



**April 30, 2014**  
**NEW YORK CHAPTER MEETING**  
**Applying for 3 hours of CLE credits**



**Gale Hohwald and Virginia Markovich, Chapter Co-Chairs**

**Session One:** This session will discuss the overlooked issues in PIP subrogation and will be general review of PIP subrogation principles including loss transfer, priority of payments, and liens. The speaker will touch on workers' compensation in lieu of PIP.

**Speaker: Allen Werter, Allen D. Werter, P.L.L.C.**

**Session Two:** The seminar will address the current changes in the law as they relate to applying lien and credit rights to the claimant's third-party action. Recent decisions by the Workers' Compensation Board and the Appellate Division Third Department have greatly altered when your lien attaches and at what a carrier's credit rights begin. *Matter of Kelly*, *Matter of Burns*, *Matter of Bissell* and *Matter of Stenson* will all be addressed. Secondly, the seminar will address how to properly calculate what portion of workers' compensation benefits are considered to be in lieu of first party benefits as the change in the compensation rate has altered the landscape in determining what benefits constitute a lien and which benefits are recoverable only through loss transfer.

**Speaker: Dirk Marschhausen, Marschhausen & Fitzpatrick, P.C.**

**Session Three:** This presentation will be focused on privileges and work product issues unique to subrogation. Attendees will be given an overview of privilege and work product law and how it applies to both internal insurance claims files and attorney files. The presentation will then shift towards identifying where in the chain of handling a subrogation file these privileges and protections may be lost. The presentation will finish up with a discussion regarding best practices to ensure the protection of file material and communications.

**Speaker: Will Sylianteng, WES Litigation Group, LLP**

MEETING DETAILS:

Breakfast & Registration: 8:30 AM  
 Welcome: 9:00 AM - 9:15 AM  
 Session One: 9:15 AM - 10:15 AM  
 Break: 10:15 AM -10:30 AM  
 Session Two: 10: 30 AM - 11:30 AM  
 Break: 11:30 AM—11:45 AM  
 Session Three: 11:45 PM- 12:30PM  
 Closing Remarks: 12:30 PM— 12:45 PM  
 Lunch: 12:45 PM— 1:30 PM

LOCATION:

**Liberty Mutual**  
 3 Lear Jet Lane  
 Latham, NY 12110

COST:

All Insurance Claim Professionals:	<b>\$50.00</b>
Service Provider NASP Members:	<b>\$100.00</b>
Service Provider Non-Members:	<b>\$150.00</b>
Group Rates:	Contact Cherish Diviney
Cherish.diviney@subrogation.org or NASP office at 800-574-9961.	

**Thank you to our Sponsors!**

**Location Sponsor: Liberty Mutual**

**Lunch Sponsor: Thomas George Associates, Ltd.**

**Meeting Sponsor: TJ Russo Consultants, Inc.**

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