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# **CHALLENGES TO A SUCCESSFUL RESOLUTION: BACK TO THE FUTURE!**

**2018 IAIR INSURANCE RESOLUTION WORKSHOP**

**FEB 7-9, 2018 | SCOTTSDALE PLAZA RESORT | SCOTTSDALE, AZ**

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### CONFERENCE AGENDA

#### WEDNESDAY, FEBRUARY 7, 2018

6:00 - 7:30 PM **Opening Night Reception**  
Location - Remington's Patio

#### THURSDAY, FEBRUARY 8, 2018

7:45 - 8:30 AM **Registration & Continental Breakfast**  
Location - Gallery Foyer

**All General Session Events are held in Las Palmas**

8:30 - 8:50 AM **Welcome and Introduction**  
**Brett Barratt** - Deputy Insurance Commissioner, Utah Ins. Dept., Workshop Co-Chair

8:55 - 9:55 AM **Time Travel is Just Too Dangerous: Implementing Pragmatic Solutions Today to Prevent Problems Tomorrow**

**Speaker**  
**Stephanie Moccata** - CEO, SOBC Sandell

10:00 - 11:10 AM **Co-ops: Strategies to Get Maximum Gigawatts Out of the Flux Receivership**  
**Moderator**  
**John Morrison** - Senior Partner, Morrison Sherwood Wilson Deola PLL

**Panel**  
**Michelle Avery** - President and Senior Managing Director, Veris Consulting  
**Darren Ellingson** - Managing Partner, Ellingson & Associates  
**Steve McBrady** - Partner, Crowell & Moring LLP

11:10 - 11:20 AM **Networking Break**

11:20 AM - 12:30 PM **Since When Can Weatherman Predict the Weather, Let Alone the Future: The Future of Private Flood Insurance**

**Moderator**  
**Fred Karlinsky** - Partner, Greenberg Traurig, LLP  
**Panel**  
**Commissioner John Doak** - Oklahoma Insurance Department  
**Commissioner James J. Donelon** - Louisiana Department of Insurance

12:30 - 2:00 PM **Keynote Speaker**  
Location - Café Cabana  
**Superintendent Eric Cioppa** - Maine Bureau of Insurance, NAIC President-Elect

2:00 - 3:10 PM **Take a Ride on the DCLorean: Travel Back in Time and Learn about the Impact of Federal Developments on State Insurance Regulation**

**Panel**  
**Mark Sagat** - Assistant Director, Financial Policy and Legislation, NAIC DC Government Relations Office  
**James Kennedy** - Counsel to the Receiver, Texas Department of Insurance  
**Pat Hughes** - Partner, Faegre Baker Daniels LLP  
**Kristine Maurer** - Assistant Director, Division of Insurance, New Jersey Department of Banking and Insurance

3:10 - 3:30 PM **Networking Break**

#### THURSDAY, FEBRUARY 8, 2018

3:30 - 4:30 PM **Risk-based Financial Analysis**  
**Panel**  
**John Humphries** - Partner, Risk & Regulatory Consulting, LLC  
**Wayne Johnson** - Senior Director, Risk & Regulatory Consulting, LLC  
**Jan Moenck** - Partner, Risk & Regulatory Consulting, LLC

5:30 - 7:00 PM **Cocktail Reception**  
Location - Café Cabana

#### FRIDAY, FEBRUARY 9, 2018

7:30 - 8:00 AM **Continental Breakfast**  
Location - Gallery Foyer

**All General Session Events are held in Las Palmas**

8:00 - 9:10 AM **If You Put Your Mind To It You Can Accomplish Anything: Long Term Care Update**

**Moderator**  
**Doug Wheeler** - Senior Vice President, New York Life Insurance Company

**Panel**  
**James Kennedy** - Counsel to the Receiver, Texas Department of Insurance  
**Kristine Maurer** - Assistant Director, Division of Insurance, New Jersey Department of Banking and Insurance  
**Thomas Hampton** - Senior Advisor, Dentons  
**Matt Morton** - Chief Actuary, LTCG

9:15 - 10:15 AM **Why are Things So Heavy? Challenges in the D&O and E&O World**

**Panel**  
**Sara Bishop** - Stoll Keenon Ogden  
**Craig Brookes** - Partner, Hanks Brookes LLC  
**Beth Reeves** - Of Counsel, Hanks Brookes LLC

10:15 - 10:25 AM **Networking Break**

10:25 - 11:25 AM **Where We're Going We Won't Need Roads: An Update on the Covered Agreement**

**Paige Freeman** - SVP and General Counsel at Munich American Reassurance Company

11:30 AM - 12:30 PM **You've Got to Come Back with Me to The Future: An Ethics Discussion**

