

cargo/warehouse

CARGO/WAREHOUSE LIABILITY TOPICS

- ⇒ **How The Trucking Industry Operates**
Description of functions of common and contract carriers, brokers and freight forwarders; use of leased vehicles and drivers; description of federal and state regulations.
- ⇒ **How To Use the Paper Trail To Determine Insured's Liability**
Description of bills of lading, contracts of carriage, vehicle leases, shipping receipts, freight bills, brokerage agreements, carrier authorities and tariffs.
- ⇒ **How Statutes and Regulations Affect Insured's Liability**
Description and analysis of federal motor carrier laws and regulations, the Carmack Amendment, leasing regulations, contract carrier regulations, unregulated transportation and state laws.
- ⇒ **Liability of Carriers and Transportation Intermediaries**
Common and contract carrier liability; household goods carrier liability; warehousemen's liability; liability for delay, consequential damages and deceptive trade practices; measure of damages.
- ⇒ **Carrier Defenses**
Goods in transit; act or default of the shipper; limitation of liability; concealed damage.
- ⇒ **Insurance Coverage**
Common policy terms; refrigeration, locked truck and unattended vehicle warranties; reservation of rights; presentation of claims; declination of claims; duty to defend; late reporting; bad faith problems.
- ⇒ **Governmental Endorsements**
BMC-32 endorsements, state filings and MTMC certificates.
- ⇒ **Warehouse Legal Liability**
Common law liability; warehouse receipts and their terms and conditions; liability assumed under contract, damages; reasonable care requirements.
- ⇒ **Third Party Logistics**
Current trends in the use of outsource agencies for warehousing, distribution, consolidation and processing; liability of logistic operations.



Schindel, Farman, Lipsius, Gardner & Rabinovich LLP
and Central Analysis Bureau, Inc.

Twenty-Second Annual
Two-Day Intensive Program



Legal Aspects of
Automobile Liability

Tools for Effective Motor
Carrier Underwriting

Legal Aspects of
Cargo / Warehouse
Liability

Monday and Tuesday, April 27-28, 2009
Crowne Plaza New York—LaGuardia
104-04 Ditmars Boulevard
La Guardia Airport, New York 11369

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e are pleased to invite you to our annual two day transportation seminar—the **twenty-second** consecutive year we will present this challenging and stimulating program. Attendees are offered the choice of attending either the commercial automobile liability session or the cargo/warehouse liability session. The commercial automobile session covers the central aspects of motor carrier/trucker liability and commercial automobile coverage. The cargo/warehouse session comprehensively addresses liability for loss or damage to cargo, including the multitude of issues newly arising with the increased importance of third party logistics companies. This session will also focus on cargo, household goods and warehouse liability coverage. Both programs are designed to provide increased knowledge to insurance company claims supervisors and other claims personnel, as well as underwriters and loss prevention personnel.

In addition, there will be separate sessions in each program which will aim to introduce participants to some underutilized yet accessible tools which can enable underwriters to more effectively underwrite motor carriers and vastly improve their results, along with providing advanced information for more in depth investigation during the claim process.

The faculty consists entirely of attorneys practicing transportation/warehousing and insurance law, including Ira Lipsius, Ed Farman, Jean Gardner, Larry Rabinovich, and Lorienton Palmer.

As always, in an attempt to permit discussion and participation, registration will be limited to 55 participants. We have been oversubscribed every year, so we recommend that you register as soon as you can. Please mail or fax (212-695-6602) the enclosed seminar registration form or register on our web site at www.sfl-legal.com.

The seminar will be held at the Crowne Plaza New York- La Guardia Conference Center. We have made arrangements with the Crowne Plaza to provide hotel rooms to our participants at the very low rate of \$169 for a single or a double room per night for Monday April 27th through Thursday April 30th, and the rate of \$139 from April 24th through the 26th.

Since we are sensitive to financial constraints that may be in place, we have kept the tuition at last year's level of \$895. This includes printed materials, breakfast, lunch and refreshments.

We offer continuing education credits for participants. We are currently approved in: Florida, Georgia, New Hampshire, Oklahoma, Texas, and Wyoming. The cargo session is also approved in North Carolina.

As noted above, you will be asked to select either the auto liability presentation or the cargo liability program. Continental breakfast will be served at the conference center each day starting at 8:15 a.m. Instruction will begin promptly at 9:00 a.m. and end at approximately 5:00 p.m. on both days

motor carrier

MOTOR CARRIER PROFILING

- ⇒ **Financials**
Overview of the importance of financials when underwriting a motor carrier; how to obtain a company's financial rating.
- ⇒ **Federal Filings**
The potential exposure from problematic filings and how to detect and correct them.
- ⇒ **Safety Reports**
Overview of the importance of safety statistics and details, including the use of OOS and hazmat violations, inspections and accidents.
- ⇒ **Claims Handling**
Use of Safety and Financial analysis and reports when handling a claim.

automobile

AUTOMOBILE LIABILITY TOPICS

- ⇒ **Regulation Of Commercial Vehicles and Identifying The Players**
Description of the function of the agencies that regulate commercial vehicle operations; review and analysis of statutes and regulations that impact upon interstate and intrastate use of commercial vehicles; analysis of the role and responsibilities of motor carriers, owners, lessees and brokers; review of the paper trail.
- ⇒ **Liability Of Motor Carriers**
Analysis of the liability that is imposed upon carriers, drivers and owners by state and federal regulations; "hands-on" analysis of the meaning and effect on motor carrier liability of leases, driver applications, bills of lading, drug tests.
- ⇒ **Insurance Policies**
Review of the major insurance policy forms including Business Auto Form, Motor Carrier Form, Truckers Form and General Liability Form.
- ⇒ **Scope of Coverage**
Analysis of "who is an insured", what is a covered auto, and what is an insurable event.
- ⇒ **Policy Exclusions**
Analysis of policy exclusions including intentional acts, pollution, employee, co-employee and excluded drivers.
- ⇒ **Governmental and Other Endorsements**
Review of regulatory agency endorsements including MCS-90, BMC-91X, Form E, Form F and UIIE; review of other endorsements and coverages including uninsured motorist coverage, PIP, no-fault, non-trucking use, additional insured lessee and lessor endorsements.
- ⇒ **Primary/Excess**
Analysis of policy primary/excess provisions, the effect of regulatory endorsements and state statutes on primacy of coverage, and excess and umbrella forms.
- ⇒ **Protecting The Insurer's Interest**
Drafting of declination letters, drafting of reservation of rights letters, late reporting, bad faith.

