



Professional Liability Claims (PI, D and O, Crime)

Proclaim are experts in Professional Liability Claims.

We have assembled the strongest possible team in the Australian marketplace. We have been established in Australia managing liability and professional liability claims for almost 10 years, and we combine high levels of technical expertise with superior local knowledge to get you the best results.

Key features and benefits of our Professional Liability Services

- Our account managers are all legally qualified and our key staff have all practiced as PI solicitors before joining us. We have excellent retention of claims staff in this area and all our team are highly experienced in both professional liability and Directors and Officers claims.
- Proclaim currently has 4 legally qualified Account Managers with expertise in D and O and PI (and medmal) and other claims made policies.
- We act for Zurich Australia and Dual and are highly experienced in miscellaneous PI but also have specific expertise in real estate, accountants and architects.
- We pride ourselves on our commercial and pragmatic approach to both coverage and liability issues – which means we resolve claims quicker, cheaper and with less resort to lawyers.
- We also provide claim contract review services on indemnity clauses which assists us to understand the commercial issues facing clients in their key client relationships.
- We currently manage several D and O claims including two of Australia's largest D and O claims, with multi-million dollar reserves.
- We manage claims arising from Australia and New Zealand but have also managed claims in UK, USA and Asia.
- We strategically manage our legal panel to ensure that strategies are in place for effective management of claims that will ensure maximum financial benefit to you and your customers.
- For lower scale claims we prefer quick and cost efficient investigation of incident causes using existing client resources where possible.
- For more complex claims we work strategically with our service providers to ensure the right investigations are underway with regard to both coverage and liability exposures.

The Proclaim Edge - Key benefits

We believe that some of the major advantages in using Proclaim services include:

- Trust in our service to deliver results and save you time and money.
- With a tailored procedure and established protocol we will be in a position to help your clients achieve quicker and sharper results by offering resources to risk manage or resolve claims before they escalate.

- Ready access to high levels of technical expertise including legally qualified claims managers, as well as risk related advice.
- Faster and more commercial response to customer requirements.
- Reporting that provides the information you require controlling your financial exposure.
- Local knowledge and experience with a solid reputation that enhances the business of our underwriting partners

THE PROCLAIM EDGE - Technical expertise + local knowledge = Superior commercial solutions

References

Drew Fenton, Coverholder, CPA Scheme – “We have been working successfully with Proclaim and the CPA for over two years now. We like their model of proactive and consultative claim management, and recognize they have the depth of technical expertise and commercial nous to really add value to our program. The results are outstanding, they recognize when to quickly resolve things and when further investigation and support is required. They also provide an outstanding help desk service to accountants to help them risk manage potential exposures.

All in all, it assists us in our relationship with CPA and saves our underwriter money”.

Success Stories

At the lower end of the scale, we have a number of examples where we have quickly identified issues in claims against policyholders and moved to a swift resolution without the need to incur external legal fees, including:

- a. Complex accounting advice issue on capital gains tax where insured provided erroneous advice; claims settled circa \$75,000 without resort to external lawyers, and Accountant retained client due to goodwill created.
- b. Writ issued against innocent insured; convinced plaintiff lawyers to withdraw against insured prior to the need to retain lawyers, where most Claim Managers would default to retaining lawyers first, which chews up time and money

At the larger end of the scale we have assisted our clients, in partnership with solicitors, on several massive claims, including high profile D and O claims. One complex PI claim in particular is a great example:

After extracting the insurer from a limits claim of USD 10m for around two thirds of the limit, our client was sued by an excess layer insurer for USD 50m for failing to control the conduct of the claim. We believed the action was ill founded but proactively managed the exposure through settlement conferences in USA, a successful strike out application on jurisdictional grounds to a modest six figure settlement in Australia.

Our People

Jon Broome - Prior to establishing Proclaim, Jon was the National Claim Manager and General Counsel for Chubb Insurance. Prior to that he was a Senior Associate in insurance litigation at lawyers Dunhill Madden Butler (now Deacons) in Melbourne.

Jonathan Lee - Prior to joining Proclaim in 2003, Jonathan spent some two years in the insurance industry in liability and professional liability claims roles with both major general insurers and a specialist broker. Jonathan was an insurance lawyer with Minter Ellison's Brisbane practice before entering the insurance industry.

Josie Gattellaro - Josie is a qualified solicitor. Prior to joining Proclaim in 2006, Josie worked at Phillips Fox for 4 years in the Insurance Claims and Risk Management Practice Group.

Maria Rosman - Prior to commencing at Proclaim, Maria spent 4 years working as a Casualty Claims Specialist at Chubb Insurance. Before that, Maria worked in the Industrial Relations department of a national transport company, accepting this position immediately post-completion of her law degree at the University of Melbourne. Maria has worked on Zurich's PI and D and O portfolio as well as managing severity products and public liability claims.

Our Insurer Clients Include:

Zurich

Dual

Arch

Lloyds – Mitsui

World Insurance Network

Lloyds – Marketform

Talk to Proclaim today about how we can help you reduce your costs while building better customer and contractor relationships.

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