**Panel**  
**John Humphries** - Partner, Risk & Regulatory Consulting, LLC  
**Eric Scott** - Senior Manager, Risk & Regulatory Consulting, LLC  
**Bill Goddard, Esq.** - Partner, Day Pitney LLP

12:30 PM

**Program - Wrap Up**

**Program Co-Chairs**  
**Brett Barratt** - Deputy Insurance Commissioner, Utah Ins. Dept.  
**Don Roof** - Managing Director, Examination Resources  
**Kevin Tullier** - Managing Director, Veris Consulting

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### KEYNOTE SPEAKER



#### **Superintendent Eric A. Cioppa**

Eric A. Cioppa is Superintendent of the Maine Bureau of Insurance, one of five agencies within the state's Department of Professional and Financial Regulation. He joined the Bureau in 1988 as a Statistician then served as Supervisor of the Workers' Compensation Section prior to becoming Deputy Superintendent in 1998. He was unanimously confirmed as Superintendent in September 2011 and in January 2017 he was reconfirmed to serve another five-year term.

Eric was recently elected to President Elect of the National Association of Insurance Commissioners (NAIC) for 2018, after serving as Vice President in 2017 and Secretary in 2016.

He is also currently Chair of the NAIC's Financial Condition (E) Committee and of the Long Term Care (B/E) Task Force. He is also a member of the Maine State Employee Health Commission.

Eric holds a B.A. from Potsdam State University and an M.B.A. from Clarkson University.

### PROGRAM CHAIRS



#### **Brett J. Barratt**

Brett J. Barratt graduated from Westminster College in 1999, and earned his Juris Doctorate degree, cum laude, from Michigan State University College of Law in 2003. While in law school he was a member of the Jessup Moot Court Team and a Note and Comment Editor for the Michigan State University College of Law's Journal of International Law. Additionally, he clerked for the Canadian National Senate's Parliamentary Counsel and worked as an intern for the Honorable Judge Richard F. Suhrheinrich of the Sixth Circuit.

Barratt practiced bankruptcy law, creditor's rights, reorganization and civil litigation with the firm Shea & Carlyon, Ltd., in Las Vegas, Nevada. Subsequently, in February of 2005, he began working for the Nevada Division of Insurance as Insurance Counsel and Hearing Officer. In 2009, he was promoted to the Chief Insurance Assistant; and in 2010, he was appointed Insurance Commissioner for the state of Nevada by Governor Gibbons and subsequently retained in that position by Governor Sandoval. In August of 2011, Barratt had the opportunity to move home to Utah where he was appointed Deputy Insurance Commissioner by Utah Insurance Commissioner Neal T. Gooch and was retained by Commissioner Todd Kiser upon Commissioner Gooch's retirement. He is involved with all aspects of state insurance regulation on the state and national level and follows closely international insurance issues.

Barratt resides in Salt Lake City, Utah, and in his free time enjoys traveling, golfing, skiing, fishing, mountain biking and camping.



#### **Don Roof , CFE, MCM**

Don has been in the field of insurance regulation for the past 25 years. Prior to joining ER in 2013, Don held the position of Director of Insurance & Financial Oversight with the Georgia Department of Insurance. As Division Director, Don was responsible for financial and market conduct examinations, financial and market analysis, troubled company administration, mergers and acquisitions, holding company transactions and company licensing. Prior to assuming the position of Division Director, Don served as Georgia's Chief Financial and Market Conduct Examiner. Don has been involved in numerous receiverships over the years and brings specialized experience and knowledge with the Captive market. During his tenure with the Georgia Department, Don appeared before the Georgia Legislature providing testimony on various bills including Georgia's Credit for Reinsurance law. As Managing Director for ER, Don's main role is to continue to develop ER's Receivership consulting services and assist with the continued growth in insurance regulatory consulting services. Don oversees the management of large engagements, specialized projects and provides assistance with marketing initiatives. Don received his B.B.A. in Risk Management and Insurance from the University of Georgia and is a Certified Financial Examiner. He resides and works in Atlanta, GA.

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### PROGRAM CHAIRS



#### **Kevin Tullier, CPA, CFE, CFF**

Kevin is a Managing Director at Veris Consulting, which specializes in providing forensic accounting and expert witness services to prominent law firms as well as state and federal regulatory entities in domestic and international litigation involving complex accounting, financial reporting and economic damage issues. In his position, he performs forensic accounting and litigation support services in cases involving accounting and auditing malpractice, financial damages and valuations, insurance insolvencies, and reinsurance disputes, among others. He also performs outsourced accounting services primarily to clients in the insurance industry.

