

Climate Change Litigation in the US:

Theories of Liability and Insurance Issues

**Invitation to Lunch and Seminar
provided free of charge**

Hosted by Morris Polich & Purdy LLP



THE DATE
30th April, 2008

THE VENUE
Old Library
Lloyds Building

THE ADDRESS
One Lime Street
London
EC3M 7HA

THE TIMES
12:30pm - 2:00pm

RESERVING YOUR PLACE

Places are limited and will be allocated on a first-come, first-served basis. To reserve your place, please RSVP as soon as possible by emailing bclaunch@mpplaw.com

PROGRAMME

12:30pm Registration & Lunch

1:00pm Programme Commences

- Defining the Global Warming Problem - scientific overview and U.S. impacts
- The regulatory approach in the United States - What has happened and what is coming?
- Tort-based theories of liability & primary legal defenses
- The emerging tort-based litigation - What are the claims? Who is being sued? How are the U.S. courts responding?
- Can policyholders establish a basis for general liability coverage? Is there an "occurrence"? Will pollution exclusions apply? Must insurers afford a defense?
- Other forms of liability insurance potentially implicated by climate change-related claims

2:00pm Programme Ends

SPEAKERS

Jeffrey S. Barron, Esq.

Walter J. Lipsman, Esq.

Douglas C. Purdy, Esq.

OVERVIEW

As scientists link evidence of climate change to human factors, a new era of risk management problems is emerging. A first wave of lawsuits seeking to assign liability and recover damages for alleged climate change losses is now proceeding through the U.S. courts. This seminar is designed to explore the factual and legal theories, the strategies being employed, and the liability insurance implications.

Mr. Barron maintains a diverse insurance coverage practice in which he advises and represents insurers with respect to issues arising under virtually every type of liability coverage. He has represented insurers in coverage/bad faith litigation concerning construction defect claims, automobile accidents, intellectual property disputes, toxic tort claims, real estate transactions, legal malpractice, and hazardous waste or pollution liabilities. He has also handled litigation concerning alleged errors by insurance brokers or agents, and he has represented insurers in prosecuting or defending claims for contribution, indemnity, and subrogation. Mr. Barron is also active in the firm's appellate practice group. He has successfully briefed and argued a number of important cases concerning, for example, insurance coverage, contractual indemnity, mass tort claims, and arbitration agreements.

Mr. Lipsman's practice focuses primarily on environmental litigation and regulation, as well as insurance coverage counselling and litigation. He has been national counsel to the environmental group of a major commercial insurer and outside litigation counsel to a national architectural and engineering firm. In his environmental practice he has represented clients in cases involving toxic torts, soil and groundwater contamination and other environmental matters dealing with state and federal Superfund liability and Proposition 65 issues. He has counselled clients in regulatory proceedings before the California Regional Water Quality Control Boards. Mr. Lipsman's insurance practice includes litigation and coverage advice dealing with some of the largest Superfund sites nationwide - he has litigated dozens of these cases. He has been retained by clients on hundreds of occasions to provide advice concerning claims handling practices for environmental matters and opinions about coverage.

Mr. Purdy has been engaged in insurance coverage litigation for over 35 years. He has given speeches and presented seminars in this area and has a wide range of trial experience, having tried more than forty cases to verdict or judgment. He has litigated and advised clients in literally hundreds of insurance coverage disputes, including many high profile cases in the field of environmental insurance coverage. As national counsel to a major commercial insurer he played a significant role in the coordination of its countrywide environmental insurance coverage litigation and he currently acts as national counsel to a major multi-national corporation in connection with asbestos claims against the company.

When he can find time, he pursues a wide range of interests, including opera, gardening, medieval theology and pretending that he can still surf.

About Morris Polich & Purdy LLP

Morris Polich & Purdy LLP was formed in 1969, and has developed over the last 39 years into a widely respected law firm with offices in Los Angeles, San Diego and Las Vegas. Our clients range from multi-national and Fortune 100 corporations, cities, municipalities and special districts, to small companies and individuals.

We combine our dedication to client service with unparalleled experience to both prevent lawsuits, and, if a lawsuit is unavoidable, obtain favorable results for our clients through litigation and trial. We represent our clients both in trial and appellate courts throughout the U.S.A. and its possessions.

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