beazley Group, as a Management Liability Claims Attorney, wherein she managed both domestic and international EPL and D&O claims. Janine also served as General Counsel for Hudzinga LLC., a mobile software development company. She earned her J.D. in 1999 from Golden Gate University in San Francisco, California, a Comparative Law Certification from the University of Geneva, Switzerland in 1996, and her B.A. in International Relations from Bucknell University. Janine served as an attorney advisor with the United States Department of Labor, Office of Administrative Law Judges, as well as a judicial clerk for the Honorable Susan Illston, Senior United States District Court Judge for the Northern District of California.

KAREN RICE is the Head of Construction Claims Operations for XL Insurance out of Los Angeles, CA. Prior to joining XL, she was the National Construction Defect Claim Manager for OneBeacon Insurance (OBI), and the AVP of National Construction Defect claims and Western States ACE Risk Management claims with ACE USA. Karen is past President of the Construction Defect Claim Manager Association and the past Chair of the Speakers and Topics Committee for the Annual West Coast Casualty Construction Defect Seminar. She has sat on the DRI Construction Law Steering Committee for the past several years and was a co-chair of the Construction Committee for the Council on Litigation Management. She is on the advisory board for ALFA International Construction Committee and has been a frequent lecturer at various Construction and Insurance Law seminars throughout the country, including Defense Research Institute, Association of Southern California Defense Counsel, West Coast Casualty Annual Construction Defect Seminar, HB Litigation Construction Law, and the American Bar Association. Karen earned her Bachelor degree from University of California at Santa Barbara and her Masters in Business Administration from the University of LaVerne.

JESSICA ROGIN is Vice President, Specialty, of Commercial Insurance, Auto and General Liability Claims for Liberty Mutual Insurance and Helmsman Management Services. Jessica has overall responsibility for managing Liberty's commercial (including

construction-related), general liability primary, umbrella, and excess claims. Previously, Jessica was Vice President of Casualty and Environmental Claims for all US and Latin American claims for Liberty International Underwriters. Jessica also was Vice President of Casualty Claims for Crum & Forster, where she worked for fifteen years. During her tenure at Crum & Forster, Jessica also worked for several years in the corporate legal department where she supported the claim department in coverage analysis and monitored the extra-contractual claims for the company. She obtained her B.A. from the University of Rochester and her J.D. from Benjamin N. Cardozo School of Law. Jessica is a licensed attorney, admitted to practice law in New York and New Jersey.

DAVID ROYER is Vice President and General Counsel for Framatome Inc., part of the Framatome Group, a world leader in nuclear energy, providing its clients with technological solutions for the production of energy with CO2. David graduated with a B.A. from the Virginia Military Institute and earned his J.D. at Vermont Law School. David is responsible for management of the North American Corporate Legal Function at Framatome Inc. and serves as the company's Ethics and Compliance Officer. Prior to his joining Framatome, David served as Associate General Counsel for G.E. Financial Assurance, was Vice President of Trust Operations, Wachovia Bank, N.A., and was in private legal practice.

GERO SCHNEIDER is head of Tiefenbacher's International Division. Tiefenbacher is the ALFA International member firm in Germany. Gero and his firm advise both German and international clients in all fields of construction and real estate law as well as the related administrative regulations as well as in relation to cross-border transactions. Before joining Tiefenbacher as a partner in 2013 Gero practiced as General Counsel with the supermarket chain Lidl and another mediumsized law firm as a partner. Gero earned a doctor degree from Leipzig University and a Master of Comparative Law from the University of Adelaide (South Australia). He is author of many legal publications as well as lecturer with the University of Mannheim. Gero has been serving as co-chair of ALFA International's International Law Practice Group until recently.

CHRIS SEIBOLD is a principal with the law firm of Brown & James, P.C. Chris is a seasoned litigator and has extensive trial experience representing both plaintiffs and defendants in complex litigation matters. He focuses his practice in the areas of construction, product liability, premises liability, transportation, arson-fraud litigation, and insurance coverage. Chris is admitted to practice in state courts in Missouri, Illinois and Wisconsin and federal courts in Missouri, Kansas, Arkansas, and the Southern District of Illinois. He graduated cum laude from Marquette University Law School in 2006. As well as presenting, Chris is serving as a course book editor for the seminar and is the co-author of the Missouri portion of the compendium.