Kevin is a Certified Public Accountant, licensed in Louisiana, a Certified Fraud Examiner and is Certified in Financial Forensics. He is member of the IAIR Board of Directors and its Financial Committee and also serves on the NAIC/AICPA Working Group Task Force. Prior to Veris, Kevin worked with an aviation and marine insurance company that had been placed into run-off by its parent company, an international insurance brokerage firm; after which, he spent several years as a divisional financial officer for an international publicly-held company. Kevin began his career at one of the then-“Big 6” audit firms providing auditing services to a wide array of businesses and industries, including property/casualty insurance.

### WORKSHOP PRESENTERS



#### **Michelle Avery**

Michelle J. Avery is President and Senior Managing Director at Veris Consulting, which specializes in providing forensic accounting and expert witness services to prominent law firms in domestic and international civil litigation involving complex accounting, financial reporting, and economic damage issues. As such she is responsible for directing all phases of forensic accounting services to regulators and attorneys with an emphasis in insurance and financial services. Ms. Avery has significant experience and expertise in financial statement analysis; application of statutory accounting principles (SAP) and U.S. generally accepted accounting principles (US GAAP); evaluation of complex accounting and financial issues; and evaluation of audits performed in accordance with generally accepted auditing standards (GAAS).

Ms. Avery has extensive experience assisting counsel in evaluations of solvency, the evaluation of financial statements and disclosures, and causation and damage assessments in both arbitration and litigation, in both insurance-related matters and otherwise. Michelle is currently a member of the AICPA's Financial Reporting Executive Committee, the senior technical committee of the AICPA for financial reporting. She has served as a member of the NAIC/AICPA Working Group Task Force and has served as a member of the Review Committee for both the *Property and Liability Insurance Companies* and the *Life and Health Insurance Entities* AICPA Audit and Accounting Guides. She served two terms on the International Association of Insurance Receivers (IAIR) Board of Directors. She currently serves as the Vice-Chair of the College of William and Mary Mason School of Accounting Programs Board and is a member of the James Madison University School of Accounting Executive Board. She is a Certified Public Accountant, licensed in Virginia, and is Certified in Financial Forensics.

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### Sarah Jackson Bishop

Sarah is a Member in Stoll Keenon Ogden's Frankfort office and has been with the firm since 2008. She is a member of the Business Litigation and Trusts, Estates & Family Law practices.

Sarah received her Juris Doctor from the University of Kentucky College of Law in 2007. Prior to joining the firm, she served as a law clerk for Franklin Circuit Court Judge Thomas Wingate.

Sarah is a member of the Franklin County, Kentucky, and American Bar associations and has been honored as a Kentucky Super Lawyer Rising Star.



### Craig Brookes

Craig Brookes is an experienced litigator who has acted as lead litigation counsel on behalf of the Commissioner of Insurance of the State of Georgia as Liquidator for numerous insolvent insurance companies. In this capacity, he has been appointed by the Georgia Attorney General as a Special Assistant Attorney General. Craig has litigated claims against former insureds, officers, directors, statutory accountants, purported creditors, reinsurers, E/O carries, D/O BReeves

During the course of his career Craig has represented hundreds of clients from Georgia and elsewhere in the United States, ranging from national insurance carriers, self-insured companies, small businesses, large companies and government agencies in the areas of insurance coverage issues, asset recovery, commercial litigation, medical malpractice, personal injury, product liability, professional malpractice and premises liability.

Additionally, Craig represents businesses and individuals in commercial disputes ranging from contractual disagreements to collection efforts to employment conflicts. He is a member of the State Bar of Georgia, the National Defense Research Institute, the Georgia Defense Lawyers Association, and the Georgia Health Care Association. Craig has litigated cases at every trial court level in both State and Federal Courts as well as cases at every State court appellate level. Craig is frequently called on to advise and speak about risk management and insurance topics. He has been a featured speaker with the National Business Institute and other entities.

After receiving his B.A. in Economics from Wake Forest University in 1989, Craig received his J.D. from the Walter F. George School of Law at Mercer University in 1993. While at Mercer, Craig was a member of the Mercer Law Review and an academic scholarship recipient.

## Insurance Insights

Husch Blackwell law firm is proud to sponsor the Insurance Resolution Workshop.

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### Commissioner John D. Doak

When he took office in January 2011, John Doak's goal was simple: Do everything possible to improve the lives of Oklahomans. He's done that with groundbreaking initiatives, fiscal conservatism and an unwavering commitment to public service.

Under Commissioner Doak's leadership, the Oklahoma Insurance Department (OID) has transformed itself into a proactive and mobile organization. His team fans out across the state to educate citizens before disaster strikes and offers assistance after it does. OID employees have responded to tornadoes, earthquakes, wildfires and ice storms to help victims quickly recover from catastrophe.

