

## This is Your Invitation to Attend the



**LOCATION:**

The Roosevelt Hotel- New Orleans  
123 Baronne Street, New Orleans, LA 70112  
504- 648-1200

**ROOM RESERVATIONS:**

Rate - \$ 199.00 / Night - call 1-800-WALDORF  
Reservations must be made no later than March 19, 2014. Be sure to mention **Southern Surety & Fidelity Claims Conference** when making reservations.

**WHEN/TIME:**

**Wednesday, April 9<sup>th</sup>, 2014**

Reception - 6:00 - 7:30 PM - **Blue Room at the Roosevelt Hotel** - followed by Dinner at 7:45 - **Palace Café**, 605 Canal St, New Orleans, LA 70130

**Thursday, April 10<sup>th</sup>, 2014**

Continental Breakfast - 8:00 - Orpheum Foyer  
Conference - 8:30 AM till 4:30 PM - Orpheum  
6:30 PM Dinner - **Galatoire's Restaurant**, 209 Bourbon St, New Orleans, LA 70130

**For those who are interested, the members of the Young Professional Advisory Board invite you to join them for a gathering at Pat O'Briens - 718 St Peter St, New Orleans, LA**

**Friday, April 11<sup>th</sup>, 2014**

Continental Breakfast - 7:00 - 9:00 - Blue Room  
Friday Session - 9:00 AM till Noon - Orpheum

**FEE:**

No fee for invitees (Surety & Fidelity Company Employees)

**R.S.V.P.**

Michael J. Sugar, Jr. - FAX (813) 654-1481 - Tampa, FL Ph. (813) 684-7686  
Or you can now register on-line at <http://www.forcon.com/forms/ssrsvp/>

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UPDATES CONCERNING THIS AND OTHER CONFERENCES CAN BE FOUND ON THE INTERNET AT <http://www.forcon.com>  
CASUAL ATTIRE IS ENCOURAGED DURING THE CONFERENCE HOURS

# SPEAKERS AND THEIR TOPICS

Program Director Rachel Walsh - Krebs, Farley & Pelleteri, PLLC

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## April 10, 2014 - THURSDAY MORNING PROGRAM

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**8:30 WELCOME AND INTRODUCTORY REMARKS**  
Rachel Walsh - Krebs, Farley & Pelleteri, PLLC

**8:45 MORNING SESSION**

**I. PERFORMANCE BONDS**

**8:45 a. TYPES OF BONDS (AIA FORMS AND STATUTORY BONDS)**  
**Speakers:**  
Melissa J. Hughes - Manier & Herod, PC

**9:00 b. WHAT CONSTITUTES A "DEFAULT?"**  
**Speakers:**  
Jarrod W. Stone - Manier & Herod, PC  
Kimberly B. Czap - Philadelphia Insurance Companies

**9:30 c. SURETY'S RIGHTS/OPTIONS ON PRINCIPAL'S DEFAULT**  
**Speakers:**  
Rachel Walsh - Krebs, Farley & Pelleteri, PLLC  
Patricia Hayek - Chubb & Son Insurance Group

**10:00 BREAK**

**10:15 d. LIKELY CLAIMS FROM OBLIGEE (DELAY DAMAGES, LIQUIDATED DAMAGES, LATENT DEFECTS, WARRANTY, ETC.)**  
**Speakers:**  
Sandra Sutak - Krebs, Farley & Pelleteri, PLLC  
Kathleen Maloney - International Fidelity Insurance Company

**10:45 e. SURETY'S DEFENSES**

- i. Principal's Defenses
- ii. Notice
- iii. Material alteration of Underlying Contract
- iv. Obligor's overpayments
- v. Impairment of collateral
- vi. Miscellaneous Defenses

**Speakers:**  
Gregory P. Brown, Erik P. Raines, T. Bennett Acuff - Hill Ward Henderson  
Beth Jenks - Capital Indemnity Group  
Barbara Carlos - Merchants Bonding Company

**11:45 LUNCH**

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## THURSDAY AFTERNOON PROGRAM

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**1:15 II. CONSTRUCTION TERMINOLOGY**

**Speakers:**  
Peter C. Pappas, Michael J. Sugar, III, Pam Ottersbach  
Forcon International Corp.  
Douglas A. Dearie - Liberty Mutual Surety  
Vincent C. Miseo - Argo Surety

**III. PAYMENT BONDS**

**2:00 a. TYPES OF BONDS**

- i. Miller Act
- ii. Little (State) Miller Acts
- iii. Private (statutory and non-statutory) bonds

