

LAW 2997 ~ COMPLEX INSURANCE LITIGATION

SYLLABUS

WEEK ONE

FORMAT:	LECTURE AND DISCUSS
TOPIC:	CONSTRUCTION OF AN INSURANCE POLICY FOCUSING ON GRANT OF COVERAGE, DECLARATIONS PAGE, LIMITS, SELF INSURED RETENTIONS, EXCLUSIONS AND CONDITIONS, <u>CONTRA PROFERENTUM</u>
READING:	ABRAHAM PAGES 19 - 42
STUDENT INVOLVEMENT:	LISTEN AND DISCUSS

WEEK TWO

FORMAT:	LECTURE AND DISCUSSION
TOPIC:	SUDDEN AND ACCIDENTAL POLLUTION EXCLUSION AS IT RELATES TO UST'S AND AST'S
READING:	ABRAHAM PAGES 145 - 163
STUDENT INVOLVEMENT:	LISTEN AND DISCUSS

WEEK THREE

FORMAT:	LECTURE AND DISCUSSION
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TOPIC: A DISCUSSION OF THE LEGAL OR
EQUITABLE NATURE OF THESE
COSTS "AS DAMAGES"

READING: ABRAHAM PAGES 43 - 72

**STUDENT
INVOLVEMENT:** RE: POLLUTION EXCLUSION
HALF ARGUE FOR THE INSURER,
HALF FOR THE INSURED - NEW YORK
LAW TO BE APPLIED

WEEK FOUR

FORMAT: LECTURE AND DISCUSSION

TOPIC: NUMBER OF OCCURENCES AND SIR
ISSUES

READING: ABRAHAM PAGES 91 – 94; 106 - 118

**STUDENT
INVOLVEMENT:** RE: COSTS AS DAMAGES
BENCH MEMORANDUM SURVEYING
LAW THROUGHOUT THE NATION

WEEK FIVE

FORMAT: LECTURE AND DISCUSSION

TOPIC: OWNED PROPERTY AND MITIGATION
LANGUAGE

READING: ABRAHAM PAGES 163 - 173

**STUDENT
INVOLVEMENT:** RE: NUMBER OF OCCURRENCES
ORAL ARGUMENT ON TENSION
BETWEEN LOUSIANA LAW AND
ACTUAL POLICY LANGUAGE

WEEK SIX

FORMAT:	LECTURE AND DISCUSSION
TOPIC:	ALLOCATION AND TRIGGER ISSUES
READING:	ABRAHAM PAGES 94 – 106; 119 - 128
STUDENT INVOLVEMENT:	RE: OWNED PROPERTY DRAFT PUBLIC POLICY PORTION OF BRIEF ON MITIGATION ISSUE

WEEK SEVEN

FORMAT:	LECTURE AND DISCUSSION
TOPIC:	“END USE” ENDORSEMENT AND BATCHING CLAUSE
READING:	ABRAHAM PAGES 176 - 186
STUDENT INVOLVEMENT:	RE: ALLOCATION AND TRIGGER ISSUES MEMORANDUM OF LAW ON ISSUE UNDER CALIFORNIA LAW

WEEK EIGHT

FORMAT:	LECTURE AND DISCUSSION
TOPIC:	POLLUTION BUY BACK AND IMPOSSIBILITY
READING:	ABRAHAM PAGES 7 - 18

WEEK ELEVEN

FORMAT:	LECTURE AND DISCUSSION
TOPIC:	CHOICE OF FORUM AND ARBITRATION CLAUSE
READING:	ABRAHAM PAGES 243 - 263
STUDENT INVOLVEMENT:	RE: OCCURRENCE, PUBLIC POLICY AND INTENTIONAL TORTS ORAL ARGUMENT ON PUBLIC POLICY ISSUES, FOR AND AGAINST COVERAGE

WEEK TWELVE

FORMAT:	LECTURE AND DISCUSSION
TOPIC:	NOTICE AND CONDITIONS PRECEDENT, PREJUDICE
READING:	ABRAHAM PAGES 186 - 193
STUDENT INVOLVEMENT:	RE: CHOICE OF FORUM AND ARBITRATION DRAFT RECOMENDATION LETTER TO CLIENT ANALYZING SHORT TERM/LONG TERM GAINS

WEEK THIRTEEN

FORMAT:	LECTURE AND DISCUSSION
TOPIC:	RESERVES, CLAIMS HANDLING AND DENIALS

READING: SUPPLEMENTAL MATERIALS TO BE
SUPPLIED ON RESERVING PRACTICES

**STUDENT
INVOLVEMENT:** RE: NOTICE AND CONDITIONS
JUDICIAL ANALYSIS AND OPINION
WRITING (DRAFT OPINION) UNDER
TEXAS LAW

WEEK FOURTEEN

FORMAT: LECTURE AND DISCUSSION

TOPIC: CUSTOM AND USAGE AND
INSURANCE EXPERTS

READING: ABRAHAM PAGES 26 - 42

**STUDENT
INVOLVEMENT:** RE: RESERVES, CLAIMS HANDLING
RECOMMENDATION LETTER TO
CLIENT WEIGHING POTENTIAL
ADMISSIONS VS. FIDUCIARY
OBLIGATIONS