Commissioner Doak's visionary efforts include hosting the National Tornado Summit, an annual disaster preparedness conference for insurance professionals, emergency managers and meteorologists. With more than 5,000 attendees over six years, it is the nation's premier event for catastrophe response. His focus on disaster resiliency also earned him a trip to the White House to share best practices with experts from around the country.

Other accomplishments by Commissioner Doak include holding the state's first-ever rate hearing on earthquake insurance premiums, returning \$40.5 million in unspent funds to the state treasury, attracting almost 100 captives to Oklahoma and hosting a Healthcare Innovation Summit that offered cutting-edge solutions to the country's healthcare challenges.

Commissioner Doak is an active member of the National Association of Insurance Commissioners where he serves as chair of the Property and Casualty Insurance Committee, chair of the Antifraud Task Force, vice chair of the Surplus Lines Task Force and vice chair of the Midwest Zone. Additionally, Commissioner Doak represents the NAIC with the international Organisation for Economic Co-operation and Development and is a member of the FEMA National Advisory Council.

Doak and his wife Debby live in Tulsa with their children, Zack and Kasey. They are members of the South Tulsa Baptist Church.



### Commissioner James J. Donelon

Prior to becoming Commissioner of Insurance, Jim Donelon served the Louisiana Department of Insurance in leadership positions as Chief Deputy Commissioner and Executive Counsel.

Jim is a native New Orleanian and a graduate of Jesuit High School, the University of New Orleans and Loyola School of Law.

Jim's public service career includes 33 years of military experience in the Louisiana Army National Guard where he retired with the rank of Colonel.

He was first elected to office in 1975 as Chairman of the Jefferson Parish Council and then served in the House of Representatives from 1981-2001 where he served as Chairman of the Committee on Insurance.

In 2001 Jim joined the staff of the Department of Insurance and was appointed Commissioner of Insurance in February 2006. He was elected to fill the unexpired term later that year and was re-elected in 2007 and again in 2011. He was elected to his third full term in 2015.

Jim served as the President of the National Association of Insurance Commissioners' (NAIC) in 2013, the first commissioner from Louisiana to be elected President of the association in its 140-year history. He also serves as Chairman of the NAIC Surplus Lines Task Force. He is also on the Board of Directors of the National Alliance for the Mentally Ill in New Orleans and the Blood Center for Southeast Louisiana.

Jim and his wife Merilynn reside in Jefferson Parish. They are the parents of four daughters and several grandchildren.

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### **Darren Ellingson**

Darren Ellingson is the managing partner at Ellingson & Associates, LLC where he serves as Special Deputy Receiver for several Arizona domestic insurance companies. Mr. Ellingson currently oversees the estate of PMI Mortgage Insurance Co. in Rehabilitation and its wholly-owned subsidiary PMI Insurance Co. Mr. Ellingson also oversees the estates of Meritus Mutual Health Partners in Liquidation and Meritus Health Partners in Liquidation, both consumer operated and oriented health plans.

Mr. Ellingson is a former insurance regulator having served as Acting Director of Insurance for the Arizona Department of Insurance and Deputy Insurance Commissioner for the Oklahoma Insurance Department.

Mr. Ellingson received his Juris Doctor from Oklahoma City University School of Law and his Bachelor of Science in Accounting from the University of Mary in Bismarck, ND. He and his wife, Amy, have four children and live in Scottsdale, AZ.



### **Paige Freeman**

Paige currently serves as the Chief Legal Officer for Munich American Reassurance Company and is a member of the executive leadership team. In addition to providing legal advice and managing outside legal counsel, she is responsible for government affairs on both the state and federal levels and the purchase and maintenance of the company's insurance programs. Paige is also responsible for the Claims and Treaty departments.

Prior to joining Munich Re, Paige practiced law in private firms where she focused on representation of regulated entities in mergers and acquisitions, and legislative, regulatory and corporate matters. She was an associate with the law firms of Heyman and Sizemore, LLP and Troutman Sanders LLP where she was named partner in 2001. Prior to working in the private sector, Paige served as an enforcement attorney in the Georgia Insurance Department.

Paige is a graduate of the University of Georgia, Terry College of Business where she received a Bachelor of Business Administration in risk management and insurance. She is also a graduate of the University of Georgia School of Law where she received her Juris Doctor.

Paige is a member of the State Bar of Georgia and serves as a member of the Board of Governors of the Association of Life Insurance Counsel. She also participates on the Life Committee of the Reinsurance Association of America for which she served as chairman in 2008 and 2009 and on the Reinsurance Committee of the American Council of Life Insurers for which she served as chairman in 2006 and 2007.



