

**Adam Potter**  
**Executive Director and Spokesperson**  
**Council on Litigation Management**  
**Tel: 212.724.2345**  
**Email: adam.potter@litmgmt.org**  
**Website: <http://www.litmgmt.org>**

## **Council on Litigation Management**

The **Council on Litigation Management (CLM)** is dedicated to furthering the practice of Litigation Management through:

- ***Dedication*** - Dedicated to the principles and practices of litigation management.
- ***Inclusion*** - Include all individuals and companies who participate in litigation and the management thereof.
- ***Collaboration*** - Convergence of resources to develop uniform litigation management principles, increase awareness and further ethical standards.
- ***Education*** - Provide extensive, affordable training and educational opportunities to create a better awareness and expertise of litigation management.
- ***Communication*** - Foster communication between all parties – risk managers, claims managers and adjusters, general counsel, insurance company executives, attorneys, brokers and service providers.
- ***Identification*** - Identify, train and certify attorneys and law firms.

### **About the Council on Litigation Management**

Founded in 2007, the Council is a nonpartisan alliance committed to furthering the highest standards of litigation management. The Council sponsors educational programs, provides resources, fosters communications, and recognizes lawyers who meet high standards. Selected attorneys and law firms are extended membership by invitation only, based on nominations from CLM Fellows. Each member attorney must complete two hours of Council-developed CLE litigation management training annually.

## **General Membership and Organizational Information**

The Council has a unique structure designed for maximum participation by and contribution from its membership. Organizationally, the Council is comprised of Fellows and Members who are also able to serve CLM as CLM Educators, State Chairs, National Committee Members, and Advisory Board Members.

### **FELLOWS**

Fellows are individuals who participate in litigation and the management thereof (Risk Managers, Adjusters, General Counsel, Claims and Litigation Managers, Service Providers, etc.).

Fellowships are provided by the Council at no cost. As a Fellow, there are no time requirements or commitments however, only Fellows can nominate preferred attorneys and law firms for membership in the Council.

### **MEMBERS**

Defense attorneys and firms are permitted to be CLM members. Following the nomination of a Fellow, a defense attorney may select an individual or firm membership. Each nominated attorney must attend at least one CLM Annual Conference every three years.

### **STATE CHAIR**

This position is a state leadership role within the Council. The purpose is to assist in the development and growth of the Council and foster communications locally. State Chairs also establish and monitor CLM Strategic Affiliations for state and local organizations/associations. State Chairs receive direction from the Council and are encouraged to work with Chairs from other states. Both Fellows and Members are eligible for a State Chair role and there are two to five positions available in each state. The time commitment is one to two hours monthly.

### **NATIONAL COMMITTEE**

This committee plays a national leadership role within the Council. The committee's purpose is to increase awareness of the Council and litigation management best practices by working with insurance companies, claims organizations and service providers. Both Fellows and Members are eligible for a National Committee role and the committee is comprised of twelve positions.

## **ADVISORY BOARD**

CLM's Advisory Board members are comprised of some of the most experienced legal industry executives. Board members periodically advise on issues related to the Council's mission.

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**About Adam W. Potter**  
***Executive Director, Council on Litigation Management***

Adam Potter is the Executive Director and Founder of the Council on Litigation Management (CLM). Adam has over 20 years experience in risk management, retail brokerage, consulting and advisory services in the insurance industry.

Adam served in senior risk management roles at Warner Music Group, Continental Airlines and Centerplate, and in an international planning role at American Airlines. In his risk management roles, he achieved overwhelming success in reducing the overall cost of risk. In these positions he was responsible for all aspects of the risk management process including pre-loss, post-loss and risk financing. He successfully reduced workers' compensation costs and employee injuries and instituted programs that significantly reduced liability claims. Additionally, he instituted litigation management guidelines, managed outsourced medical clinics, implemented safety and security programs, and was responsible for drug and alcohol testing compliance to the FAA/DOT. While at American, he coordinated the on-site response for the 9/11/01 and 11/12/01 accidents, including direct communications with families, NTSB, FAA, FBI, Red Cross and local law enforcement.

Adam's responsibilities have also included oversight of health, welfare, retirement and compensation plans. He has evaluated plan provisions in accordance with tax regulations, assessed trustee statements and worked with clients to re-engineer ongoing processes. Prior to his corporate risk management experience, Adam worked with two global retail brokerage firms where he served in an account management role for a variety of large international and regional clients. His responsibilities included insurance placement, contract review, certificate verification and financial analysis of losses and alternative risk finance plans.

Adam was awarded a Master of Business Administration from Loyola University in Chicago and a B.S. in Business Administration from the University of Florida. He also received two international certifications: a Management Education Certificate from Syracuse University's London School and an International Business Degree from DIS, University of Copenhagen, Denmark.

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### **Council on Litigation Management's Advisory Board**

CLM's Advisory Board members are comprised of experienced executives who serve to advise on issues related to the Council's mission. Currently serving on the Board are:

**Lance Becker**  
Area President, Co-Director of Global Risk Management  
Arthur J. Gallagher

**Larry Beemer**  
Claim Director  
Fireman's Fund

**Katherine Bertini**  
Assistant General Counsel  
United Technologies Corporation

**Robert Carlson**  
Director of Claims  
Costco Wholesale Corporation

**Regina Degnan**  
Senior Vice President  
Aon

**Domenick C. DiCicco, Jr.**  
Executive Vice President, General Counsel  
Alexander Gallo Holdings

**James DiVirgilio**  
Senior Vice President and Chief Claims Officer  
XL Insurance

**Julie Fortune**  
Senior Vice President and Chief Claims Officer  
Arrowpoint Capital

**Helen Gillcrist\*\***

Vice President and Manager of Enterprise Legal Services, \*\* *Advisory Board Vice Chairman*  
Liberty Mutual Group

**Dean K. Harring**

Chief Claims Officer  
QBE The Americas

**Peter Hitson\***

Assistant Vice President, Legal Practices & Support \**Advisory Board Chairman*  
The Hartford

**Mari Henry Leigh**

Partner  
Meckler Bulger Tilson Marick & Pearson

**John Mannato**

Vice President, Associate General Counsel & Chief Litigation Counsel  
Harleysville Insurance

**James Martin**

VP, Standard Lines Liability Claims  
CNA

**Paul L. McDonald**

Senior Counsel  
Kraft Foods

**John McGann\*\***

VP and Chief Claims Counsel, \*\* *Advisory Board Vice Chairman*  
OneBeacon Insurance

**James L. Michalowicz**

Director  
ACT Litigation Services

**Patrick L. Oot**

Director of Electronic Discovery & Senior Litigation Counsel  
eDiscovery Institute

**Kevin Quinley**

Vice President of Risk Services  
Berkley Life Sciences, LLC

**Miriam Smolen**

Associate General Counsel  
Fannie Mae

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**Council on Litigation Management's Advisory Board**  
**Professional Biographies**  
**(Provided in alphabetical order by last name)**

**Lance Becker**  
Area President, Co-Director of Global Risk Management Practice  
Arthur J. Gallagher & Co. of New York, Inc.