ERIK A. SIKORSKI CPCU, AIC is a claim executive at Builders Insurance Group in Atlanta. Erik graduated, from the University of Kentucky in May, 1993 and has been in the Insurance industry since September 1993. Erik currently leads all claims handling and litigation arising from General Liability policies. Erik has experience in every facet of the property casualty industry, holding such positions as Assistant Vice President, Director Complex Claims and Litigation, Director National Subrogation, Regional Claims Manager Auto/Property, State Claims manager, and Claim Manager. Erik is diversely experienced with claims handling process from intake through resolution, including litigation through verdict and appeals. Mastery level understanding of Auto/GL/Property claims and all associated facets. Erik has written and lectured widely on many aspects of property casualty claim handling across multiple jurisdictions. He has also spoken at various National Conferences on various property casualty claims related topics.

MATTHEW J. STANCZYK is a partner in the Michigan ALFA law firm Plunkett Cooney, where he serves as a member of the Board of Directors and is the managing partner of the firm's Product Liability Practice Group. Matt concentrates his practice in various areas of complex litigation, including product liability, fire-related litigation, toxic torts, construction litigation, and commercial warranty litigation. In his over 30 years of practice he has also routinely counseled clients on risk shifting and risk management issues, including contracts, product literature, and warranty

development. His clients include product manufacturers and distributors, general contractors, construction managers, and transportation firms. Matt is a member of the ALFA Product Liability & Complex Torts Steering Committee, its current Vice-Chair, past Program Chair and Marketing Chair, and he is also a member of the DRI Products Liability Committee. He is a Michigan Super Lawyer in Product Liability and AV rated by Martindale-Hubbell. He received his undergraduate degree from the University of Michigan and law degree from the University of Detroit.

DAVID R. STECHOW is a shareholder with Plunkett Cooney in Detroit, Michigan. David focuses his practice in various areas of complex litigation, including construction law, product liability and fire and property damage litigation. He represents builders, contractors, management companies, manufacturers and suppliers. David represents his clients in matters involving property and personal injury claims resulting from construction deficiencies or fire and explosions in residential, commercial and industrial settings. Many of these cases include property destruction or serious injury or death. David attended Southern Methodist University, and received his bachelor's degree in 1992 from Michigan State University. He received his law degree in 1996 from the University of Detroit Mercy School of Law. David is AV rated by Martindale-Hubbell. In 2010, he was selected as a Fellow of the Litigation Counsel of America (LCA). The LCA is an honorary trial lawyer society. Fellowship in the LCA is highly selective and by invitation only. Fellows are selected based upon superior ethical reputation, as well as excellence and accomplishment in litigation, both at the trial and appellate levels.

TIM SWANSON is Vice President at Meade Inc., in charge of Corporate Safety and Risk management. He has both a B.S. and Masters in Occupational Safety. He is OSHA 500 Certified and oversees safety for over 1500 union Meade employees. He has developed safety training programs for those employees in the recognition and avoidance of unsafe conditions. He oversees corporate safety monitoring programs for work in progress. He is Meade Inc.'s principal officer responsible for accident and OSHA investigations.

DAVID TOMLINSON is the Data Protection Officer for HDR's operations worldwide. He previously served as Global Privacy Counsel to the world's largest payments company. David has extensive experience in privacy and data protection laws, including HIPAA and state data breach notice laws in the US, the Data Directive and GDPR in the EU, and country-specific privacy systems such as Australia, Canada, and Germany. He holds certifications for both US and EU privacy expertise (CIPP/US and CIPP/E). A native Midwesterner, David earned a bachelor's degree from Kansas State University and a law degree with high distinction from the University of Nebraska. Having attended high school and university in Germany, in addition to living in other international locations, David applies his knowledge of languages and culture to further bridge gaps and ease cross-border compliance.

