



INSOL 2006 Scottsdale Arizona, 21st-24th May 2006

INSOL INTERNATIONAL

International Association of Restructuring, Insolvency
& Bankruptcy Professionals

Insurance Ancillary Meeting Sunday 21st May 2006

INSOL International has previously run an Insurance Ancillary meeting every two years, but following on from the success of the last meeting in Sydney, March 2005 it was decided there was demand for more frequent Insurance ancillary meetings and so arrangements were made to duplicate this success at the Americas Annual Conference in Scottsdale, USA. The 2006 meeting will look at a number of key issues in Insurance and Reinsurance restructuring both in the US and internationally as you can see from the following programme, including the latest changes to legislation and the effect of asbestos and cat losses on the industry. The meeting will be chaired by Gareth Hughes, Ernst & Young LLP, UK.

8.30 am – 9.00 am Coffee

9.00 am – 9.10 am **Welcome & Introduction**

INSOL International: Bob Sanderson, KPMG, Vice-President, INSOL International
Chair: Gareth Hughes, Ernst & Young LLP

9.10 am – 10.40 am **Latest developments in Solvent Schemes of Arrangement, Part VII transfers and other exit solutions.**

The Panel will consider the future of solvent schemes post the British Aviation Insurance Company decision as well as the enforceability and recognition of such schemes in the USA (in light of the new Chapter 15 of the Bankruptcy Code), Canada and other overseas jurisdictions. In addition, the Panel will consider the future use of scheme technology in the USA. The Panel will also discuss the cross-border enforceability of portfolio transfers under Part VII of the Financial Services and Markets Act 2000 and, in particular, the recent Bankruptcy Court orders in relation to the Aviva and Riverstone portfolio transfers and whether, in the USA, Chapter 15 of the Bankruptcy Code has finally closed the door on the recognition of such transfers in the USA.

10.40 am – 11.10 am Coffee break

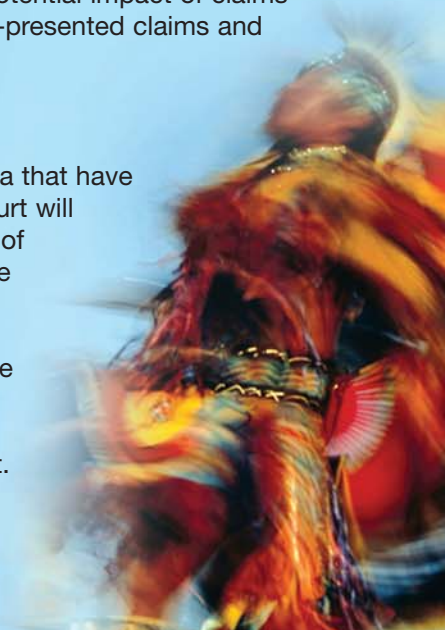
11.10 am – 12.00 pm **Redirection of Reinsurance Recoveries**

This session will review “Direct Payment” arrangements under English law (*NEMGIA*) and the “Insolvency Clause” & “Cut-Throughs” under US law (*Koken v Legion*). It will also examine contrary policy objectives within UK and US bankruptcy regimes. The panel will consider the position of insolvency office-holders in respect of the threats and opportunities arising from these issues, the potential impact of claims trading, and the accounting implications arising from non-presented claims and un-collectable reinsurance.

12.00 pm – 12.30 pm **Antipodean and Far East Developments**

This session will examine recent developments in Australia that have international dimensions. Australia’s highest appellate Court will have expressed the final word on the meaning and effect of Australia’s insurance priority regime, and an update will be provided on progress with HIH’s scheme of arrangement. On the financial reinsurance front, the first criminal trial of an insurer’s officers, and the first civil action examining the legality and consequences of entry into a financial reinsurance contract in a distressed insurer context, will both have concluded, and will be the subject of comment.

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This session will also outline the current conditions in the insurance and reinsurance markets in Asia, the opportunities for foreign investment in emerging markets and the associated risks that accompany such investment. In particular, the speakers will focus on the rapid legislative and market developments in China in the insurance and reinsurance sectors, and explore the possibility of solvent schemes and other exit solutions in various jurisdictions within Asia.

12.30 pm – 2.00 pm Lunch

2.00 pm – 2.45 pm **Financial Reinsurance**

A review of the continuing investigations by state attorneys and regulators into finite products, and the impact this is having on the reinsurance market, reinsurance executives, and the investment community. Have lessons been learnt from corporate failures, such as HIH, or are we likely to see further failures linked to the product? How is the market adapting to the new environment, and is there likely to be a place for these products in the future?

2.45 pm – 3.15 pm Coffee Break

3.15 pm – 4.15 pm **Back To the Future Part I – Asbestos**

This session will look at the continued increase in asbestos-related bankruptcies and their consequences. In particular the session will consider:

- The creation and structure of Asbestos Settlement Trusts and their success or failure in addressing the interests of all stakeholders.
- Decisions stemming from Bankruptcy proceedings that have led to decisions such as Fuller Austin, and the implications for insurers.
- The manner in which claims are certified by the medical profession and standards set and their implications for the debtor company and insurers.
- What sort of trends can we expect to see in the way of future claims filings?
- The key lessons learnt from these structures, and attempted State and Federal reform through legislation such as the FAIR Act. Can a solution to the asbestos problems ever be found?

4.15 pm – 5.00 pm **Back to the Future Part II – Catastrophe Modelling**

This session will look at how the market operates to spread risks from catastrophic events around the US, Bermudian and UK reinsurance centres, and the way in which individual reinsurers monitor and manage their own exposures to particular regions exposed to natural and man-made risks. It will also look at the advantages and limitations that certain Cat Models have, which sometimes lead to wildly different loss estimates from the same event. Finally, the session will examine the perceived trend of an increased occurrence in “mega-cats”, and how the reinsurance market, and Cat Models, are changing to deal with it.

5.00 pm – 5.15 pm Close

To register complete the registration form on our web site www.insol.org <<http://www.insol.org>> or fax/e mail to Penny Robertson at pennyr@insol.ision.co.uk
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