



# 2024 MIDWEST SURETY & CONSTRUCTION CLAIMS CONFERENCE

STAYING IN THE LOOP  
ON INDEMNITY, FIDELITY, AND COMMERCIAL SURETY

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# JULY 16<sup>TH</sup>

## WELCOME RECEPTION

5:00-8:00pm

### Porter Kitchen and Deck

150 N. Riverside Plaza Chicago, IL 60606  
(312) 781-7580

# JULY 17<sup>TH</sup>

## BREAKFAST

7:45am-9:00am

## INTRODUCTION

8:15am-8:30am

## SESSION I

8:30am-9:30am

### The ABC's of ABCs - Assignments for the Benefit of Creditors

Ed Rubacha, Jennings Haug Keleher McLeod

## SESSION II

10:30am-11:30am

### Demonstrating Reasonableness of Completion Costs

Gisel Hernandez, The Vertex Companies, LLC  
Gustavo Fernandez, The Vertex Companies, LLC  
Christy Zabek, Amerisure Surety

## BREAK

10:30am-10:45am

## SESSION III

10:45am-11:45am

### Probate Bonds: Surety's Defenses and Right to Recover

Kaitlyn Linsner, Watt, Tieder, Hoffar & Fitzgerald, LLP  
Genise Teich, Liberty Mutual Surety

## LUNCH

11:45am-12:45pm

## SESSION IV

12:45pm-1:45pm

### Strategic Considerations for Initiating the Surety Indemnity Action

Brian Padove, Watt, Tieder, Hoffar & Fitzgerald, LLP  
Leonard Geraci, Skyward Insurance

## SESSION V

1:45pm-2:45pm

### Adherence to the General Indemnity Agreement

Connor Chow, The Vertex Companies, LLC  
Stuart Detsky, Trisura Guarantee Insurance Company

# JULY 17<sup>TH</sup>

## BREAK

2:45pm-3:00pm

## SESSION VI

3:00pm-4:00pm

### **Pitfalls of Indemnity Actions – What Defenses and Affirmative Claims of the Principal Should the Surety Consider?**

Jarrod W. Stone, Manier & Herod, P.C.

John McDevitt, Liberty Mutual Surety

Daniel D. Pentecost, Esq., Westfield Group

## PANEL

4:00pm-5:00pm

### **Successes and Challenges with Indemnity-Related Issues**

David E. Mathews, Argo Surety

Adam Feldman, Travelers Bond & Specialty Insurance

Ron Lachmansingh, Travelers Bond & Specialty Insurance, Canada

Sam Haagenson, The Vertex Companies, LLC

Shawn Kelly, Nationwide Mutual Insurance Company

# JULY 18<sup>TH</sup>

## BREAKFAST

7:45am-9:00am

## INTRODUCTION

8:15am-8:30am

## SESSION I

8:30am-9:30am

### **Bad Beats in Commercial Surety**

Megan Daily, Krebs Farley PLLC

Daniel Hurrelbrink, Crum and Forster Surety

## SESSION II

9:30am-10:30am

### **Ownership/Covered Property Under First Party (i.e. Fidelity) Coverage and Allocation of Liability for Forged or Altered Checks**

Alexander Brinson, Manier & Herod, P.C.

Jeff Price, Manier & Herod, P.C.

## PANEL

10:30am-11:30am

### **Fidelity Lakeside Chat**

Stephani Miller, Liberty Mutual Surety

Adrienne Shivers, Liberty Mutual Surety

Justin Wear, Manier & Herod, P.C.

## CONCLUSION

11:30am

# SOCIAL EVENT AGENDA

## TUESDAY, JULY 16TH

**Welcome Reception:** 5:00pm-8:00pm

**Porter Kitchen and Deck:** 150 N. Riverside Plaza Chicago, IL 60606, (312) 781-7580

## WEDNESDAY, JULY 17TH

**Program:** 8:15am – 5:00pm

**Post-Conference Reception:** 5:30pm-9:30pm

**Avli on The Park:** 180 N. Field Blvd, Chicago, IL 60601  
(312) 600-9997

## THURSDAY, JULY 18TH

**Program:** 8:45am – 11:30am

**Post-Conference Lunch Cruise:** 11:45am-3:00pm

**City Experiences:** 600 East Grand Avenue Chicago, IL 60611

## Post Conference Boat Cruise Transportation

We will meet in the lobby of the University Club of Chicago (UCC) to board a charter bus beginning at 11:45 am, depart from UCC at noon, and arrive at the Navy Pier around 12:10 pm. The cruise will take place from 12:30 pm - 2:30 pm. Lunch will be included with the cruise. We will depart from the Navy Pier at 2:45 pm and arrive back at UCC by 3:00 pm.

# CO-CHAIR BIOGRAPHIES



## **Sara Corbello, Berkshire Hathaway Specialty Insurance**

Sara Corbello is Senior Claims Counsel with Berkshire Hathaway Specialty Insurance Company's Surety group. Prior to joining the surety industry in 2019, Sara spent a decade in private practice representing automotive OEMs and major P&C carriers in complex product liability, construction defect, and coverage litigation. A proud Midwest native, Sara received her BS from Michigan State University (GO GREEN!) and JD from Western Michigan University Cooley Law School.



## **Joel B. Daniel, Watt Tieder Hoffar & Fitzgerald, LLP**

Joel Daniel is an attorney in Watt Tieder's Chicago office, licensed in Illinois and Texas. He received his JD from the University of Texas School of Law, and he concentrates his practice on construction transactions and disputes, complex commercial litigation, suretyship and insurance law. His litigation and appellate practice includes disputes regarding defective design, construction delay and disruption, geotechnical and forensic investigation, differing site conditions, wrongful termination, contract interpretation, risk allocation, surety bonds, mechanics liens and insurance coverage. Joel was recognized in the 2023 and 2024 editions of Best Lawyers: One's to Watch in America for his work in Construction Litigation and Insurance Law.