### **William Goddard**

Bill Goddard concentrates on insurance, reinsurance and insurance insolvency matters. His practice includes representing creditors, regulators and insurance companies in solving complex problems of financial distress; statutory interpretation; and coverage. Bill is also experienced in insurance mergers and acquisitions.

Prior to attending law school, Bill was an investment banker at JP Morgan & Co. and at Marsh & McLennan Securities Corporation, focusing on mergers and acquisitions within the insurance industry and companies in financial distress. Bill also co-founded, developed and sold a broadcasting company consisting of 19 radio stations located in New York and New England.

Bill is the author of several law journal articles on insurance regulation and insolvency. He co-teaches courses in Insurance Litigation and Insurance Solvency each year at the University of Connecticut School of Law. He is a member of the Society of Financial Examiners (Associate) and the International Association of Insurance Receivers.

Bill has MBA and AB degrees from Dartmouth College and a JD degree with Highest Honors from the University of Connecticut School of Law. Prior to entering practice, Bill served as a law clerk to the Hon. Jon O. Newman, United States Court of Appeals for the Second Circuit.

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### Thomas E. Hampton

Thomas Hampton is a senior advisor with Dentons' Insurance Regulatory practice. Mr. Hampton has over twenty-five years of experience in insurance regulation, operations, financial management, audit and investigations. Tom's practice focuses on representing insurance companies, captives and risk retention group clients on licensing and corporate formation issues, regulatory transactional filings as well as issues relating to statutory financial reporting. He also provides regulatory compliance advice on policy form and rate filing issues with state insurance regulatory agencies as well as the Interstate Compact Commission. Mr. Hampton has experience with financial regulatory filings, regulatory group supervision and financial examination issues. He also has assisted clients with Principles Based Reserving and other life insurance reserving regulatory issues.

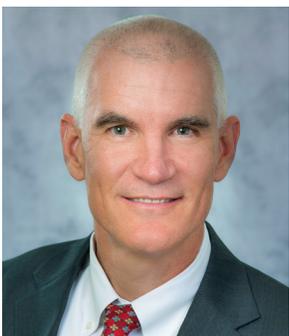
Prior to his position at Dentons, Tom was the Commissioner for the DC Department of Insurance, Securities and Banking where he was responsible for providing oversight and direction of the agency that regulates the financial service industries in Washington, DC. He was responsible for enforcing all laws relating to the conduct of financial services activities and he represented the Department on several associations of state financial service regulators including the National Association of Insurance Commissioners (NAIC), North American Securities Administrators Association (NASAA), and Conference of State Bank Supervisors.

Tom received his Masters of Business Administration from St. Johns University in New York City, NY. He is also a Certified Public Accountant and Certified Financial Examiner.



### Pat Hughes

Pat serves the insurance industry as a leading public policy advocate, strategic advisor and regulatory attorney. He previously served ten years as a senior regulator with the State of Illinois, including general counsel to the Department of Financial and Professional Regulation, which then included the Division of Insurance, and Chief Legal Counsel to the Office of the Governor, where he oversaw state regulatory affairs. Pat also served as the Special Deputy Receiver to the Illinois Director of Insurance, overseeing the liquidation or rehabilitation of 47 insurance estates. While with the State of Illinois, he chaired NAIC working groups on Dodd-Frank implementation and the management of derivatives in insurance receiverships.



### John Humphries, CFE, ASA, MAAA, AES, CISA, MCM

John is a Partner with Risk and Regulatory Consulting, LLC (RRC) after his former firm, AGI Services, joined forces with RRC to provide expanded services to regulators. He began his examination career in 1991 as an actuary contracting with the Georgia Insurance Department. John's work has been dedicated solely to serving the needs of insurance regulators through actuarial support, financial examination services, information systems reviews and a broad variety of support on special regulatory projects. RRC currently employs a strong mix of highly qualified examiners, actuaries, information systems specialists and investment specialists. The firm's strong technical background and understanding of risks faced by insurers has enabled RRC to handle complex regulatory projects and examinations that require a close working relationship between examiners and actuaries and other specialists.

He is a frequent speaker at SOFE CDS, NAIC Insurance Summit, IRES CDS and enjoys assisting with training programs for state insurance departments around the country. John has also written several articles for the Examiner magazine.

John served four years on active duty in the United States Air Force. He completed his military service in the Air Force Reserves and retired as a Lt. Colonel. He obtained a Bachelor's Degree in Mechanical Engineering from the University of South Carolina, a Master's in Business Administration from the University of West Florida and a Masters in Actuarial Science from Georgia State University. He is an Associate of the Society of Actuaries. John later broadened his skills by becoming a Certified Information Systems Auditor (CISA) and Automated Examination Specialist (AES). He is also a Certified Financial Examiner (CFE) and Market Conduct Manager (MCM).