Lance Becker is the President of Arthur J Gallagher & Co. of New York, Inc. and is responsible for the management and development of the New York City office. He is also serves as the Co-director of Global Risk Management Practice, leading Fortune 1000 companies in the design, marketing, management, and administration of their risk management programs. He specializes in large retention programs and alternative risk financing transactions which utilize insurance and reinsurance vehicles.

Previously, Lance worked at Willis for 10 years, serving as Executive Vice President Client Advocate Team Leader in their large account practice. Throughout his career, Lance has brokered diverse and complex risks, including multinational organizations in the oil/energy, waste to energy, water treatment, building materials, aviation, automobile parts, manufacturing, electronics, entertainment, financial institutions and media industries. In his career, Lance has been responsible for the risk management of many Fortune 100 clients. His has earned a BS in Finance from Towson University in Maryland. Lance serves on several professional organization boards, including Zurich's Broker Advisory Council.

**Larry Beemer**

National Claim Director  
Fireman's Fund Insurance Company

Mr. Beemer has 29 years in the insurance industry with Aetna, CNA, Home Insurance, Risk Enterprise Management and Fireman's Fund Insurance Company. He is currently the National Claim Director for Construction Defect, Latent Injury and Entertainment Claims at Fireman's Fund Insurance Company. In his career he has been a chief technical officer, consultant to re-insurers, training coordinator, national accounts coordinator, litigation manager, legal auditor, claims and due diligence auditor, PMK and expert witness.

He is a member of the AIA Subcommittee on Construction, a member of the Southern California Construction Defect Claim Managers Association, and serves on the Advisory Board for the Council on Litigation Management.

**Katherine Bertini, J.D.**

Assistant General Counsel  
United Technologies Corporation

Katherine Bertini (Kate) is Assistant General Counsel at United Technologies Corporation's ("UTC") headquarters in Hartford, Connecticut. She is responsible for developing and leading UTC's e-Discovery Center that provides e-Discovery support and advice and counseling to UTC and its business units. In addition, Kate chairs UTC's Litigation Best Practices team and coordinates litigation reporting requirements. Kate is also responsible for management of UTC's Outside Counsel Program, including selection and evaluation of firms, utilization of alternative fee arrangements, and acceleration of firm progress to workforce diversity.

Prior to joining the corporate office, Kate worked at UTC's Pratt & Whitney division as Associate Counsel where she was responsible for creating a litigation management program at Pratt & Whitney, managing a diverse litigation portfolio, implementing enterprise-wide records management and conducting significant investigations. She also worked at Otis Elevator Company as Associate Counsel – Litigation where she gained experience on product-related issues such as warnings and retrofit programs.

Kate began her legal career as a clerk for the Hon. Antoinette L. Dupont, Chief Judge of the Connecticut Appellate Court, and as an associate at the law firm of Day, Berry & Howard (now Day Pitney LLP). She is a graduate of Georgetown University and the University of Connecticut School of Law.

**Bob Carlson**

Director of General Liability & Property Claims  
Costco Wholesale Corporation

Bob Carlson is the Director of General Liability & Property Claims for Costco Wholesale Corporation headquartered in Issaquah, Washington. Bob joined the Risk Management Department of Costco in January of 1997 following 25 years with Aetna Life & Casualty where he held various claim positions throughout the country.

Bob's group at Costco is responsible for all general liability and property claims in the United States and Canada. His folks also oversee all of Costco's property exposures throughout the world. Costco maintains an in-house claims operation which is run in tandem with dedicated TPA operations in the US and Canada. Bob holds the CPCU and AIG designations from the American Institute of Insurance.

**Regina Degnan**

Executive Vice President  
Aon

Regina Degnan is an Executive Vice President at Aon Risk Services. She serves as Relationship Manager on both national and international accounts with a major focus on the Real Estate Industry. Prior to joining Aon, Regina served as a Senior Vice President for Marsh & McLennan, primarily doing Account Executive work on multi-national accounts. Additionally, Regina was part of Marsh & McLennan's Risk Evaluation Group, specializing in due diligence analysis for buyout companies and private and public investment groups.

Preceding Marsh & McLennan, Regina spent a number of years in Ernst & Young's (E&Y) Risk Management Consulting Division. As a manager for E&Y, Regina was responsible for auditing major insurance programs, providing a thorough review of the company's risk management operations and financial structure, providing alternative risk financing strategies, managing the broker selection process for major accounts and, when necessary, acting as the surrogate risk manager.

Regina earned a Master of Science degree from Brooklyn College and a Bachelor of Science from the College of New Rochelle. She is a licensed insurance broker in New York State and Connecticut. Regina has served on the board of the largest cooperative within the United States, Castle Gallery, College of New Rochelle, and was President of the College of New Rochelle Alumni Board.

**Dominick C. DiCicco**

Executive Vice President, General Counsel  
Alexander Gallo Holdings

Domenick C. DiCicco serves as Executive Vice President and General Counsel of Alexander Gallo Holdings, LLC. With more than 20 years of corporate litigation experience, DiCicco's leadership spans litigation and business performance management, including enterprise best practices, indemnity reduction and cost reduction.

Prior to joining Alexander Gallo Holdings, DiCicco served as Senior Vice President and Chief Legal Officer of NAC for Zurich Insurance Group, where he oversaw litigation and corporate management. Previously, DiCicco was a partner with Edelstein, Martin, Nelson, & DiCicco Law Firm in Philadelphia from 2002-2004. During his tenure as a trial attorney, Mr. DiCicco was recognized for obtaining several multi-million dollar verdicts and settlements by being invited to be a member in the Million Dollar Advocate Forum. For CNA Insurance Companies, he served as Counsel for Large Accounts and National Subrogation Counsel. DiCicco began his career with Post & Schell in Philadelphia.

