Insurance and More

LIVE and WEBCAST
Thursday, January 30, 2020
North Carolina Bar Center
8000 Weston Parkway
Cary

REGISTER TODAY!
Save 10% if registration is received by January 9, 2020.
www.tinyurl.com/CLE782INS

Program includes the 2020 Insurance Law Section Annual Meeting

TOTAL CLE CREDIT
6.5 HOURS

Ethics/Professional Responsibility
1.0 HOUR

Satisfies NC State Bar Technology Training requirement
The Insurance Law Section hosts its seventh annual CLE program on January 30, 2020. Join us to learn about the latest developments in insurance law and related topics from leading lawyers who represent both insurers and policyholders. This program offers valuable insight and tools to use in representing your clients’ interests effectively and gives you an opportunity to network with experienced counsel from across the state.

This program also includes an ethics/professionalism hour and an hour of technology training. To satisfy the NC State Bar technology training requirement, please be sure to attend both sessions titled "E-discovery in 2020: Beyond Emails" and "Cyber Insurance Legal Issues and Strategy."

**WHAT PEOPLE ARE SAYING...**

> Excellent round table. [The] quality was evident.

> Helpful materials – a reminder of key issues.

> Excellent insurance law program.

— Attendees, *Back to the Basics*  
*(2019 Insurance Law Section Annual Meeting)*
8:00  Registration and Continental Breakfast

8:25  Welcome and Introductions

8:30  Restatement of the Law of Liability Insurance | Montgomery
The American Law Institute adopted and published the Restatement of the Law, Liability Insurance in 2018. Jack Montgomery — a former partner at Jones Day and an advisor on the Restatement — discusses its history and its relation to North Carolina law, comparing and contrasting the two on topics such as an insurer’s duty to provide an independent defense and to make reasonable settlement decisions.

9:30  Top 10 Insurance Law Decisions of 2019 | Davey
Learn more about the 10 (or so) most significant insurance decisions from 2019, including federal and state decisions from North Carolina and elsewhere.

10:15  Break

10:30  E-discovery in 2020: Beyond Emails | Ray
Identify best practices for preserving, collecting and reviewing frequently used types of electronic communications — including not only emails, but also text messages, instant messages, and social networking communications and information — and take a look at recent case law involving these types of electronic communications.

11:15  Cyber Insurance Legal Issues and Strategy | O’Rourke
The body of law regarding insurance policy coverage for data breaches and other cyber incidents is evolving rapidly. Learn how key issues have been addressed by the courts, discuss important issues that remain unresolved, and examine lessons and pitfalls to consider when evaluating and negotiating a cyber insurance policy.

12:00  Insurance Law Section Annual Meeting
Michael T. Medford, Manning Fulton & Skinner PA, Raleigh, 2019-2020 Section Chair, presiding

12:15  Networking Lunch
AGENDA

1:00  It’s the Thought that Counts: Developments in Insurance Issues for Intellectual Property Claims | Shaw
Explore important and recent court decisions that impact insurance coverage considerations with respect to claims arising from various intellectual property rights. Then, delve into recent developments involving the nature of an insured’s rights or loss, coverage triggers, common exclusions, and defense rights and obligations for advertising injury, property damage and other common bases under commercial general liability policies.

1:45  NFIP Flood Insurance Claims | Dale and Parrish
Flood claims under the National Flood Insurance Program (NFIP) present unique policy provisions and procedural hurdles. Learn about particularly tricky points of law and procedure and receive practical advice for helping a client recover from damage without prejudicing their NFIP flood insurance claim.

2:30  Break

2:45  Insurance Coverage Issues and Potential Pitfalls for General Contractors in North Carolina | Coats
When navigating insurance and indemnity obligations in North Carolina, general contractors need to be mindful of a series of issues. Understand more about some of these issues, including the establishment of the trigger of coverage, standard commercial general liability exclusions commonly faced by general contractors, and the enforceability of contractual indemnification and additional insured provisions, particularly in light of the recent amendments to N.C.G.S. § 22B-1.

3:30  A Lawyer’s Guide to the North Carolina State Bar* | Bolac and Williams
Expand your knowledge about the State Bar’s regulation of the legal profession in North Carolina. Listen as Bolac and Williams answer questions and dispel myths about the State Bar’s grievance process while providing information about other State Bar programs

4:30  Adjourn

* Indicates portion providing Ethics/Professional Responsibility credit
‡ Indicates portion providing Technology Training credit
SPEAKERS

- **Peter G. Bolac**, North Carolina State Bar, Raleigh
- **David S. Coats**, Bailey & Dixon LLP, Raleigh
- **Alexander C. “Alex” Dale**, Ward and Smith PA, Wilmington
- **Joshua D. Davey**, McGuireWoods LLP, Charlotte
- **Jack Montgomery**, Pittsburgh, PA
- **Allen T. O’Rourke**, Robinson Bradshaw & Hinson PA, Charlotte
- **Michael J. Parrish**, Ward and Smith PA, New Bern
- **Sonali Ray**, NextPoint, Chicago, IL
- **Stephen F. Shaw**, Womble Bond Dickinson (U.S.) LLP, Greensboro
- **Kevin G. Williams**, Bell Davis & Pitt PA, Winston-Salem

HOTEL INFORMATION

Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and rooms may sell out.

**Embassy Suites**
201 Harrison Oaks Boulevard, Cary
- **Nightly Rate**: $174 single/double
- **Reservations**: 919.677.1840 or www.tinyurl.com/NCBA-Embassy
- **Corporate Account Code**: 2691626

**TownePlace Suites by Marriott**
120 Sage Commons Way, Cary
- **Nightly Rate**: $114 studio queen with sleeper sofa (Sun.–Thu.)
- **Reservations**: 919.678.0005
- **Ask for the NCBA corporate rate.**

SPECIAL ACCOMMODATIONS

NCBA makes every effort to ensure a quality learning experience. If you have dietary restrictions or need special accommodations, please contact us at least one (1) week prior to the program start date.