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### Wayne Johnson, CIR-ML, CFE, MCM

Wayne is currently the Senior Director of Troubled Company and Receivership Services for Risk & Regulatory Consulting, LLC. (RRC). RRC provides a diverse range of services in support of state insurance regulation in addition to working in the area of troubled companies and receiverships. Wayne is currently the chair of the IAIR Ethics Committee.

Prior to joining RRC in 2011, Wayne was most recently the Director of the Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, a position he held since December 2008. As Director of the Division of Rehabilitation and Liquidation he was responsible for all phases of the administration of receiverships, including; accounting, asset recovery, claims, estate management, human resources, information systems and legal. While serving in that capacity he was also the Interim Director of the Division of Accounting and Auditing of the Florida Department of Financial Services between August of 2010 and January 2011.

Beginning in December of 1990 Wayne held a number of positions in the Florida Department of Insurance, which included working as a financial examiner regarding licensing insurance companies and performing financial analysis. Wayne also served as an administrator with oversight of both financial examinations and financial analysis of insurance companies. Wayne was Chief of the Bureau of Property and Casualty Insurer Solvency and Market Conduct Review from 1994 until November of 2001.

Wayne is a graduate of Florida State University, where he earned a BS in Accounting. He is also a Certified Insurance Receiver and Certified Financial Examiner. He has presented on a number of occasions as a part of the NAIC Regulating for Solvency program and was the chair of the NAIC Receivership Technology and Administration Working Group.

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Faegre Baker Daniels has 25 attorneys and consultants dedicated to the insurance industry, delivering clients results with deep regulatory, transactional, public policy and litigation experience. For over four decades, FaegreBD has represented and educated receivers and guaranty associations in insolvencies.

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### **Fred E. Karlinsky**

Fred E. Karlinsky is Co-Chair of Greenberg Traurig's Insurance Regulatory and Transactions Practice Group. Fred has nearly 25 years of experience representing the interests of insurers, reinsurers and a wide variety of other insurance-related entities on their regulatory, transactional, corporate and governmental affairs matters. Fred is a recognized authority on national insurance regulatory and compliance issues and has taken a leadership position in many insurance trade organizations, has led many industry-driven legislative and regulatory initiatives, and is a sought after thought leader who has spoken and presented to insurance executives and governmental officials, both nationally and internationally.

Fred is experienced in transactional law, executive and legislative governmental affairs, administrative law, and corporate representation. He advises clients on operational issues – including start-up initiatives, structuring, capitalization, and collaborative business relationships– and a complete array of regulatory and compliance issues, including licensure and corporate amendment applications, business expansion initiatives, solvency and statutory accounting issues, rate and form filings, and financial and market conduct examinations, to name a few.

Fred has a long history as a primary strategist in all types of insurance-related legislative and regulatory initiatives for all kinds of insurance, including homeowners, automobile, workers' compensation, medical malpractice and other lines of property and casualty and life and health insurance.

In addition to his role with Greenberg Traurig, Fred has been an Adjunct Professor of Law at Florida State University College of Law since 2008, where he teaches a course on Insurance Law and Risk Management. Fred is also a Florida Supreme Court Certified Mediator and he serves as Governor Rick Scott's appointee on the Florida Constitution Revision Commission (CRC).



### **James Kennedy**

James Kennedy graduated from the University of Texas in 1979, and the University of Texas School of Law in 1982. He has specialized in handling insurance insolvencies for over 28 years, and has worked at the Texas Department of Insurance since 1996. He has been involved in drafting insurance related legislation, including the Insurer Receivership Act and amendments to guaranty association acts.

James has represented Texas on the NAIC Receivership and Insolvency Task Force since 1999. He previously served as vice-chair of the Task Force, and is chair of the Receivership Model Law Working Group. He has participated in numerous other NAIC working groups, including the Dodd-Frank Receivership Implementation Working Group, Federal Home Loan Bank Legislation Subgroup, Model Act Revision Working Group, Receiver's Handbook Working Group, Receivership Financial Analysis Working Group, Receivership Separate Accounts Working Group, Receivership Technology & Administration Working Group, Title Insurance Guaranty Fund Working Group and Uniform Receivership Law Working Group, and was a contributing editor of the NAIC Receiver's Handbook for Insurance Company Insolvencies. He also serves as an NAIC representative on the International Association of Insurance Supervisors Resolution Working Group.

James has been involved in IAIR since 2001, and has been a member of the board of directors since 2007. He is currently President of the Board of directors, and previously served as co-chair of the Education Committee. In addition to his presentations at IAIR events, he has been a speaker at seminars and courses sponsored by the American Bar Association Tort Trial and Insurance Practice Section, Federation of Regulatory Counsel, National Organization of Life and Health Insurance Guaranty Associations, National Conference of Insurance Guaranty Funds, State Bar of Texas, University of Texas School of Law and University of Connecticut School of Law.

