



AICA BULLETIN

September 2011

Volume 10, Issue 1

DINNER MEETING

MEETING DETAILS

DATE: Thursday, September 15th

TIME: Social Hour 5 p.m.
Dinner/Meeting 6 p.m.

PLACE: Doubletree Hotel
44th & Van Buren

RSVP: By September 12th
online at
www.aicaonline.org

COST: \$25 per person—
current Members

\$40 per person—
Non-members

**FREE for the first 25
STAFF adjusters/managers
that RSVP**

Payment can be made online using
PayPal at www.aicaonline.org or by
cash or check at the meeting.

Please make sure you cancel your
reservation at least 24 hours in
advance if you are unable to
attend. Late cancellations and no-
shows will be billed.

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**YOU.....WERE SERVED!
YOU.....WERE DEPOSED!
NOW YOU.....ARE GOING TO TESTIFY!**

**What defense attorneys would like you to know about
courtroom Behavior, Attire & Decorum (B A D).**

**A mock trial from a panel of attorneys with audience par-
ticipation.**

Introducing:

Paul S. Kular, Esq., Potts & Associates Mr. Kular gradu-
ated from Northeastern University School of Law in 2003,
and was admitted to the Arizona bar the same year. He is

licensed to practice law in all Arizona state and federal courts. After beginning his career in private practice, he joined Travelers Insurance and has been there in their staff counsel program since 2005. His practice focuses on insurance defense, products liability, construction defect and subrogation.

Michael J. Hrnicek, Esq., Skypeck & Sorenson Mr. Hrnicek graduated from Northeastern University School of Law in 2003, and was admitted to the Massachusetts bar the same year. He moved to Arizona in 2004, and was admitted to the Arizona bar the same year. He has worked with numerous insurance companies, and recently joined Zurich Insurance in their staff counsel program. His practice focuses on insurance defense, products liability and construction defect law. Mr. Hrnicek has handled over 14 first chair trials, and more than 200 arbitrations, mediations, and settlement conferences on various matters.

David A. Weber, Esq., Potts & Associates Mr. Weber graduated from Valparaiso University School of Law in 1993. He has been admitted to practice law in Illinois since 1993, Indiana since 1994 and Arizona since 1998. Mr. Weber is admitted to practice in all Illinois, Indiana and Arizona state courts, the United States District Court for the Northern Districts of Illinois and Indiana, and in the United States Court of Appeals for the Seventh Circuit. Following law school, he practiced throughout Illinois and Indiana as an associate attorney in a private insurance defense firm. In 1998, he relocated to Arizona and started working in civil insurance defense as an independent contractor attorney with TIG Insurance Company, and then went into private practice. Thereafter, he joined Travelers Insurance's staff counsel program in 2000 and has been there since that time. His practice focuses on construction liability, fire and explosion, large loss personal injury and wrongful death cases.

A mock trial witness examination involving a warehouse fire. Action brought by an entitlement driven (in costume of course) plaintiff with AICA audience participating in the defense of the action. Several dinner attendees will be conscripted to role play in the questioning – will that person be you? Are you ready? Will your testimony help or damage your client? Do you know the difference? Specific objectionable questioning to be delivered along with reasoning behind the objections, how a judge might rule, and how you should conduct yourself while in this position. Ever been prepared for something like this? Throw in a little humor, its gonna be great!

PRESIDENT'S MESSAGE

Welcome to the 2011/2012 AICA year! We have seen a lot of changes over the last several years with the organization, including an updated website, an updated logo and some new faces on the Executive Board. 2011 / 2012 is shaping up quite nicely as we still have a full compliment attending our Board meetings, as all of our Membership at Large positions are filled.

My thanks to all of you who have volunteered over the many, many years in particular Jenifer Kimbrell and Joe Hendren. We wish you both well and look forward to seeing you at dinner meetings and bowling.

It's time to register again. Membership registration forms can be found on the website. Be sure to indicate on your form what volunteer activities you can help us out with. Remember that by volunteering, you have an opportunity to meet folks you might not normally rub shoulders with, and that's what AICA networking is all about!

