



# Liability Claim Consulting

## Integrated Casualty Consulting

Responding to the insurance recovery challenges presented by certain claims requires:

- Distinctive insights about insurer behavior
- Advanced analytical capability
- Experience achieving optimal negotiated results.

Willis Towers Watson applies all three as it helps clients manage complex liability claims and maximize insurance recoveries in connection with many types of difficult exposures, including, without limitation:

- Asbestos/talc
- "Boom" events/mass casualties
- Concussion/CTE
- Construction products
- Food-borne illnesses
- Pharmaceuticals and medical devices
- Pollution and chemical exposures
- Recall-related third-party claims
- Sexual abuse/molestation

### What services we offer

#### *Insurance claim dispute resolution*

We help clients avoid the risk, expense and delay of coverage litigation by leading or supporting insurance recovery efforts by providing:

- Consultative advice and guidance on the development and execution of insurance recovery strategies
- A channel of communication to senior, "decision maker" claim contacts at major insurance markets
- Tactical support for mass litigation and claims that impact numerous insurers

#### *Loss allocation modeling*

We have the capabilities to analyze how insurance programs may offset losses and we offer solutions to provide you with:

- Mathematical results to develop settlement demands and support settlement strategy
- A framework for analyzing positions taken by insurers during settlement negotiations
- The ability to test the financial impact of varying assumptions about legal uncertainties
- An estimation of insurance asset value available to offset current and potential future liabilities
- Analysis of cash flow requirements

### **Insurance archaeology**

We research to reconstruct historical insurance programs and assist you in locating policies by:

- Reviewing internal historic records and archives
- Interviewing current and former personnel
- Contacting former insurance brokers
- Helping to identify and contact other potential outside sources of policy information (e.g., law firms, governmental entities, accounting firms)
- Contacting insurers to coordinate additional research

### **Insurance asset valuation and coverage analysis**

Valuing insurance receivables — we help you understand how key variables may impact the value of potentially available coverage. These variables often include:

- Choice of law used to interpret the insurance contracts at issue
- “Vertical” versus “horizontal” exhaustion
- Prior limit erosion/exhaustion
- Trigger of coverage theories (e.g., continuous, injury-in-fact)
- Loss allocation method applied (e.g., pro-rata, “all sums”)
- Number of “occurrences” at issue
- Insolvent insurers
- Applicability of aggregate limits
- Gaps in coverage

- Treatment of defense costs
- Applicability of deductibles/self-insured retentions
- Relevant coverage exclusions
- Applicable clauses/provisions (e.g., “non-cumulation,” “drop down”)
- Prior settlement(s) with insurers
- Shared coverage
- Limits available under multi-year insurance contracts or “stub” policies

### **Specialized vendor selection**

Selecting specialized resources to address liability claim issues is vital to your liability program. We can assist you in selecting:

- National coordinating counsel
- Local defense counsel
- Coverage counsel
- Vendors to estimate future liabilities
- Third-party administrators to address mass tort exposures

An effective partner will help you not only manage your liability claim costs but also strengthen your organization. For additional information contact:

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## **About Willis Towers Watson**

Willis Towers Watson (NASDAQ: WLTW) is a leading global advisory, broking and solutions company that helps clients around the world turn risk into a path for growth. With roots dating to 1828, Willis Towers Watson has 45,000 employees serving more than 140 countries and markets. We design and deliver solutions that manage risk, optimize benefits, cultivate talent, and expand the power of capital to protect and strengthen institutions and individuals. Our unique perspective allows us to see the critical intersections between talent, assets and ideas — the dynamic formula that drives business performance. Together, we unlock potential. Learn more at [willistowerswatson.com](http://willistowerswatson.com).



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