DiCicco holds a Master of Business Administration, Summa Cum Laude, from Pennsylvania State University and a Juris Doctor from the Delaware Law School. He is Co-Chair of CLM's Advisory Board and Vice-Chair of the American Bar Association's Committee on Excess and Surplus Lines. Most recently, DiCicco was elected to the New Jersey State Assembly, representing the 4th District, which covers parts of Gloucester and Camden counties. He also serves as corporate counsel for the Deptford, New Jersey, Fire Department.

**James DiVirgilio**

Senior Vice President – North America  
XL Insurance

Jim is Senior Vice President and Regional Head of Claims North America with XL Insurance, located in Hartford, Connecticut. Prior to joining XL, he was Vice President of General Liability and Group General Counsel with Travelers Indemnity Company. Jim has served on numerous litigation management industry groups including the Defense Research Institute Insurers' Roundtable, the American Bar Association Staff Counsel Committee, various American Insurance Association Liability and Litigation management sub-committees, the International Association of Defense Counsel, and various American Corporate Counsel Executive Committees. Jim is a member of the Connecticut, Pennsylvania and New Jersey Bar Associations.

**Julie Fortune, J.D., M.S.**

Senior Vice President and Chief Claims Officer  
Arrowpoint Capital

Before joining Arrowpoint Capital, Julie served as the Vice President of Staff Counsel, Services Provider Group, and Claims at Fireman's Fund Insurance Co. Prior to Fireman's Fund, she held various senior level positions with Zurich NA and Liberty Mutual Insurance. Throughout her career, Julie has gained extensive experience in claims, organizational transition, and vendor and litigation management. She currently oversees all claims activity for Arrowpoint Capital. Julie earned a Juris Doctorate from Antioch School of Law, a Master of Science from Ohio State University and a Bachelor of Science from the University of Oregon.

**Helen Gillcrist**

Vice President and Manager, Enterprise Legal Services  
Liberty Mutual Group

Helen has had over 30 years of experience at Liberty Mutual including various management positions in the Claims and Legal Departments and the Field Legal organization. She assumed her current position in 2005, where her responsibilities include managing the outside legal expenditures for Liberty Mutual. Her organization is also responsible for the analytics, technology, auditing and process improvement initiatives for the litigation management function. Helen has a Bachelor of Science of Foreign Service from Georgetown University.

**Dean K. Haring, CPCU, CIC**

Chief Claims Officer  
QBE the Americas

Dean K. Haring is the Chief Claims Officer for QBE the Americas, where he has management responsibility for claims operations in four distinct operating pillars: Specialty Insurance, Reinsurance, Regional Insurance and Latin America. He has many years experience as a Claims senior executive with companies such as Liberty Mutual, Commercial Union, Providence Washington, Zurich North America, and CNA. He recently served as Chief Claims and Operations Officer at GAB Robins in Parsippany, NJ. He is also the founder and principal member of Claim Diagnostics, a consulting firm specializing in improving Property Casualty Claims operations.

Mr. Haring is a graduate of Bowdoin College, Brunswick, Maine, and has completed management training at the Kellogg School of Northwestern University and advanced management training at the Wharton School, University of Pennsylvania. He earned his CPCU designation in 1980 and his CIC designation in 1992. He has served as a board member of the National Insurance Crime Bureau, the American Insurance Association Claim Administration Committee, Big Brothers and Big Sisters of Maryland, the Community Law Center, and Arbitration Forums, Inc. He is also a member of the national faculty of the National Alliance for Insurance Education and Research.

**C. Peter Hitson, JD**

Assistant Vice President, Legal Practices & Support  
The Hartford

Peter Hitson is the Assistant Vice President, Legal Practices & Support for The Hartford Financial Services Group, Inc. In support of Property and Casualty Claims, Pete is charged with selection, retention, evaluation and management of outside counsel and other legal vendor relationships. He also oversees The Hartford's legal bill review services and legal e-billing initiative. Pete is the former National Manager of Panel Counsel, and served as Managing Attorney within Claims Legal. He was engaged in private practice prior to joining The Hartford. He is a graduate of Denison University and The University of Pittsburgh School of Law.

**Mari Henry Leigh, JD, Partner**

Partner; Chair, The Legal Audit Group  
Meckler Bulger Tilson Marick & Pearson, LLP

Mari Henry Leigh serves on the Advisory Board of the Council for Litigation Management (CLM) and is the Education Chair. Mari is a partner in the law firm of Meckler Bulger Tilson Marick & Pearson LLP. For more than 25 years, Mari has been engaged in litigating and providing counsel in a wide variety of complex, civil litigation matters including: federal antitrust, copyright, trade secret and trademark infringement claims, RICO, common-law fraud and commercial contract matters, insurance and insurance-related claims, and product and professional liability claims. A substantial portion of Mari's practice focuses on litigating, counseling and providing opinions and analysis on the reasonableness and allocation of attorneys' fees. Currently, Mari serves as the Chair of MBT's Legal Audit Group, one of the Nation's largest practice groups of its kind. Mari has conducted or supervised more than 150 legal fee audits and/or bill reviews of fees in litigation involving an aggregate of approximately \$1.5 billion in legal costs. Mari is recognized as one of Illinois' "Leading Lawyers" in the areas of commercial litigation and was interviewed on the topic of "Runaway Legal Costs" for Sky Radio Program entitled "*America's Most Influential Women.*" Mari is admitted to the Illinois and Ohio State Bars, and their respective federal counterparts. She serves as the Chair of the Chicago Bar Association's Professional Fees Committee, which regularly holds hearings and oversees arbitrations involving client complaints regarding member and non-member professional fees. Mari has served as an adjunct instructor in trial advocacy and legal research and writing, and is a frequent speaker and author on litigation management, legal ethics, attorney fee disputes, independent counsel and the attorney-client privilege.