**Speakers:**  
G. Matthew Keenan - Starnes Davis Florie, LLP  
Rudy A. Dominguez - Liberty Mutual Surety

**2:30 b. SCOPE OF COVERAGE**

- i. Who is covered

**Speakers:**  
David A. Harris - Bovis, Kyle, Burch & Medlin, LLC  
Robert A. O'Brien - Liberty Mutual

ii. What labor and/or materials are covered

**Speakers:**  
John V. Burch - Bovis, Kyle, Burch & Medlin, LLC  
Elizabeth Spiker - Forcon International Corp.

**3:15 BREAK**

**3:30 c. SURETY'S DEFENSES**

**Speakers:**  
Duane A. Daiker, Robert R. Warchola - Shumaker, Loop & Kendrick, LLP  
Michael Bramhall - Liberty Mutual Surety

**3:55 d. MECHANIC'S LIEN DISCHARGE BONDS: AN INTRODUCTION TO KEY ISSUES**

**Speakers:**  
William H. Sturges - Shumaker, Loop & Kendrick, LLP  
Jeremy Medeiros - Liberty Mutual Surety

**IV. IMPACT OF BANKRUPTCY ON SURETY'S RIGHTS AND OBLIGATIONS**

**4:15 Speakers:**  
Richard Fulton, Barry Rabon - Coats | Rose

**5:00 PROGRAM CONCLUSION**

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## April 11, 2014 - FRIDAY MORNING PROGRAM

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**9:00**

**V. VARIOUS LITIGATION CONSIDERATIONS**

**Speakers:**  
William H. Sturges, Daniel R. Hansen - Shumaker, Loop & Kendrick, LLP  
Michele Killebrew - Liberty Mutual Surety  
Gregory R. Veal - Bovis, Kyle, Burch & Medlin, LLC  
David C. Kitchin - Great American Insurance Company

**VI. INDEMNITY**

**9:45 a. THE INDEMNITY AGREEMENT**

**Speakers:**  
Brian R. Gaudet - Coats | Rose

**10:00 b. SUBROGATION RIGHTS V. RIGHT TO REIMBURSEMENT UNDER THE GIA**

**Speakers:**  
J. Scott Dickens - Starnes Davis Florie LLP  
Christina A. Craddock - Liberty Mutual Surety

**10:25 c. TYPES OF LOSS FOR WHICH SURETY MAY SEEK REIMBURSEMENT**

**Speakers:**  
Jeffrey S. Price - Manier & Herod, P.C.  
Kathryn Truman - Westfield Insurance Company

**10:50 d. DEFENSES OF INDEMNITORS**

**Speakers:**  
Thomas L. Selden, Laura Lynn Morris - Starnes Davis Florie LLP  
Russell Fuller - Insurance Company of the West  
Lisa Frasier - Old Republic Surety Company

**11:20 PROGRAM CONCLUSION**

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This Conference has applied for CE CREDITS in Louisiana, Texas and Florida  
Pending the completion of the Conference.

# Southern Surety and Fidelity Claims Conference

April 9<sup>th</sup> - April 11<sup>th</sup> 2014

The Roosevelt Hotel - New Orleans, LA

## Confirmation Form

Your Full Name \_\_\_\_\_

Your Name as you would like it to appear on your name tag: ( Bob; Lisa) \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ ST. \_\_\_\_\_ Zip \_\_\_\_\_

Phone ( ) \_\_\_\_\_ FAX ( ) \_\_\_\_\_

E-Mail Address \_\_\_\_\_

### Will You Be Attending ?

|                     | Yes   | No    | Number Attending |
|---------------------|-------|-------|------------------|
| Dinner Wednesday    | _____ | _____ | _____            |
| Conference Thursday | _____ | _____ | _____            |
| Lunch Thursday      | _____ | _____ | _____            |
| Cocktail Party      | _____ | _____ | _____            |
| Dinner Thursday     | _____ | _____ | _____            |

Names of Significant Others Attending Cocktail Parties & Dinners with you. \_\_\_\_\_

Conference Friday Yes \_\_\_\_\_ No \_\_\_\_\_

Surety Breakout Session  Fidelity Breakout Session

Staying Friday Night - YES  NO

Dinner Friday - YES  NO

Staying Saturday Night - YES  NO

Dinner Saturday - YES  NO

### Would you be interested in any of the following if offered on Friday afternoon, after the conference?

Culinary Tour  Graveyard Tour  Swamp Tour  Riverboat Cruise

If so, how many participants \_\_\_\_\_

Room Reservations Must be Made "WITH THE HOTEL" by March 19, 2014  
1-800-WALDORF - Mention the Southern Surety & Fidelity Claims Conference when making Reservations

Please Fax this response form, filled out in full, to: Michael J. Sugar (813) 654-1481  
**Please copy this form as required and Fax one completed form for every attendee from your Company.**  
Or mail to Forcon International Corporation - 1216 Oakfield Drive - Brandon, FL 33511  
Or you can now register on-line at <http://www.forcon.com/forms/ssrsvp/>

### THIS IS A CASUAL DRESS CONFERENCE

Please be advised that this RSVP is for Conference Registration **ONLY!**  
Please be sure to call and make your reservations at the hotel.



FORCON INTERNATIONAL CORP.  
1216 Oakfield Drive  
Brandon, FL 33511