

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

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market communication

**RE: LEARN AT LUNCHTIME SEMINAR – 27 FEBRUARY 2014**

Claims Services is pleased to announce the continuation of the 'Learn at Lunchtime' seminar programme throughout 2014. 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:

**27 February 2014 – Mock Trial: The Anatomy of a US Jury Trial**

The mock trial will take place from 14:00 – 17:00 hours in the Lloyd's Library.

**Presenters:**

**Kevin Mescall** and **Fred Johs** of Lewis Johs Avallone Aviles, LLP, New York

**Brian Wagner** of Mateer & Harbert, PA, Orlando, Florida

**Sharon Stuart** of Christian & Small, Birmingham, Alabama

**Overview:**

Commercial truck driver Donald Simpson loses control of his truck. Careering towards a petrol station, Simpson strikes a pick-up truck at a petrol pump, killing its owner, Charles Seal. The Seal family, having witnessed the tragedy, seek recompense. Now the owners of the trucking company represent that they have lost the company's records. How will this play in front of a civil jury?

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This unique mock trial program will examine the complex issues arising within the context of the trial of a lawsuit seeking money damages for bodily injuries. The program will focus on the role of the jury in determining liability and awarding damages. Some attendees will have the opportunity to serve as 'mock jurors' in order to obtain first-hand knowledge of the process and to explore how the concept of group dynamics can affect the ultimate result of the trial. The program will also illustrate the interaction between the trial attorneys and the jurors where the attorneys, as advocates for their clients, seek to 'condition' jurors to be receptive to the evidence and arguments to be presented.

Among many important US trial topics, this program will highlight:

- Jury selection and how attorneys pick their ideal jury
- How a defendant's past 'bad acts' may affect the case
- Spoliation of evidence
- How "law" and "fact" are employed by the judge and jury
- Jury deliberation and verdict: why insurers hold their breath

#### **Our Presenters:**

Kevin G Mescall concentrates his practice in the litigation and trial of significant bodily injury and property damage claims involving products liability, construction site accidents, toxic torts, mass torts, construction defects, construction delay, wrongful death, lead poisoning, professional indemnity, municipal liability and complex insurance coverage disputes. Kevin is admitted to practice in the State of New York as well as the US District Courts for the Eastern and Southern Districts of New York. He currently serves on the Executive Board of the Defense Research Institute International Committee and is a member of the Defense Association of New York and the New York State Bar Association. He has lectured for the New York State Trial Lawyers Association, DANY, DRI and the Crittenden Medical/Legal Conference. He is an adjunct professor at Pace University and Suffolk County Community College. In 2011 Kevin participated in a secondment program with Xchanging Claims Services in London where he obtained experience in complex claims handling for the London Insurance Market.

Fred Johs is one of the founders of Lewis Johs and serves as senior trial partner in all areas of litigation. Fred has been defending clients in matters of significant exposure for over thirty years. He takes a down-to-earth, common sense approach to resolving the most complicated litigation in a cost-effective manner. Fred was chosen as regional counsel for a major national insurer, overseeing other counsel on matters involving sexual abuse and misconduct. Fred has been named to 'Best Lawyers' for seven consecutive years, 'Super Lawyers' for five consecutive years and was honoured as one of the ten best trial lawyers on Long Island. He is rated 'AV' by Martindale-Hubbell.

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Sharon Stuart is a partner in the litigation practice group of Christian & Small. She handles complex business, insurance and product liability cases in the state and federal courts and in arbitration. She has been fortunate to defend a wide variety of insurance coverage, bad faith and fraud cases, including life and health, annuity, broker/dealer and agency issues, first party property cases, commercial general liability claims, financial products, and fidelity bond litigation. Sharon has also tried a broad spectrum of cases involving corporate governance, consumer finance issues, drug pricing and product liability. She has defended class action lawsuits in areas as diverse as financial products, insurance, product liability, toxic tort and employment law. Sharon is 'AV' rated in Martindale-Hubbell, is listed in 'The Best Lawyers in America', has been voted among the Top 25 Alabama Women 'Super Lawyers', and is one of 'Benchmark Litigation's Top 250 Women in Litigation'. She is active in the International Association of Defense Counsel, the Defense Research Institute, and the American Inns of Court.

Brian L Wagner is a shareholder in the law firm of Mateer & Harbert, PA, in its Orlando, Florida office. Brian has been an attorney for over 15 years and practices in the area of complex insurance and commercial litigation. He frequently speaks at conferences and in-house seminars throughout the country on various legal topics related to litigation and insurance law. His law firm, Mateer & Harbert, PA, is a full service law firm with offices in Orlando and Ocala, Florida and handles cases throughout the entire State of Florida. The firm has a strong commercial litigation and insurance practice. In the spring edition of 'Litigation 2012', an 'American Lawyers' supplement, a Fortune 500 company designated Mateer & Harbert, PA as its 'go to' firm for litigation.

The mock trial will take place from 14:00 – 17:00 hours in the Lloyd's Library.

If you wish to attend the above seminar, please register with Julie Donoghue at [xcsseminars@xchanging.com](mailto:xcsseminars@xchanging.com) no later than 26 February 2014.

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