

BLOGS

RIMS 2019 – Will We See You In Boston?

For several years, Lathrop Gage’s Insurance Recovery and Counseling team has been front-and-center at [RIMS’ annual conference](#). This year’s event – taking place April 28-May 1 in Boston – is no exception! We will have a team onsite at booth #549 on the tradeshow (please come by and see us if you’re there), and we have several speaking engagements lined up.

For several years, Lathrop Gage’s Insurance Recovery and Counseling team has been front-and-center at [RIMS’ annual conference](#). This year’s event – taking place April 28-May 1 in Boston – is no exception! We will have a team onsite at booth #549 on the tradeshow (please come by and see us if you’re there), and we have several speaking engagements lined up.

A quick preview of our speaking line-up:

- Alex Roje discusses “Top Five Pitfalls in D&O Liability Policies” on Monday, April 29, at 10:25a Eastern time, in Thought Leader Theater (on the tradeshow floor). Economic growth ebbs and flows; business cycles inevitably return to a contraction at some point. Litigation always follows periods of financial turmoil. Regardless of the current financial cycle, corporate counsel and risk managers can benefit from better understanding current D&O policies and how courts have interpreted typical policy language and claims. Presenters will provide a primer on D&O coverage and discuss some current hot issues and trends, including: application of the “conduct” exclusion, impact of D&O in bankruptcy, the potential harm in over-including who is an insured, and coverage for criminal investigations of corporate wrongdoing.
- I’ll cover “Civil Rights Claims, Public Entities and Insurance Coverage” on Monday at 1:20p Eastern in Thought Leader Theatre. The modern accessibility of DNA testing has led to an unprecedented rise in exonerations of the wrongfully-imprisoned and a surge in civil rights lawsuits against public officials and municipal entities. These lawsuits result commonly result in verdicts in the range of *\$1 million – \$2 million per year of imprisonment*, verdicts which can easily bankrupt small to medium sized public entities if they do not have the right kind of liability coverage place. This session explores the complex coverage issues that arise in connection with civil rights claims and discusses some innovative risk-management solutions that public entities can implement to protect themselves.
- [Mike Abrams](#) wraps up Lathrop Gage’s speaking presence at RIMS with “How to Bring Excess Carriers to the Settlement Table” at 3:25p Eastern. Excess insurance plays a vital role in mitigating the risk of large losses, but excess insurers often contend they have no obligations and are entitled to

Related People

Alexander (Alex) T. Brown

Partner

Kansas City

816.460.5629

alexander.brown@lathropgpm.com



sit on the sidelines of a lawsuit against their policyholder until underlying insurers have fully paid their limits. This position harms policyholders, particularly when settlement of a lawsuit requires contribution from these excess insurers. While courts universally acknowledge the value of pre-trial resolution and settlement, some jurisdictions have discouraged settlement of large losses by holding that excess insurers have no duty to the policyholder until primary policies have completely exhausted their limits. When excess insurers refuse to come to the settlement table, settlements often fall through, exposing policyholders to high risk verdicts. This session addresses the split in authority on whether excess insurers have pre-exhaustion settlement obligations, and innovative policy provisions that can help facilitate excess insurer's early participation and settlement.

Hope to see you there!