DANIEL P. UTT serves as the co-leader of Keating Muething & Klekamp's Real Estate Practice Group. For more than 30 years, Dan has helped real estate owners, developers, investors, contractors and lenders navigate the issues and considerations associated with real estate development and general business law matters. He has significant legal experience with a broad range of real estate, development and construction projects. Dan earned his B.S. from Bowling Green State University in 1983, and his J.D. from the University of Dayton School of Law, summa cum laude, in 1986. He is admitted to practice law in Ohio and Kentucky. Dan is also a licensed title insurance agent and is an authorized agent for Riverbend Commercial Title Agency. He has been AV rated by Martindale-Hubbell for more than 10 years, was listed in Chambers USA as America's Leading Business Lawyers, listed in The Best Lawyers in America since 2007, named the "Cincinnati Best Lawyers' Project Finance Lawyer of the Year" in 2017, named to Ohio Super Lawyers, and selected as a Top Rated Lawyer in Construction Law by American Lawyer and Corporate Counsel.

DAVID T. VANALEK is an attorney and Claims Director of US Professional Liability, which includes the Global Medical & Healthcare Practice Group, the Global Cyber Risk and Privacy Liability Group, the Global Miscellaneous Professional Liability Group, and Carrier Alliance Claims at Market in Chicago, Illinois. David joined Market in 2007, and has since assumed a director

role overseeing a team of approximately 25 insurance professionals and attorneys across six offices nationwide responsible for a wide array of professional liability and cyber liability claims particularly in the healthcare field, which has included over the years Medical Malpractice, Specified Medical, Cyber Liability, Miscellaneous Errors & Omissions, Lawyers, Insurance Agents & Brokers, Financial Advisors, Broker/Dealers and Registered Representatives, Accountants, and Senior Living claims. Further, David has broad experience over Public Company and Private Company Directors & Officers Liability, Not-For-Profit Directors & Officers Liability, Employment Practices Liability, and Fiduciary Liability matters. Prior to joining Markel, David was in private practice since 1998, serving clients throughout California and Illinois. He received his Bachelor's degree from the University of California, Los Angeles, and his law degree from the University of California, Davis, where he served as an Editor on Law Review, as well as a judicial extern for an associate justice of the California Supreme Court. David is a frequent speaker on insurance, professional liability, cyber liability and management liability issues.

JEREMY WARD is an ALFA Construction Practice Group member with the Tulsa, Oklahoma firm of Franden | Farris | Quillin | Goodnight + Roberts. He routinely represents companies on claims based on product liability, catastrophic incidents and accidents, and professional negligence defending design professionals. He was named a Super Lawyer Rising Star in general litigation for 2011 and a Super Lawyer Rising Star in Personal Injury Defense (Product Liability) for 2012-2017. Jeremy was selected as one of Oklahoma's Top Rated Lawyers of 2014 presented by Legal Leaders. Jeremy is AV® Preeminent™ Peer Review Rated by Martindale-Hubbell. He was elected to the Oklahoma Bar Associations' House of Delegates as an Alternate for 2010-2013 and 2015-2016. Jeremy is admitted to practice before all state and federal courts in Oklahoma and Arkansas and before the Northern District of Oklahoma Bankruptcy Court and the 8th and 10th Circuit Courts of Appeal.

JOHN WATT, member of the ALFA International Kansas City firm, Baker Sterchi Cowden & Rice LLC, graduated with honors from Boston University School of Law in

Boston, Massachusetts. He has twice been selected as a Super Lawyer "Rising Star" for both Missouri and Kansas in litigation and defense work. He has extensive experience in defending businesses in multi-million dollar litigation. His practice includes product liability defense, construction litigation, and toxic torts. John has been the primary attorney for the defense of such litigation from filing the responsive pleading through jury trial. He has both taken and defended expert, corporate representative, and fact witness deposition in hundreds of cases across the country. John has argued in front of the appellate courts for Missouri and Kansas on multiple occasions. He also has extensive experience in arbitrating and mediating matters to successful conclusion for his clients. In the past year, he has prevailed in both a jury and bench trial for construction surety clients. As an active member of the local bar, he provides pro bono legal services for indigent clients through the Volunteer Attorney Project. He is currently on the Steering Committee for the ALFA Construction Law Practice Group.

