

FRANK'S CASING AND ITS IMPACT ON STOWERS

INSURANCE LAW TELEPHONE CLE SEMINAR

MARCH 5, 2008, 12:00 P.M. CENTRAL TIME

Earn 1.5 hours MCLE credit!

The panel will analyze the new Texas Supreme Court's opinion in Frank's Casing, emphasizing the changes made from the first opinion. The effect of the decision on Stowers liability for carriers and on claims handling issues will also be addressed. Finally, the panel will discuss generally the effect of coverage questions on settlement obligations under Stowers.

Presenters: *Erika Blomquist, Haynes and Boone, LLP, Dallas*
Aaron L. Mitchell, Tollefson Bradley Ball & Mitchell, LLP, Dallas

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WHAT'S NEXT? – RECENTLY ARGUED AND PENDING INSURANCE CASES IN THE TEXAS SUPREME COURT

INSURANCE LAW TELEPHONE CLE SEMINAR

THURSDAY, MARCH 6, 2008, 12:00 P.M. CENTRAL TIME

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A discussion of key cases recently argued and pending before the Supreme Court, including Don's Building Supply and Pine Oaks regarding "property damage" trigger of coverage cases, the consolidated appeals in Nokia, Samsung and Cellular One regarding the Texas duty to defend rules and whether a claim for preventative relief in the form of cell-phone headsets is a claim for "damages because of bodily injury," and *State Farm v. Johnson* regarding whether an appraisal clause in a homeowners policy may include determination of coverage and causation issues that impact the scope of the loss.

Presenters: *Michael Wallace Huddleston, Shannon, Gracey, Ratliff & Miller, L.L.P., Dallas*
Gene F. Creely II, Cozen O'Connor, Houston

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**AN UPDATE ON RECENT INSURANCE COVERAGE DECISIONS
FROM THE SUPREME COURT AND THEIR IMPACT
INSURANCE LAW TELEPHONE CLE SEMINAR
FRIDAY, MARCH 7, 2008, 12:00 P.M. CENTRAL TIME**

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A discussion of (i) *Mid-Continent v. Liberty Mutual*; (ii) *Lamar Homes v. Mid-Continent*; (iii) *Fortis Benefits v. Cantu*; (iv) *PAJ, Inc. v. Hanover Insurance Co.*; (v) *Excess Underwriters at Lloyd's London v. Frank's Casing Crew & Rental Tools, Inc.*; (vi) *National Union Ins. Co. v. Crocker*; (vii) *Fairfield Ins. Co. v. Stephens Martin Paving, LP.*; and (viii) *Evanston Ins. Co. v. ATOFINA Petrochemicals, Inc.*.

Presenters: *Lee H. Shidlofsky, Visser Shidlofsky LLP, Austin*
R. Brent Cooper, Cooper & Scully, Dallas

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**EVANSTON V. ATOFINA – THE FLIP SIDE OF FRANK’S
CASING – THE CARRIER CANNOT CONTEST
REASONABLENESS WHERE THE INSURED SETTLES AND SUES
INSURANCE LAW TELEPHONE CLE SEMINAR
WEDNESDAY, MARCH 12, 2008, 12:00 P.M. CENTRAL TIME**

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A discussion of the Supreme Court's first significant decision regarding insured settlements post-Gandy, including the use of estoppel to prevent a collateral attack on a settlement, whether Gandy has been narrowed, the strange inter-relationship of Atofina and Franks, and broader implications of the decision. Also includes a discussion of the significant issues decided by Atofina regarding additional insured coverage and the inapplicability of the Prompt Payment Statute to claims by additional insureds.

Presenters: *R. Brent Cooper, Cooper & Scully, Dallas*
Michael Wallace Huddleston, Shannon, Gracey, Ratliff & Miller, L.L.P., Dallas
Mark L. Kincaid, Kincaid & Horton L.L.P., Austin

REGISTRATION FORM

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GENERAL INFORMATION

How the Telephone Seminar Works - The delivery system uses your touch-tone telephone as a device to receive the seminar in your office, your home, or any other location you choose. Registrants will receive an email the week of the seminar providing the special toll-free number to call on the day of the seminar and a passcode and personal identification number (PIN#). When you call the toll free number, enter your passcode and your PIN#, and you will be patched into the program.

Q&A - During the program, your telephone will be in “listen only” mode. You will be given the opportunity to ask questions live at the conclusion of the seminar.

Course Materials - A link to the downloadable course materials will be sent to primary and additional listeners via email the week of the seminar.

Registration Fees - The registration fee is \$130 per site connection. **(Insurance Law Section Members receive a discount off this fee!)** A site connection allows one person to listen to the conference. If you choose to have other listeners in your firm or company in the same room, utilizing a speakerphone, then a registration fee of \$80 is charged for each additional listener at the same site. **Only registered listeners may claim CLE credit.**

ABOUT THE INSURANCE LAW SECTION OF THE STATE BAR OF TEXAS

The purpose of the Insurance Law Section is to comprehensively address many substantive areas of Texas insurance law. Its goal is to have a bi-partisan focus, balancing the interests of both policyholder lawyers and insurance company lawyers. The Section will seek to provide a forum for the Texas practitioner where all areas of substantive insurance law and procedural aspects of insurance litigation are addressed. Some of those areas include environmental coverage, directors' and officers' coverage, professional liability coverage, reinsurance coverage, agent/broker issues, London market issues, emerging coverage issues, regulatory issues and many others. As a member, you will enjoy these benefits:

- *The Journal of Texas Insurance Law, a publication of articles on topics relating to your practice, such as construction defect coverage, personal lines and Stowers issues.*
- *Discounts to all section sponsored CLE programs, including this telephone seminar.*
- *Access to the Members Only section of the website where you will find a brief bank, past CLE course materials, past issues of the Insurance Law Journal, and a fully searchable membership directory.*

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