**John T. Mannato, JD**

Vice President, Associate General Counsel, and Chief Litigation Counsel  
Harleysville Insurance

Mr. Mannato serves on the Advisory Board of the Council for Litigation Management and is co-chairman of its Litigation Guidelines Sub-Committee. In his role as Vice President, Associate General Counsel, and Chief Litigation Counsel at Harleysville Insurance, Mr. Mannato is primarily responsible for all claims and non-claims litigation for Harleysville Insurance, which is a mid-sized insurance company that sells property, casualty, life and flood insurance in the Eastern and Midwestern states. Mr. Mannato is responsible for hiring, evaluating and directing hundreds of law firms; managing all staff counsel operations at Harleysville Insurance; and monitoring the receipt, review and payment of all legal and litigation-related costs at Harleysville Insurance. Prior to joining Harleysville Insurance, Mr. Mannato served as vice president at General Electric (Global Financial Restructuring and TIP/ModSpace), where he was responsible for the litigation management of financial recovery operations. Before entering the business world, Mr. Mannato, who is admitted in state and federal courts in Pennsylvania and New Jersey, was an attorney in private practice for 11 years at both a large law firm (Reed Smith Shaw & McClay) and a small insurance defense firm in the Philadelphia area. Over his 20 years of experience as an attorney, Mr. Mannato has been involved in numerous types of litigation cases, from complex commercial litigation to bankruptcy to insurance defense. He has experienced litigation as an attorney in both large and small law firms, and as a business leader in both insurance and non-insurance companies. Mr. Mannato is a graduate of the University of Virginia School of Law and Brown University.

**James Martin**

VP, Standard Liability Claims  
CNA

James D. Martin is the Vice President of Standard Lines Liability Claims for CNA. He provides strategic leadership for the overall performance of the liability line of business and tactical leadership for specific complex matters.

Prior to joining CNA, Jim was the Director of Commercial Claims at Nationwide Insurance where he helped to manage their national commercial claim portfolio. Before his claim responsibilities, Jim served as Claim Counsel at Nationwide, where he directed strategy on complex claims and class actions. Prior to Nationwide, Jim was a litigation manager, senior claim adjuster, and a multi-line claim adjuster at other major Midwestern insurance carriers. Jim received his B.A. from Ohio University and his J.D. from the University of Akron, School of Law. An avid sports enthusiast, Jim has coached over twenty youth sports teams and has served on the Board of Directors for numerous youth sports organizations.

**Paul L. McDonald**

Senior Counsel

Kraft Foods

Paul McDonald is Senior Counsel in the Corporate and Legal Affairs Department of Kraft Foods at their headquarters outside Chicago, IL. He provides antitrust and sales counseling for Kraft's North America sales, and global supply chain, organizations, and also supports marketing, corporate governance, and acquisition and divestiture functions.

Prior to joining Kraft, Paul served as an Assistant District Attorney in the Philadelphia District Attorney's Office, where he conducted hundreds of criminal trials and hearings. Subsequently, as an attorney with Kirkland & Ellis, LLP, he participated on litigation teams representing Brown & Williamson Tobacco Corporation in *United States v. Philip Morris USA Inc., et al.*, the U.S. Department of Justice's civil racketeering lawsuit against "Big Tobacco"; Verizon and MCI in their merger proceedings; and the Auto Alliance, DaimlerChrysler, Ford, and General Motors, in their challenge to California's proposed greenhouse gas emission regulations abrogating federal mandates on corporate average fuel economy.

Paul received his B.A. from the Woodrow Wilson School of Public and International Affairs at Princeton University. While at Princeton, he was elected President of the Undergraduate Student Government. He received his J.D. from New York University School of Law.

Paul currently serves as a Division Co-Director for the American Bar Association (ABA) Section of Litigation, overseeing the Section's Corporate Counsel, Minority Trial Lawyer, and Woman Advocate Committees, among others. For the upcoming Bar Year, 2009-2010, he will serve as a Vice Chair for the Section's Corporate Counsel Committee. Within the ABA, he has also Co-Chaired the Planning Committee for the 2009 Section of Litigation Committee on Corporate Counsel CLE Conference, is on the Planning Committee for the 2009 ABA National Conference for the Minority Lawyer, and is leading new ABA initiatives: (i) to assist diverse attorneys in developing and maintaining business relationships with corporate law departments, and (ii) to support the National Association for Urban Debate Leagues and Associated Leaders of Urban Debate with their related debate programs and competitions serving predominantly minority high school students. He is a frequent panelist and moderator for ABA programs.

Most recently, Paul served on the Judging Panel of FutureFirm 1.0, a game of strategy, skill and endurance devised by Prof. William Henderson of Indiana University's Maurer School of Law, "to craft a new law firm business model that is likely to survive and thrive 20 years into the future," given the current pressures to the law firm business model that has essentially remained unchanged for nearly 100 years.

**John McGann**

Vice President, Claims Legal Services

OneBeacon Insurance

As one of the earliest adopters of electronic invoicing technology, OneBeacon has more than five years of aggregated invoice and performance metrics data, representing hundreds of millions of dollars in fees and expenses, to use in evaluating and guiding their litigation management strategies. Through John's leadership, OneBeacon has saved millions of dollars in legal expenses while improving results. John is charged with streamlining the invoice review and disposition processes, and ensuring the realization of the benefits of aggregated electronic invoice data to generate litigation management reports, evaluate the effectiveness of outside counsel, implement cost reduction strategies and evaluate internal staffing choices.

After completing a clerkship with the Rhode Island Supreme Court, he entered private practice concentrating on the defense of architects and engineers. Since leaving private practice, he has held a variety of legal positions with national insurers in the areas of environmental coverage and litigation management. An attorney for 25 years, he is "AV" rated by Martindale Hubbell and is admitted to practice in Massachusetts and Rhode Island. He is a graduate of Bowdoin College, Franklin Pierce Law Center, and has completed management training programs at the Wharton School of Business and the London Business School. He is the 2008 Chair of the ACC Insurance Staff Counsel Committee and is on the CLM Board of Advisors.

He is currently responsible for OneBeacon's Claims Legal Services which includes eleven staff counsel offices, home office coverage attorneys, a centralized legal bill review team, e-billing implementation and panel counsel oversight. He also has responsibility for environmental claims and extra contractual matters.

**James L. Michalowicz**

Director

ACT Litigation Services

James L. Michalowicz is a Director with ACT Litigation Services. In this role, he offers clients creative solutions to address the complexities associated with responding to electronic discovery requests. He also uses his background in corporate records management to advise clients on how to minimize risk and costs associated with discovery by building an effective records management program.