PLANNERS

- **Lenneka H. “Nikki” Feliciano**, Pinto Coates Kyre & Bowers PLLC, Greensboro
- **Daniel J. Knight**, Parker Poe Adams & Bernstein LLP, Raleigh
- **Allison B. Parker**, Bell Davis & Pitt PA, Winston-Salem
- **Alan M. Ruley**, Bell Davis & Pitt PA, Winston-Salem

We extend our sincere gratitude to the NCBA Insurance Law Section as well as the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the highest quality.
To recover from the devastation and costly damages caused by flooding, many North Carolinians require legal assistance to navigate the insurance claims process successfully.

It is imperative for attorneys who handle these types of cases to understand the nuances of flood insurance policies, including how courts treat the FEMA-issued Standard Flood Insurance Policy (SFIP) differently than any other type, as well as which general insurance law principles apply to the SFIP and which do not.

*The Law of Flood Insurance: North Carolina Edition* provides guidance on the following essential topics:

- Common misconceptions about flood insurance policies and the kinds of damage they cover
- The process of submitting a claim, including requirements for proof of loss
- Policyholder rights in the event a claim is denied
- The FEMA appeals process and potential roadblocks to successful litigation
Discounts may be available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.

**STEP 1: Tell us who you are.** (Please print clearly.)

- Print Full Name: ________________________________
- Address: ____________________________________________________________________________
- City, State and ZIP: ______________________________________________________________________
- Daytime Phone Number: ________________________________
- Email Address: __________________________________________________________________________
- NC State Bar No. (Required for MCLE Credit): ________________________________

**STEP 2: Select your tuition rate.** (Register early and save 10%. Payment must be received three (3) weeks prior to program date to qualify for the early rate.)

<table>
<thead>
<tr>
<th>Tuition Rate</th>
<th>Standard Rate:</th>
<th>NCBA Member:</th>
<th>NCBA Insurance Law Section Member:</th>
<th>CLE Premier Pass:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>☐ $415 / ☐ $375 Early</td>
<td>☐ $345 / ☐ $310 Early</td>
<td>☐ $320 / ☐ $290 Early</td>
<td>☐ $0</td>
</tr>
</tbody>
</table>

**STEP 3: Select your learning format.**

- ☐ Live (782INS)  ☐ Webcast (782LWC)  ☐ Video Replay (See below.)

**Video Replay registration (if selected).**

Video Replays are scheduled for this program. The agenda may not include certain breakouts/tracks shown at the original program. For a list of dates and locations visit www.tinyurl.com/CLE782INS and indicate your choice below.

- Location: ___________________________ Date: ___________ Code: ___________

**STEP 4: Complete your payment information.**

(Registration is complete only after payment is processed. Please print clearly.)

I am registering for this program at the tuition rate checked above.

- ☐ Enclosed is a check, payable to NCBA.  ☐ Please charge my credit card.
- Card Number: ________________________________ Exp. Date: ___________
- Total Amount: ___________ Signature: __________________

Online: www.tinyurl.com/CLE782INS | By phone: 800.228.3402
By mail: Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

---

Discounts may be available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.
REGISTRATION: All registrations are processed after payment is received. To qualify for the early tuition rate, payment must be received prior to the deadline indicated. Stated early discount rate percentage is approximate. Registrations may be capped based on venue size and may include an overflow room with additional seating. CHANGES TO EXISTING REGISTRATIONS: Should an attendee need to cancel his or her registration to a Live, Webcast or Video Replay program, the cancellation request must be received by 9:00a ET one (1) week prior to the start of the program to receive a full refund. Any attendee requesting cancellation less than one week prior to the program will receive a refund, less a $75 administrative fee. An attendee may choose to transfer his or her registration at a program to the Live, Webcast or Video Replay format of the same program only. Transfer requests must be received by 9:00a ET one (1) business day prior to the program start date. An attendee may further choose to substitute his or her registration to a Live or Video Replay program only. Substitution means sending another person to attend the Live or Video Replay program when the original registrant is unable to attend. Substitution requests must be received by 9:00a ET one (1) week prior to the program start date. The substituted person may be assessed a different fee based on their NCBA membership classification. Cancellation, transfer and substitution requests must be provided in writing by email at askcle@ncbar.org or by calling 800.228.3402. If an attendee misses any portion of a program, that portion is not subject to substitution, refund or transfer. Except as provided herein, registrations, including On Demand registrations, cannot be canceled, substituted or transferred once purchased. NO-SHOWS: Anyone who is registered for a program, including CLE Premier Pass holders, but does not check in is considered a no-show. No-shows are not issued a refund, and Premier Pass holders will be assessed a $75 administrative fee. These registrants will receive the digital materials, available in their online accounts, in full consideration of tuition paid. MISCELLANEOUS: The NCBA reserves the right to cancel or reschedule programs at any time. Should the NCBA cancel or reschedule a program, registrants may elect to receive a full refund or attend the newly scheduled program. Notifications regarding program changes will be sent to the email address on file. The NCBA is not responsible for any additional expenses incurred as a result of such cancellation or rescheduling. Each attorney must maintain a record of his or her attendance for the NC State Bar Annual Report. MCLE credit is reported by the NCBA only if a NC State Bar number is provided. Registration and attendance at NCBA CLE programs constitutes an agreement by the registrant with the NCBA for use and distribution of the attendee’s image or voice in photographs, videotapes, electronic reproductions and audiotapes of such programs and activities. Unless specified, spouses or guests are not eligible to attend NCBA CLE programs and activities without registering to attend. These terms are subject to change.