Where else can the pressing of flesh and the promotion of the symbiotic relationship between adjuster and vendor occur, the likes of which play out at our dinner meetings, the Summer Social at Salty Senorita's, Bowling, AICA golf and the upcoming Christmas Party? Well, let's start with the DoubleTree Hotel Atrium room of course!

As you know time goes by very fast, it won't be long until we will be holding our elections in November and we will have 3 Member at Large positions open. Please consider to become part of the board. We are always looking for fresh new ideas to keep the association knowledgeable, fun and build the membership.

The Board is interested in continuous improvement to meet the needs of our community by providing education and networking opportunities. Please feel free to give us your comments and recommendations.

Our monthly newsletter is just one tool that AICA has, and we must give great thanks to Karl Epps, Nadine Mar, Robin Werth, and Mike Benner as well as our contributing Members at Large for the hard work they put in each edition. Thank you, all!

Through our newsletter, we hope to provide you information that you can go back to and draw from over the year(s) as you are involved with claims.

Our chairpersons are in place for the Bowling League, Christmas Party, Golf Tournament and Summer Social. Thank you Jenifer Kimbrell and Joe Hendren.

We continue to anticipate great things in our future but we couldn't do it without you. Remember to sign up to volunteer!

Bruce McNeil

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AICA GIVES BACK



September is National Children’s Cancer Awareness month and because all children have wishes, the AICA has chosen the Make-A-Wish Foundation for the AICA gives back charity of the month.

Since 1980, the Make-A-Wish Foundation® has enriched the lives of children with life-threatening medical conditions through its wish-granting work. The Foundation’s mission reflects the life-changing impact that a Make-A-Wish® experience has on children, families, and entire communities.

The Make-A-Wish Foundation was founded in 1980 after a little boy named Chris Greicius realized his heartfelt wish to become a police officer. Since its humble beginnings, the organization has blossomed into a worldwide phenomenon, reaching more than 250,000 children around the world.



Although it has become one of the world’s most well-known charities, the Make-A-Wish Foundation has maintained the grassroots fulfillment of its mission.

A network of nearly 25,000 volunteers enable the Make-A-Wish Foundation to serve children with life-threatening medical conditions. Volunteers serve as wish granters, fundraisers, special events assistants and in numerous other capacities.

As the Foundation continues to mature, its mission will remain steadfast. Wish children of the past, present and future will have an opportunity to share the power of a wish®. Seventy-five percent of the revenue the Make-A-Wish Foundation receives is allotted to program services. Which allows them to make a huge difference to a child in need.

Let’s show them that the AICA makes wishes come true!

WE’RE GROWING!

The Arizona Claims Association is continuing to expand its membership thanks to you and your referrals. Keep spreading the word and look for more announcements on how we are growing and working to make the AICA the premier Arizona Claims Association.

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EXPERT'S CORNER—SOCIAL MEDIA AND DECEPTION IN FRAUD INVESTIGATIONS

August 10, 2011

By Catherine Couretas, PropertyCasualty360.com

Social media websites are often a great source of information for fraud investigators. These sites are a place where people post every little detail of their day-to-day lives. This information is handy for investigators, especially when claimants post things about their frequent activity while they are supposedly disabled and collecting workers' compensation.

The most recent issue of the Journal of Insurance Fraud in America (JIFA), published this summer, details how legal professionals, investigators, and other insurance company representatives sometimes deceive suspects into giving up information from these sites. Jim Quiggle, director of communications at the Coalition Against Insurance Fraud (CAIF), explained that social media is the up-and-coming source of potential evidence in any kind of fraud investigation.

"Everybody is mining social media for clues in fraud investigations," Quiggle said. "People love to brag about their exploits on those sites. A person can tell all their friends how he or she scammed an insurer—people cannot resist the impulse."