Prior to joining ACT, James was a Senior Consultant with Altman Weil, Inc., where he specialized in corporate law department practice management, including cost reduction, risk reduction, performance metrics, records management and discovery management. Mr. Michalowicz was the Litigation Program Manager for Tyco International, Inc. In that position, he coordinated law firm and supplier convergence programs, early case assessments, alternative fee arrangements, e-discovery management and performance metrics. For over a decade he worked at E.I. DuPont de Nemours and Company as the Business Manager of the Legal Department, as well as the Manager of Litigation Support. He began his professional career with two of the pioneers in the automated litigation support field, Informatics and J. Feuerstein Systems.

Mr. Michalowicz is a contributing author to the book *The DuPont Legal Model - A New Era*. He has authored articles for *Corporate Legal Times*, *Law Technology News*, *Corporate Counsel* and other industry publications. He is also a frequent speaker on law department issues. In 2000, he chaired the Fourth Annual Electronic Discovery Conference. He was a panelist at the Federal Judicial Center Workshop for Judges of the First Circuit. In addition, he testified before the US Judicial Conference, Advisory Committee on Civil Rules, Discovery Subcommittee in 2001 and 2005, offering suggestions for e-discovery rule changes.

He is a contributing member to the Sedona Conference Working Group on Electronic Document Retention & Production, and an editor for *The Sedona Guidelines: Best Practices for Managing Information & Records in the Digital World*. In 2002, he became a member of the Board of Advisors for the Legal Sales and Services Organization, and in 2005 he joined the Georgetown University CLE Advisory Board supporting the E-Discovery Institute.

Mr. Michalowicz is a certified Six Sigma Black Belt. Six Sigma is a methodology that utilizes data and statistical analysis to measure and improve a company's operational performance, practices and systems.

**Patrick L. Oot**

Vice President and General Counsel  
The eDiscovery Institute

Patrick L. Oot is the Vice President and General Counsel for The eDiscovery Institute. Previously he served as Director of Electronic Discovery and Senior Counsel at Verizon in Arlington, Virginia and has extensive experience in discovery practices involving commercial litigation, regulatory filings, and antitrust matters. In that role Mr. Oot was charged with advising Verizon's business units on electronic discovery while developing new technologies that increase cost-efficiency.

In 2006, Mr. Oot was nominated for the *Verizon Excellence Award* after playing a key role in the successful completion of Verizon's response to the Department of Justice's Second Request for Documents in its acquisition of MCI. Recently, *Inside Counsel Magazine* named Verizon's e-discovery team as one of the ten most innovative legal groups of 2006. He has also testified as Verizon's 30(b)(6) witness for discovery-related inquiries in other matters.

Currently, Mr. Oot is a member of the advisory board for *The Georgetown University Law Center CLE Program's Advanced E-discovery Institute*, and Reasonable Discovery, an independent search and retrieval science consortium. Mr. Oot actively participates in *The Sedona Conference's* working groups, focusing on best practices for selecting search and retrieval technology and e-mail management systems. He is a member of the *International Legal Technology Association*, and co-chairs *Martindale-Hubbell's Counsel to Counsel* electronic discovery roundtables. Mr. Oot speaks regularly at legal conferences and general counsel round tables across the country, and has presented at *Legal-Tech* in New York, *The Association of Corporate Counsel's Corporate University*, *The Manufacturers Alliance/MAPI Law Counsel Annual Meeting*, and *Marcus Evans' Legal and Strategic Guide to E-Discovery*. Mr. Oot received both his B.A. and J.D. from Syracuse University and a LL.M. from Georgetown University Law Center. He is admitted to practice in New York and Massachusetts and is also registered corporate counsel in Virginia.

**Kevin Quinley**

Vice President of Risk Services  
Berkley Life Sciences

Kevin M. Quinley, Vice President of Risk Services, for Berkley Life Sciences, has over 30 years experience in managing casualty claims and litigation. He has a BA from Wake Forest University and an MA from the College of William & Mary. He holds the Chartered Property & Casualty Underwriter (CPCU) designation and specialty designations from the American Insurance Institute in Risk Management (ARM), in Claims (AIC), in Reinsurance (ARE) and in Management (AIM).

A Contributing Editor of *Claims Magazine*, Kevin is the author of over 600 published articles and ten books. The latter include *Litigation Management*, published by the International Risk Management Institute in Dallas.

Kevin has taught classes in insurance, claims and risk management for the Washington D.C. Chapter of the Society of CPCU. He is a past President of the Washington D.C. Chapter of CPCU. He is a frequent writer, speaker and trainer on topics relating to litigation management. Periodically he serves as an expert witness on issues pertaining to claim and litigation management.

**Miriam Smolen**

Associate General Counsel  
Fannie Mae

Miriam Smolen serves as Associate General Counsel in the Litigation Department for Fannie Mae, in Washington D.C. In this role, she manages complex commercial litigations and government investigations and directs the legal support of the company's anti-fraud activities, including investigation of mortgage fraud. Miriam also serves as e-Discovery counsel for the company managing litigation holds, document productions and vendor relationships. Previously, she served in Fannie Mae's Office of Corporate Compliance where she created and implemented Compliance Plans to mitigate legal and regulatory risk for business operations. Miriam is a frequent presenter on mortgage fraud and electronic discovery topics.

From 1989 through 2003, Ms. Smolen was an Assistant U.S. Attorney with the U.S. Attorney's Office in the District of Columbia, and served a detail with the Department of Justice Computer Crime and Intellectual Property Section. She investigated and tried dozens of violent crime, narcotics, and financial fraud cases, including multi-million dollar embezzlements, health care fraud, and computer crime. She specialized in health care fraud and intellectual property and computer crime. She received numerous Justice Department Special Achievement Awards and was awarded the Department of Health and Human Services Integrity Award for prosecution of Medicaid fraud.

Prior to joining the U.S. Attorney's Office, Ms. Smolen was an associate with Latham and Watkins in Washington D.C. and clerked for the Honorable Stanley S. Harris, United States District Court, District of Columbia. She received her J.D., from Boalt Hall School of Law, University of California Berkeley.

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**Adam Potter**

**Executive Director and Spokesperson**

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### **Council on Litigation Management's National Committee**

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**Mr. Richard Cohen**

Managing Partner

Goldberg Segalla LLP

**Mr. Ron del Pino**

National Claims Manager, Risk Management Claims Group

Verizon

**Mr. James Foster**

Partner

Cassiday Schade LLP

**Mr. Robert J. Kopka**

Managing Attorney

Kopka, Pinkus, Dolin & Eads, P.C.

