

Taking Control – Managing CGL Claims

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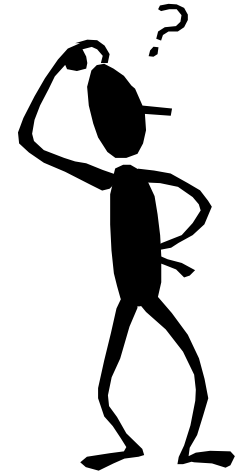
Controlling the Claimant – Panel Discussion

- Shawn Kirkpatrick, National Claims Manager BI/ Casualty
Economical Insurance
- James Giffen, Executive General Adjuster & Managing Partner, *MGB Claims Consultants Inc.*



How to Maintain Direct Control

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How to avoid Lawyers!!!

Taking food off of your table!!

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Focus on claims
< \$50,000.00

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Early timely
intervention by
Insurers / Adjuster

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Building Rapport

- Consistent and timely follow-ups
- Face to Face is essential
- Pleasant but professional – avoid emotions

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Tort is adversarial by nature

- YOU have done this to me
- Move to resolve issues with the Claimant before they become a dispute or adversarial

Claims professionals first and social workers second

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Settling Directly With The Claimant

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Know your client

- i.e. Property Management Firm Retailer/ Commercial Cleaning Company (No Frills Vs. Holts)

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Be mindful of the
policyholder's
expectation and
involvement of high
SIR / product reputation.

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Elasticity:

- Open minded big picture – legal cost cushion

Claimant doesn't
care about
coverage issues



Claimant doesn't
want to discuss
contrib. negligence

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Recognize a 20% to
30% Contingency
Cushion

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Claimant's expectation
of economic heads of
damage are generally
small so be flexible

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Frugal can be foolish

There is no honour in
trickery

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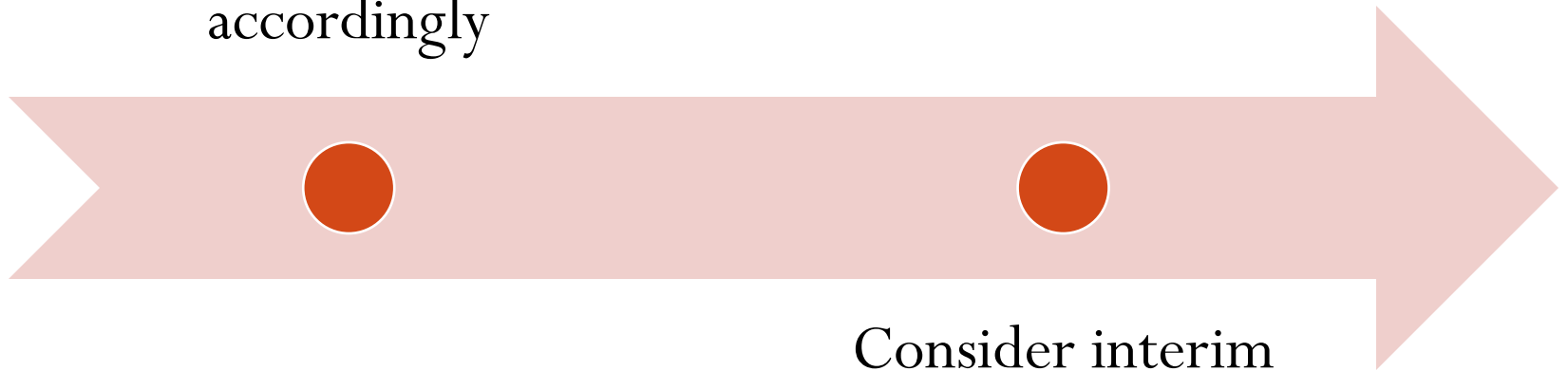


Manage
unreasonable
expectations – too
much T.V.

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Try and balance when
it's the right time to
settle and document
accordingly



Consider interim
payments

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How An Insurer Can Get The Most Out Their Independent Adjuster

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Relationship!!!



Relationship!!!



Relationship!!!

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Need to understand the Insurer's
claims philosophy

Be mindful of reserving

Both sides must consider each others
positions and recommendations

Work them like dogs

Questions / Thoughts /
Observations /
Impressions???

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