

Bad Faith Litigation Group/Insurance Law Section
Bad Faith Litigation Group Co-chairs: Alexander Cohen, CA; Ed Eshoo, IL
Insurance Law Section Chair: Roy Willey, SC
Moderator: TBD (am), Leah Snyder (pm)

- 9:00 am **Opening Remarks** (10 minutes) (will include sponsor video played by AAJ staff)
- 9:10 am **Policy Language, Exclusions, and the Different Paths to Finding Coverage for Business Income Losses** (90 minutes)
- Insurance coverage – Dissecting the insurance coverage and the virus exclusion.
- Brad Wallace
Allan Kanner
- 10:40 am **Q&A** (5 minutes)
- 10:45 am **Break** (10 minutes)
- 10:55 am **How to Read Your Business Owner’s Policy and Finding Potential Insurance Coverage for Business Interruption Claims Related to Covid-19** (45 minutes)
- Loss of Income Coverage
 - Civil Authority Coverage
 - Extra Expense Coverage
 - Contingent Business Insurance Coverage
 - Event cancellation
- Michael Cohen
- 11:40 am **Q&A** (5 minutes)
- 11:45 am **Post Loss Duties** (45 minutes)
- How to effectively report the loss to the carrier.
 - Notifying the insurer early
 - Tracking expenses
 - Mitigating the Loss
 - Insured’s duty to cooperate
 - Proof of Loss
 - Types of documents required
 - Documenting extra expenses incurred
 - Decontamination expenses
 - Examinations under Oath
- Charles Miller
- 12:15 pm **Q&A** (5 minutes)
- 12:20 pm **Lunch**

- 2:00 pm **Recap and Status Report on Filed Cases, Motions, and Orders to Date in COVID-19 Related Business Interruption Insurance Disputes across the nation** (25 minutes)
- Prime Time Sports Grill, DeVito, Social Life
- Amy Bach
- 2:25 pm **Q&A** (5 minutes)
- 2:30 pm **Gathering and Developing Discovery in Litigation to Defeat an MSJ and Prevail at Trial** (45 minutes)
- Alfredo Torrijos
- 3:15 pm **Q&A** (5 minutes)
- 3:20 pm **Arguments to Avoid Enforcement of the Virus Exclusion by Insurers** (45 minutes)
- Regulatory Estoppel
 - Rate Doctrines
 - Misrepresentations concerning the exclusions
 - Extrinsic evidence of sales material and marketing
- John Ellison
Richard Lewis
- 4:05 pm **Q&A** (5 minutes)
- 4:10 pm **Adjourn**