**Robert T. Horst**

Attorney

Nelson Levine de Luca & Horst

**Mr. Patrick Kelly**

Attorney

Wilson Elser Moskowitz Edelman & Dicker LLP

**Mr. John L. Machir**  
Senior Vice President and Chief Marketing Officer  
Ringler Associates

**Mr. John McDonough**  
Attorney  
Cozen O'Connor

**Mr. Kevin O'Toole**  
Senator, Attorney  
O'Toole Fernandez Weiner Van Lieu, LLC

**Mr. Dan Ruderman**  
Account Executive  
LexisNexis

**Mr. John H. Shelonko**  
Vice President, Risk Management, Americas  
Lafarge North America Inc.

**Ms. Caryn Siebert**  
President  
Carl Warren & Company

**Mr. George Woolverton**  
Co-President and Corporate Secretary  
Stockwell, Harris, Widom, Woolverton & Muehl

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**Council on Litigation Management's National Committee**  
**Professional Biographies**  
**(Provided in alphabetical order by last name)**

**Mr. Richard Cohen**  
Managing Partner  
Goldberg Segalla LLP

Richard J. Cohen, the firm's Managing Partner, is the Co-Chair of its Global Insurance Services practice group, Chair of its Professional Liability practice group, and a member of its sports and entertainment practice. He graduated from the State University of New York at Buffalo's School of Management *with distinction* and its School of Law *cum laude*. A trial lawyer with more than twenty years of experience, Mr. Cohen maintains a national practice, primarily involving sophisticated insurance coverage and bad faith matters, reinsurance, and D&O and E&O litigation. He has argued in front of New York's highest court, as well as the Second Circuit Court of Appeals.

Mr. Cohen is well published, and has lectured across the country and in Canada on a wide range of topics involving insurance coverage, bad faith, reinsurance, E&O and D&O issues as well as sports law issues. Among other things, he has several times authored the annual *Survey of New York Insurance Law* published in the Syracuse University Law Review. He has also written for both Mealey's and Appleman's.

Mr. Cohen is the former National Co-Chair of the Insurance Company Relations Subcommittee of the 22,000 member Defense Research Institute (DRI), and has served as Subcommittee Chair of both the Insurance Law and Construction Law Committees of DRI. He has been a CPCU instructor and lecturer for more than a decade. Mr. Cohen is admitted to practice in all the State and federal courts in New York and Pennsylvania, including the United States Courts of Appeal for the Second and Third Circuits. He has on multiple occasions been named to *Business First's* Who's Who in Law and to *New York Super Lawyers*.

**Ron del Pino**

National Claims Manager  
Verizon Risk Management Claims Group

Mr. del Pino has 25 years of experience in the legal and insurance arenas. He joined the New York Telephone Company litigation team as an investigator in 1983. Since then, he has managed in the areas of legal administration and the docket management functions, and has been the company's claims manager since 1993. Mr. del Pino was instrumental in the development and implementation of the business plan that brought the first "Baby Bell" company into the TPA environment. Since that time the program has grown through several mergers and acquisitions.

Today the program is a high deductible-fully insured program handled by a TPA with close oversight by a small team of professionals at Verizon. Inherent in all the change was the development and continued evolution of Litigation Management Guidelines and the closely coordinated account instructions at the TPA to address proper litigation management techniques.

Mr. del Pino participates in industry events, has been a guest speaker and he is readily available to meet and discuss litigation management issues.

**James A. Foster, JD**

Partner  
Cassiday Schade LLP

James A. Foster is a partner in Cassiday Schade LLP's Chicago office and is engaged in the practice of civil litigation, with primary emphasis on transportation and products liability litigation. He heads and coordinates immediate response teams for trucking companies on catastrophic losses, and has published articles on punitive damages and spoliation of evidence. He has also spoken at industry conferences on early case analysis, mediation, and electronic discovery. Mr. Foster is the Chair-Elect of the ABA's Tort and Insurance Practice section's commercial transportation litigation committee, Editor of the Trucking Industry Defense Association's state law summary for Illinois, Assistant Dean of the Federation of Defense and Corporate Counsel's Graduate Program of the Litigation Management College, Vice-Chair of DRI's Hand and Power Tools section, and co-Illinois state chair for the Council on Litigation Management.

Mr. Foster obtained his B.A. at the University of Michigan in 1979 and his J.D. at the University of Illinois, College of Law, in 1983.

## **Robert T. Horst**

Attorney

Nelson Levine de Luca & Horst

Robert T. Horst currently leads NLdH's "Institutional Litigation and Consulting" practice group, and represents insurers in complex coverage disputes, bad faith litigation, class action defense, and the investigation of suspected fraud. Mr. Horst is an experienced and effective litigator, having tried over forty cases to verdict before a jury and hundreds more bench trials. Admitted to practice in Pennsylvania, New Jersey and New York, Mr. Horst has litigated matters *pro hac vice* in numerous jurisdictions throughout the nation, including Delaware, Ohio, Florida, West Virginia, Oklahoma, Virginia, and Washington.

The following are some of the favorable results Mr. Horst has obtained for his insurer clients:

- Obtained voluntary discontinuance of Philadelphia litigation before jury selection when policyholder plaintiff's pre-trial settlement demands exceeded \$1 Million based on carrier's assertion of statutory counterclaim for insurance fraud;
- Managed and concluded contentious Appraisal of complex machinery claim;
- Successful defense verdict on behalf of commercial lines carrier after assertion of denial based on unambiguous water exclusion, despite allegations of bad faith, breach of policy contract and demand for reformation of policy (also included pre-trial dismissal of claims for negligence and for violations of consumer protection statute);
- Obtained voluntary discontinuance of Philadelphia litigation by homeowners policyholder who accused carrier of bad faith and damages under consumer protection statute after demonstrating policyholder's claims regarding personal property claim were false, incomplete and misleading and that accompanying receipts were fraudulent;
- Represented personal lines insurer in national class action venued in Ohio involving valuation methods of estimating worth and value of "total loss" vehicles, with parallel matters in Oklahoma, West Virginia and Florida, which resulted in *res judicata* effect for carrier in subsequent litigation in multiple jurisdictions;
- Secured dismissal of all claims against 4 insurers in Philadelphia class action litigation involving attack on payment of "actual cash value" under property insurance claims.