James is active in the American Inns of Court, and has been a master in the Robert W. Calvert Inn of Court since 2006.

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### **Kristine A. Maurer**

Kristine A. Maurer, Esq., is the Assistant Director of the Insurance Division of the New Jersey Department of Banking and Insurance. Ms. Maurer assists Director Peter L. Hartt in managing the regulatory work of more than 300 in five operating units: Solvency Regulation; Consumer Protection; Property and Casualty; Life and Health; and the Bureau of Fraud Deterrence. Her work is primarily focused on: emerging federal and international insurance regulatory developments; the growth of the insurance markets; insurer acquisitions, solvency regulation and monitoring of troubled companies; supervision and review of rulemaking and final agency decisions; and coordinating the Department's participation as a member of the National Association of Insurance Commissioners, including as chairperson of the Receivership and Insolvency Task Force and membership on Group Solvency Issues Working Group and the Receivership Model Law Working Group. Ms. Maurer also serves on behalf of NAIC at the International Association of Insurance Supervisors on its Resolution Working Group.

Prior to beginning her new role with the Department in April 2013, Ms. Maurer was a practicing attorney in the New Jersey Office of the Attorney General from 2001 through 2013. During this time, Ms. Maurer represented the Department of Banking and Insurance as a Deputy Attorney General, and from 2010 through 2013 she supervised the work of other attorneys as the Assistant Section Chief of the Banking, Insurance and Insurance Fraud Section. While there, she successfully litigated administrative prosecutions on behalf of the Department against insurance licensees and insurance companies, and defended the Department's rulemakings and final decisions in numerous appeals. She also provided legal advice on regulatory and public policy issues of importance to the Department, acted as the Department's lead counsel on Open Public Records requests, and provided legal counsel for three years to the New Jersey Real Estate Commission.

Ms. Maurer has been a member of the bars in the State of New Jersey and Commonwealth of Pennsylvania since 2001. She earned her J.D. with honors from Rutgers School of Law - Camden in 2001, and while there she was a joint degree participant with Rutgers' Bloustein School of Planning and Public Policy in New Brunswick, earning a Master of Public Affairs and Politics degree in 2000. She was also a Harold and Reba Martin fellow at the Eagleton Institute of Politics during her joint-degree work, which provides graduate students an opportunity to further their understanding of the practice of politics and public affairs through direct access to practitioners in state and national politics and government.



### **Steve McBrady**

Steve McBrady is a partner at the Washington, D.C. law firm of Crowell & Moring, where he helps to lead the firm's Recovery Practice for Government-facing industries. In this capacity, Steve represents Consumer Oriented and Operated Plan (CO-OP) health plans from around the country, including Co-Ops in receivership/liquidation, as well as national and regional health insurers, to recover money under statutory and contractual claims. Steve's current recovery matters include over a dozen cases arising out of the Affordable Care Act Risk Corridors Program §1342; the Reinsurance Program under §1341 of the ACA; contractual claims against vendors and TPAs; and recovery matters related to substantial pharmaceutical overcharges. In 2017, Steve helped clients achieve courtroom victories ranging from \$250,000 to \$250 million. Steve frequently speaks at government and industry events around the country, and provides on-site training to legal and executive teams on a range of topics. His focus on client service has earned numerous awards, including selection to the National Law Journal's "40 Under 40" list, and the Capital Pro Bono Honor Roll.

# 2018 IAIR INSURANCE RESOLUTION WORKSHOP

## CHALLENGES TO A SUCCESSFUL RESOLUTION: BACK TO THE FUTURE!



### **Stephanie Mocatta**

Stephanie has over 30 years' experience of the insurance industry, mainly in troubled companies, those in run-off or insolvencies. She founded SOBC in 2007 and as CEO has led the merger with Sandell Re to enable SOBC Sandell to provide a full range of services to troubled companies or those with difficult or challenging run-offs. Prior to 2007 Stephanie worked in a variety of insurance entities, including Equitas, in its early days at 'NewCo' and the Whittington Group where she helped lead the company to become the major outsource provider of run-off services in the UK.

Stephanie went to Cambridge University in 1982 to read Veterinary Medicine, so is uniquely qualified to herd cats!



