

To: Brokers (via LIIBA)
Broker Claims Contacts
Company Claims Contacts
Company LPC Contacts
Lloyd's Managing Agents

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market communication

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Enquiries to: Julie Donoghue, Claims Services

Tel: +44 (0)20 7780 5476 Email: xsseminars@xchanging.com

RE: LEARN AT LUNCHTIME SEMINAR – 11 OCTOBER 2013

Claims Services is pleased to announce the continuation of the 'Learn at Lunchtime' seminar programme throughout 2013. This event is free to attend, has been accredited by the CII and can be included as part of your CII CPD requirement should you consider it relevant to your professional development needs.

The details of the next seminar are outlined below:

11 October 2013 – American Law and Jurisprudence II: The Lifecycle of a Lawsuit

Speakers: Brian McSharry, Attorney-At-Law (New York)

Seminar Overview:

Every adjuster worth his or her salt actively supervises the attorneys handling their cases and the bills they submit, but can we really do this properly without knowing what it is that attorneys do during the course of litigation?

In this, the second in his series of presentations covering the US legal system, our speaker, Brian McSharry, will build upon the foundational building blocks established in ***American Law and Jurisprudence I***, explaining how the concepts already covered apply in the real-life context of a lawsuit from when suit is filed up until an uncontested judgment or final appellate order is entered. The interplay of substantive law and procedure will also be explored in greater depth.

Continued...



Tracking a New York personal injury suit (originating in the crash of an aircraft) from accident to appeal, Brian will give the attendees a practicing attorney's insight into:

- The filing of a complaint and the venue and jurisdictional choices involved therewith
- Issues associated with contested jurisdiction
- The filing of an answer, including counter- and cross-claims
- Removal to federal court and the law governing same
- Motions to dismiss as a matter of law
- The bill of particulars
- The exchange of documentary discovery and judicial intervention
- The subpoena power of the Bar
- Medical records and the unique problems they pose
- Notices to admit
- Depositions of fact witnesses
- Motions for summary judgment
- The *Erie* Doctrine, the substantive law of the suit, and conflict of law issues
- The settlement phase and court-ordered mediation
- Trial and how it is conducted
- Appeal

Our attendees will come away with an understanding of:

- The American litigation system and how it operates, including, but not limited to the specific areas highlighted above

Our Speaker:

Brian McSharry is a member of the New York Bar and possesses BA, MA, and Doctor of Jurisprudence degrees. Before moving to London he practiced trial and appellate law in New York for many years. He is a licensed instrument-rated pilot and works in Xchanging's Aviation and Financial Lines departments. He is a member of the Royal Aeronautical Society's Law Group, the International Association of Defense Counsel, and the Aviation Club.

The seminar will take place from 13:00 hours in the Auditorium at Xchanging's offices at 34 Leadenhall Street, London.

If you wish to attend the above seminar, please register with Julie Donoghue at xcsseminars@xchanging.com no later than 10 October 2013.

ANTHONY CROYDON
HEAD OF SERVICE
XCHANGING INSURANCE SECTOR