Routinely handling complex coverage matters - with a special focus on first party property, boiler and machinery and time element claims - Mr. Horst has handled insurance coverage matters and bad faith disputes for close to two decades. A frequent lecturer on topics related to insurance, the law and law firm management, Mr. Horst has presented to numerous organizations, trade groups, and insurers, including the Loss Executives Association, Federation of Defense & Corporate Counsel, Insurance Society of Philadelphia, Property Loss Research Bureau, and Pennsylvania Bar Institute, amongst others.

He has published numerous times and is most proud of the Fall 2009 publication of the text *Extra-Contractual Litigation Against Insurers* (Law Journal Press) which he co-authored and edited. Mr. Horst has also recently been quoted in *The New York Times*, *The National Underwriter*, *The Legal Intelligencer*, *www.examiner.com*, *the Jackson Clarion Ledger* (Mississippi), and *Student Lawyer* (American Bar Association).

In addition to his practice, Mr. Horst presently leads NLdH's Recruiting and Professional Development efforts and is also proudly serving as General Counsel to the *International Association of Special Investigative Units* ("IASIU"), the insurance industry's leading "fraud-fighting" organization, which has 40 chapters worldwide and a

membership numbering over 4,000. He also acts as an expert witness in the area of insurance bad faith litigation and serves as a private arbitrator in insurance coverage matters. Mr. Horst was NLdH's Managing Partner from 2003 -2008 and is one of the firm's founding partners.

**Mr. Patrick Kelly**

Attorney

Wilson Elser Moskowitz Edelman & Dicker LLP

Patrick M. Kelly is Managing Partner of the Western Region and Los Angeles office and a member of the Senior Trial Group. He has extensive experience in insurance defense, coverage, complex commercial litigation, and managing attorney functions. His practice involves professional liability, bad faith, directors and officers' liability, employment, product liability, negligence, railroad, maritime, contract, commercial, premises liability and securities matters.

Pat also has extensive experience in class action and appellate practice. Throughout his career, he has focused on the defense of insurers, lawyers, accountants, directors and officers, employers, design professionals, product manufacturers, premises owners and operators, agents and brokers, defendants in toxic tort matters, and reinsurance. Pat has tried numerous cases and argued numerous appeals. For this experience, he has been honored by induction as a Fellow of the International Academy of Trial Lawyers, which is by invitation and is limited to 500 trial lawyers.

Having presented more than 125 lectures and written more than 80 articles for publication, Pat's audiences have included both industry and legal groups. Topics he has addressed include trial tactics, evidence, professional liability, alternative dispute resolution, directors and officers, class actions, liability and coverage issues, bad faith, design, professional liability, attorney error and omissions, employment liability, punitive damages and insurance coverage.

**Robert Kopka, JD**

Founding Partner

Kopka, Pinkus, Dolin & Eads

Bob Kopka has practiced exclusively insurance defense law for more than 20 years. He has been actively involved in developing new and innovative methods of litigation management and his firm has experimented with a variety of alternative billing arrangements. Bob practices primarily in the areas of business and general defense litigation in Illinois and Indiana. He has tried matters in federal, state and appellate courts, including the United States Supreme Court and the Illinois and Indiana Supreme Courts. He has experience handling matters under federal and state consumer fraud, trade secrets, computer fraud and abuse statutes as well as contract, insurance coverage, professional liability and employment litigation. Bob is a member of the Defense Research Institute, the Trucking Insurance Defense Association, the Federal Trial Bar and is a founding member of the National Retail and Restaurant Defense Association.

**John Machir**

Senior Vice President and National Marketing Director

Ringler Associates

John is the Senior Vice President and National Marketing Director, member of the Ringler Leadership Team, and past member of the Board of Directors. John joined the firm in 1988 and is based in the National Marketing headquarters in Washington, DC. Prior to joining Ringler, he was the Chairman and Chief Executive Officer of JMW Settlements, a structured settlement company he founded in 1978.

John began his insurance career in 1974 as a full-time agent with the Penn Mutual Life Insurance Company. Prior to that, he worked for a mortgage banking company in Washington, DC. He is a frequent lecturer at conferences on topics related to structured settlements, especially in the area of hazardous waste. He has spoken before the National Association of Attorneys General, the Public Risk and Insurance Management Association, the Association of American Railroads Claims Conference, and the International City Managers Association. He has participated in many training seminars for Cigna, Allstate, AIG and USF&G as well as for many state and federal agencies, including the United States Army Judge Advocacy Generals School at the University of Virginia.

John is one of the founders of the National Structured Settlements Trade Association, serving as president during 1989-1990 and as a member of its Board of Directors from 1985 to 1991. In addition to his insurance background, he has served on the Board of Directors of the Washington, DC chapter of the International Association of Financial Planners and is a registered representative with the National Association of Security Dealers (NASD). He received a bachelor of arts in business administration from Georgetown University in 1971 and his Chartered Life Underwriters Designation in 1980.

**Mr. John McDonough**

Attorney  
Cozen O'Connor

Mr. McDonough is a Member of the firm's Board of Directors and Vice Chair of the General Litigation Department. He focuses his practice, both nationally and internationally, on general litigation and complex insurance defense matters including directors' and officers' liability, errors and omissions litigation, complex product liability matters, and mass tort litigation. He specializes in catastrophic injury cases arising from toxic exposures including asbestos, benzene and lead, construction accidents, medical malpractice, professional liability, food liability including labeling liability and integrity of contents, multi-district litigation and class action litigation, food borne biohazards such as bovine spongiform encephalopathy (Mad Cow Disease), mercury and Diacetyl. John's practice includes advice on complex insurance and reinsurance matters, including London LMX business, for major foreign reinsurers and involvement in complex insurance and reinsurance disputes. He was appellate counsel in the landmark antisubrogation case in New York, *North Star v. Continental Insurance Co.*

John is a frequent author and lecturer for many organizations, including the Defense Research Institute (DRI), the Torts and Insurance Practice Section (TIPS) of the New York State Bar Association, the Defense Association of New York (DANY), and the American Conference Institute. John is a member of the board of directors of the DRI, and a former president of the Defense Association of New York (1997-1998); chairman of the board of directors of the Defense Association of New York (1998-1999); editor-in-chief of *The Defendant*, the quarterly journal of DANY (1989-Present) and a member of FDCC. John has also been frequently asked to provide quotes for publications including *Business Week* and the *New York Law Journal*.