CODY WEBB has been with Zachry Construction Corporation since October 2006, and currently serves as its General Counsel. As General Counsel, he has represented the Company in the negotiation of contracts for its pursuit of large design-build projects such as the California High Speed Rail project and reconstruction of the LaGuardia Airport Terminal B. Before joining Zachry, Cody spent 10 years in private practice advising clients primarily in the areas of construction law, independent power projects, and corporate law. Cody graduated cum laude from Texas Tech University with a Bachelor's of Science in Mechanical Engineering, and he graduated magna cum laude from Texas Tech University School of Law.

SPENCER WIEGARD is a partner with Gentry Locke and is based in the firm's Roanoke, Virginia office. He is a member of Gentry Locke's Construction Law and Commercial Litigation practice groups. Spencer focuses his practice in the areas of construction law, construction litigation, and firearms law. He represents general contractors, subcontractors, trade contractors, suppliers, and design professionals. As part of his construction law practice, Spencer counsels and advises his clients concerning a range of

legal issues, including contract drafting and negotiation, mechanic's liens, surety bond claims, professional and occupational licensing issues, OSHA issues, and claims. Spencer's construction litigation practice involves the litigation of breach of contract disputes, payment disputes, claims, construction defect disputes, design defect disputes, mechanic's lien enforcement actions, payment bond claims, OSHA enforcement actions, and professional and occupational regulatory matters. As part of his firearms law practice, Spencer counsels businesses and municipalities concerning firearms carry laws, firearm and ammunition sales, BATFE investigations, and product defect litigation. Spencer is a member of the Board of Governors for the Virginia State Bar Construction Law and Public Contracts Section, and a member of the Legislative Committee for the Associated General Contractors of Virginia, and a member of the Executive Committee for the Roanoke/Southwest Virginia District of the Associated General Contractors of Virginia.

PATRICK D. WILSON is a partner in the law firm of Wright, Lindsey & Jennings LLP in Little Rock, Arkansas. His practice is focused on all aspects of construction law, from construction contract drafting through all types of litigation related to construction. Patrick assists owners, general contractors, subcontractors, materials suppliers, architects, engineers, and homeowners with lien issues, contract formation and disputes, alleged building defects and other negligence, personal injury claims related to construction activity, securing payment on projects, surety matters, and other related issues. He regularly files and defends against construction liens on large commercial projects in Arkansas. Patrick is a member of the American Bar Association's Forum on the Construction Industry and the Arkansas chapter of Associated Builders & Contractors. Mr. Wilson is a graduate of Hendrix College (B.A., *cum laude*, with distinction) and the University of Arkansas (J.D., *magna cum laude*).

PROGRAM INFORMATION

MEETING LOCATION

Fairmont Banff Springs
405 Spray Avenue
Banff, Alberta, Canada
Tel: (403) 762-2211
www.fairmont.com/banff-springs

REGISTRATION

Please contact your ALFA International Attorney to register for this program and reserve your hotel room.

ATTENDANCE IS OPEN ONLY TO MEMBERS OF ALFA INTERNATIONAL AND THEIR INVITED GUESTS.
ALL EVENTS ARE FOR AGES 21+.

ATTIRE

The attire for the educational sessions & social dinners throughout the conference is resort business casual. The optional activities are quite active and attire suggestions are listed in the optional activity flyer.

CLE CREDIT

ALFA International certifies that this program has been approved for a total of 7.0 hours of CLE credit in the states of Illinois and California. If you need credit in another state, please contact that state bar regarding the necessary requirements to obtain CLE credit. A packet of CLE information, along with a CA certificate of attendance, will be distributed at the seminar which should help you apply individually to your state. ALFA International staff are available to assist if you have any difficulty.

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