### **Jan M. Moenck, CFE, CIA, CISA, CBA, CFSA**

Jan is a Partner at Risk & Regulatory Consulting, LLC. She has over 25 years of experience providing regulatory, internal audit, and consulting services to clients in the financial services industry. Jan has provided financial regulation services to state insurance regulators for nearly 20 years, and became involved with troubled company and receivership engagements starting in 2011. She currently serves in the role of Special Deputy Receiver for one receivership and provides leadership on other receivership projects. Jan played a key role in the early adoption of risk focused examinations, performing some of the first risk-focused examinations for large insurer groups. She has also assisted states with Financial Analysis, including development and review of Insurer Profile and Group Profile Summaries, Holding Company Analysis, and ORSA Analysis. She frequently provides training to States, the Society of Financial Examiners (SOFE), and RRC employees. Jan is a member of the IAIR Education Committee. She is also on the Executive Committee of SOFE's Board of Governors, and serves as the Co-Chair of SOFE's Education Committee and CDS Programs Committee. Additionally she serves on the SOFE Publication Committee, and has written several articles for The Examiner, including two articles which won the Editor's Choice Award. Jan is a member of SOFE, IAIR, IIA, and ISACA. She holds a Bachelor's degree in Accounting, magna cum laude, from Concordia College in Moorhead, MN, and a Masters of Business Administration degree in Finance from the University of Minnesota Carlson School of Management.



### **Matthew Morton, FSA, MAAA**

Mr. Morton has 11 years of experience in valuation, financial analysis, reinsurance and financial projections with a focus on long-term care insurance.

Prior to joining LTCG, Mr. Morton was an Actuarial Consultant with Towers Watson and also DaVinci Consulting Group. Mr. Morton also worked for CIGNA Corporation primarily focusing on Life, Accident and Disability Insurance.

His responsibilities included GAAP, statutory and tax reserve valuations, asset adequacy testing and capital analysis. He also completed experience studies for various insurance products, analyzed and projected Risk Based Capital requirements and completed cash flow testing for the domestic life insurance companies.

Mr. Morton is also a frequent speaker at industry conferences and events. He served as a member of the Society of Actuaries Long-Term Care Section Council. He continues to volunteer with the Society of Actuaries as an exam grader.

Education and Credentials - Mr. Morton earned his Bachelor of Science in Mathematics with a concentration in Actuarial Science from Pennsylvania State University in May 2006. He is a Fellow of the Society of Actuaries and a member of the American Academy of Actuaries.

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### **Beth Reeves**

Beth Reeves has over twenty-five years of experience as a trial and appellate lawyer, specializing in the areas of insurance coverage and related litigation, insurance insolvency, and commercial litigation. Beth has represented clients in Georgia and elsewhere in the United States, from Georgia's Commissioner of Insurance in liquidation cases and in proposed acquisitions of Georgia insurers, to large insurance carriers, businesses and private individuals in state and federal courts. She has argued numerous successful appeals at the Georgia Supreme Court and the Eleventh Circuit Court of Appeals. Beth began her career at a large Atlanta litigation firm, where she became partner, then held the role of corporate claims counsel at a national insurance carrier before joining Hanks Brookes.

Beth is an active member of the State Bar of Georgia and the Georgia Association of Women Lawyers. She has been a featured speaker on numerous topics including insurance coverage matters, discovery and pre-trial motions, and alternative dispute resolution.

Beth graduated cum laude from the Walter F. Georgia School of Law at Mercer University, where she was a member of the Mercer Law Review, Moot Court Board, and Order of Barristers. She received a B.A. in History and English from Emory University.



### **Mark J. Sagat**

Mark Sagat leads the Financial Policy and Legislation team for the National Association of Insurance Commissioners (NAIC), the U.S. standard-setting and regulatory support organization governed by the chief insurance regulators of the fifty states, the District of Columbia and the U.S. territories. Based in the Washington, D.C. office, Mr. Sagat represents the NAIC before federal agencies and Congress on a range of insurance-related federal financial policy issues including financial regulatory reform, flood insurance, and Terrorism Risk Insurance. He also serves as staff to the insurance regulator member of the Financial Stability Oversight Council (FSOC), which is responsible for monitoring and identifying risks to the stability of the United States financial system.

Prior to joining the NAIC, Mr. Sagat practiced litigation and antitrust law. He also served as an economic and financial policy counsel fellow at a Washington, D.C. think tank. Mr. Sagat received a Bachelor of Arts in Economics and International Relations from the University of Pennsylvania. He received his Juris Doctor from the George Washington University Law School where he served as Executive Articles Editor for the International Law Review and graduated Order of the Coif.

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This program is intended for intermediate and advanced level insurance receivers, regulators, guaranty fund personnel, and other insurance insolvency professionals. There are no advance preparations or prerequisites required as this workshop will provide live delivery of materials and updates building on the knowledge and experience of each participant.

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#### IAIR Designations

This workshop is approved for continuing education credit toward IAIR's CIR and AIR designations in accordance with IAIR's continuing education policy to maintain certification status. Total credit hours 9.5.

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