Right now, states have varying laws as to how lawyers, agents, investigators, and other insurance company representatives can engage in deception in investigations. Jaclyn Millner, an attorney with Liberty Mutual and one of the two legal experts who authored the piece in the JIFA, explained that states are looking to other states as these rules are modified.

These templates include rules for obtaining evidence and ethical rules for lawyers, but one rule that stands out is the rule of deceit in investigations—some states have exceptions and allow deceit if fraud is reasonably expected, but that is the minority.

Although some cases may be more difficult than others, Quiggle said "if you follow the rules of reasonable discovery, then you should be able to find most material if you need it."

(Continued on page 5)

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EXPERT'S CORNER

(Continued from page 4)

Getting Put on the Spot

Millner detailed one case in which a claimant's Facebook account proved a lack in injury, although the claimant had previously filed for workers' compensation.

The employee had claimed a back injury and was requesting payment of medical bills as well as wage loss from work. However, photos on the claimant's Facebook profile showed the claimant climbing on a ropes course, bowling, lifting weights, and more.

"In almost any case, I think it's worth doing an initial search of the most common social media sites," Millner said. "It only takes a minute or two, and that person you're looking for may have a public profile. Once there is something suspected, look at other sites like YouTube where you may find things that contradict a claimant's allegations."

Quiggle agreed, explaining that "people love to post their action-packed photos even though they have informed their workers' comp insurer of a 75 percent disability and the need for immediate bed rest."

Once these claimants are put through further questioning, Quiggle said many admit to fraud. "It's not unusual for suspects to cave, because it's just hard to deny the undeniable."

It is no wonder that these tell-all websites are of great value to investigators. People love to brag about their accomplishments, and these sites just happen to document and time stamp each and every one of them.

SPECIAL REPRINT

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Putting the pieces back together, one nail at a time.

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2011 GOLF TOURNAMENT RECAP

The 2011 AICA Golf Outing April 29 at Stonecreek, The Golf Club was a success for the AICA and hopefully for all the vendors and players who participated in tournament play.

A special thanks to the tournament Head Sponsor: Arizona Fire & Water Restoration, Inc and Sponsors: American Technologies, Inc., Americlaim, Augspurger Komm Engineering, Inc., CRDN of Arizona, Division of Bell Drapery & Cleaners, Crawford & Company, Damage Control, LLC, Desert Dry Restoration, Dri Express, Frontier Adjusters, Inc., Getty Engineering Services, Gust Rosenfeld, PLC, Haag Engineering, Interstate Restoration & Construction, JBA Insurance Adjusters, Kowalski Construction, LLC, Pinnacle Restoration, Rimkus Consulting Group, Service Master All Care Restoration, Servicemaster by disaster Professionals, Servpro of Gilbert/Chandler South, Silver City Restoration, SOS Restoration, LLLP, Sun-Brite Fire & Water Restoration, Inc., Sun Country from Yuma/Lake Havasu and Westside Restoration. Thank you also for the great hole prizes raffled at the luncheon after the tournament.



Congratulations to the winning four-some coming in at 17 under from Pinnacle Restoration, Matt Maupin & guests. Sun-Brite Fire & Water Restoration, John Kritsberg & guests came in at 14 under in a 3rd hole playoff for second place.

AICA Grand Prizes - Garmin GPS, I-POD Touch, Jimmy Buffet Blender, 42" LED TV and many others prizes were raffled off at lunch.

A special thank you to the AICA board members present and past: Michael Benner, Joe Hendren, Jenifer Kimbrell, Nadine Mar, Bruce McNeil, Rita Megui, Nannette Varela, Robin Werth, and Kathy Tuley, for doing a great job at the registration table, luncheon raffle and pictures. Please check out the golf outing pictures on the website: www.aicaonline.org.

2012 TOURNAMENT

Plan for the 2012 AICA Golf Tournament set for May 4, 2012 at Stonecreek The Golf Club, 7:00 shotgun start. Registration for play and sponsorship opportunities will be available early fall through the www.aicaonline.org.

Any questions on the upcoming tournament, please contact Dale Schantz, Schantz Construction at (623) 825-7872.

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