John earned his bachelor of arts degree at Boston College in 1976 and his law degree at the New England School of Law in 1979. He was admitted to practice in New York in 1980.

**Mr. Kevin O'Toole**

Senator, Attorney  
O'Toole Fernandez Weiner Van Lieu, LLC

Kevin J. O'Toole received his B.A. degree from Seton Hall University (1986) and Juris Doctor degree from Seton Hall University School of Law (1989). He currently serves in the New Jersey Senate. During his previous post in the state Assembly, Mr. O'Toole held the posts of Deputy Republican Leader and Assistant Majority Leader.

In addition to his legislative duties, Mr. O'Toole is a respected tort litigator with an emphasis in environmental, toxic tort and complex litigation matters. Mr. O'Toole is a member of the New Jersey state and federal bars and can be reached at [Kotoole@ofwvlaw.com](mailto:Kotoole@ofwvlaw.com).

**Mr. Dan Ruderman**

Corporate Law Specialist

LexisNexis

Dan Ruderman is a corporate law specialist at LexisNexis. Ruderman is a key player in shepherding new Fortune 1000 companies through the processes and programs that help claim legal departments get greater value from their outside counsel. He has developed innovative methods to service and grow the company's largest accounts, and directly contributes to product development and customer configured solutions. Ruderman creates and executes business plans for industries that can benefit from LexisNexis Examen Inc's primary competencies – programmatic data collection and presentation practices, decision support metrics, value-based relationships, and the implementation of innovative approaches to outside counsel management.

Ruderman has helped some of the country's largest insurance carriers deploy techniques and programs leading to dramatic process improvement as well as significant bottom line cost reductions.

Prior to LexisNexis, Ruderman served as the area sales manager at GE Access, the largest distributor of Sun Microsystems and other technical computing platforms, delivering \$50 million worth of products and services into the northeast, primarily through partnership programs. Prior to that, he was the regional sales manager at Structural Research and Analysis, a software developer that, by specializing in engineering analysis tools, helped bring total Computer Aided Product Design to fruition.

Ruderman has ten years tenure at LexisNexis, has been selected as a Fellow by the Council on Litigation Management where he is active in State Chair roles and on the membership and guidelines committees. He is a member of Risk Insurance Management Society, and served in officer roles at Toastmasters International. He has done volunteer work for the American Cancer Society, Leukemia and Lymphoma, and for the local low power radio station in his home town of Great Barrington, MA. Ruderman has a bachelor's degree from Cornell University.

**Mr. John H. Shelonko, ARM**

Vice President of Risk Management

Lafarge North America

Since October 2006, Mr. Shelonko has served as Vice President of Risk Management, Americas and coordinates self-insured and insured risk for North and South America reporting to the V.P. of Finance, Americas. He is also the co-Chair of the National Ready Mix and Concrete Association Legal Affairs Committee, Chairman of the Cement, Aggregates and Ready-Mix Risk Management Association Industry Group, and manages claims for all Lafarge North America exposure as well as manages litigation for all Lafarge North America insurance-related lawsuits in Canada and the U.S. Previously, he served as Assistant Risk Manager and was promoted to Director of Risk Management. Prior to joining Lafarge, Mr. Shelonko was the Regional Manager of Cunningham Lindsey in Dallas, Texas where he managed four claims offices for

national third party claims administrator. He also served as a Claims Supervisor at Gay & Taylor, and an Examiner at The Crawford & Company, both in Dallas, Texas.

**Caryn Siebert**

President

Carl Warren & Company

Caryn Siebert is President of Carl Warren & Company, a prominent third party claims and litigation management company. The firm is a leading outsourced service provider to insurers, public agencies and corporate clients. Ms. Siebert has leveraged her lengthy industry and leadership expertise to continue the growth and success of Carl Warren and has dedicated her career to building high-performance teams, operations and companies as a senior executive with several diversified insurance companies. Under her guidance, Carl Warren was placed onto the OC Metro Magazine Best Places to Work For List in 2009. The Company was awarded the California / Western States 2006 ESOP Company of the Year. In 2007, Ms. Siebert was recognized by the National ESOP Association as Outstanding Contributor for the Board of Governors. She is the Chairman of the Board of Directors' Administrative Committee and is a recipient of the 2008 Ambassador to the Children Award.

Prior to her tenure at Carl Warren, Ms. Siebert was a Vice President and National Director of Safeco Insurance in Washington. She was part of a leadership team that planned and orchestrated a complete turnaround of a money-losing personal and commercial property and casualty insurance subsidiary of a \$7B multi-line insurance and investment company. She overhauled a 2900-employee claims operation to create a new management team and centers of excellence focused on customer service, process efficiency and support.

Prior to that, Ms. Siebert was Director of North America Commercial Claims for GE Employers Reinsurance in Kansas and before that, Senior Vice President of Customer Operations/General Counsel for GE Coregis in Illinois. Preceding that, Ms. Siebert served as Corporate Interaction and General Counsel for Crum & Foster in New Jersey.

She began her career in 1986 as an Associate with LeBoeuf, Lamb, Greene & MacRae in New York. She graduated cum laude from New York Law School, where she was the Law Journal Editor. Ms. Siebert is a magna cum laude graduate of Brooklyn College.

Ms. Siebert has authored numerous industry publications and lectured frequently, including for the Defense Research Institute. She is extremely active in charitable causes, including Family Services of Seattle, the University of Washington Diversity Scholarship Fund, CAMEO Mentor Program, Juvenile Diabetes Foundation, and Habitat for Humanity. She is currently Chairman of the Board of Directors for Kids Konected.

**George Woolverton**

Managing Partner

Stockwell, Harris, Widom, Woolverton & Muehl

George is the managing partner of Stockwell, Harris, Widom & Woolverton & Muehl. The law firm specializes in employment law, workers' compensation, and sexual harassment issues. The law firm has been in existence for fifty years and has served the workers' compensation defense community for this entire period of time.

George Woolverton was appointed as a Commissioner by Governor Gray Davis in 1999 to the Fair Employment and Housing Commission. In March 2000, Governor Davis elevated George Woolverton to Chairman of the Fair Employment and Housing Commission. In November 2002, George Woolverton was reappointed by Governor Gray Davis and served an additional four year term as Chairman and Commissioner of the California Fair Employment and Housing Commission. The second term expired on September 15, 2006. Governor Arnold Schwarzenegger reappointed George Woolverton for a third term with the third term to expire on September 15, 2010.

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