## **Stephanie Geer, United Fire Group**

Stephanie Geer is the Vice President of Surety Claims at United Fire Group. Prior to joining UFG, she worked for Liberty Mutual Surety handling contract claims in the Southeastern United States and later managing the EMEA surety claims team. She received her Bachelor of Arts and Juris Doctor from the University of Iowa. Stephanie is a frequent author and presenter on topics related to surety law.



## **Jonathan Hahn, The Vertex Companies, LLC**

Mr. Jonathan Hahn has been with VERTEX since its founding days and has worked on a great variety of projects ranging from heavy highway bridge/infrastructure to multifamily, mixed-use commercial/vertical construction including public and private schools, department of defense and green energy projects. Mr. Hahn has served many roles in the field including construction manager, on-site monitoring, owner's representative, and project manager for completion projects. Mr. Hahn is a respected consultant in the surety claims industry and continues to be active with the FSLC Technology Committee / American Bar Association, National Bond Claims, Surety Claims Institute, and the Surety Association of Canada as well as regional events / organizations.

# SPEAKER BIOGRAPHIES



## Alexander J. Brinson, Manier & Herod, P.C.

Alex Brinson is an Associate with Manier & Herod, where he practices in the areas of fidelity law, surety law, insurance law, and general commercial law. Alex is licensed to practice in Tennessee and Illinois, and is admitted to the Northern District of Illinois and Central District of Illinois federal courts. Mr. Brinson received his B.S.P.A. in Business Management from Indiana University. He received his J.D., cum laude, from the Chicago-Kent College of Law. While attending Valparaiso University's School of Law, Mr. Brinson competed on the Moot Court and Trial Advocacy Teams, for which he was awarded the Best Oralist Award and Best Defense Counsel Opening Statement Award. Prior to joining Manier & Herod, Mr. Brinson practiced insurance defense and insurance coverage at national firms in Chicago, Illinois, focusing on property and casualty litigation. Mr. Brinson leverages his coverage and litigation experience to analyze fidelity and surety related issues and resolve disputes in state and federal courts across the country.



## Connor Chow, The Vertex Companies, LLC

Connor Chow is a Senior Surety Consultant at Vertex. He is an Owner's Construction Manager, Intern Architect, and Project Manager, and holds degrees in Architecture, Construction Management, and Architectural Engineering. Prior to Vertex he was the national construction and claims advisor for Western Surety Company in Canada and was responsible for the resolution and remediation of complex performance bond claims. Connor is one of ten people in North America holding a Professional Gold Seal designation in Owner's Construction Management, is licensed as an Applied Science Technologist, and is nearing completion of his certification as a Registered Architect in North Carolina.



## Megan Daily, Krebs Farley PLLC

Megan Daily is a Partner at Krebs Farley in New Orleans. Licensed in Louisiana and Alabama. Megan's practice focuses on complex commercial litigation, construction litigation, surety law and insurance defense.



## Stuart Detsky, Trisura Guarantee Insurance Company

Stuart Detsky is Vice President, Surety & Warranty Claims at Trisura Guarantee Insurance Company and oversees claims and legal matters for Trisura across North America. Stuart has been with Trisura for 10 years, following a 12 year career with another North American surety company. Stuart graduated from McGill University and Osgoode Hall Law School.

# SPEAKER BIOGRAPHIES



## **Adam Feldman, Travelers Bond & Specialty Insurance**

Adam Feldman joined Travelers as a Senior Construction Manager in Hartford in November 2021. Adam is a graduate of Central Connecticut State University where he received a Bachelor of Science Degree in Civil Engineering Technology. He is a licensed Professional Engineer in the state of Connecticut with almost 20 years of experience in the construction industry. Before Travelers, Adam worked at The Hartford Financial Services Group, Inc., where he served as Surety Bond Claims Engineer. Prior to that, Adam worked for CDM Smith as a Transportation Engineer/Project Manager and for the City of Bristol, CT Public Works Division as a roadway design engineer.



## **Gustavo Fernandez, The Vertex Companies, LLC**

Mr. Fernandez has over 30 years of experience managing all facets of Construction. He specializes in team building and ensuring that construction operations under his supervision result in the delivery of high-quality projects exceeding client expectations. Mr. Fernandez worked in the South Florida construction market for over 20 years before working internationally in Panama. Mr. Fernandez is the Regional Manager for the Rocky Mountain/West region, and overseeing projects throughout several Western states between the Canadian and Mexican borders. Mr. Fernandez is also VERTEX's qualifying agent in the state of Florida where he is licensed as a General Contractor.



## **Leonard Geraci, Skyward Specialty Insurance**

Len is currently a Senior Surety Counsel for Skyward Specialty Insurance. Previously, Len was the Vice President of Surety Claims at Crum and Forster for 6 years and the Claims Construction Industry Vice President at AIG for 20 years. Prior to joining AIG, Len was the General Counsel for a New York City Construction Company and in private practice. In addition to being an attorney, Len worked as a project engineer and received a bachelor's degree in engineering, and a master's degree in environmental engineering and had earned a Professional Engineers license. He has also served as an adjunct professor at New York University's Schack Institute of Real Estate teaching classes in construction insurance and surety bonding.



## **Sam Haagenon, The Vertex Companies, LLC**

Sam is an Executive Vice President at Vertex, responsible for oversight of Vertex's surety claims consulting services. He is a registered Architect in multiple jurisdictions and has consulted on complex projects of all scales, from small municipal projects up to \$1-Billion-dollar federal construction projects and multi-project portfolios of work, including matters across the United States, Central America, Europe, the Middle East, Asia, and the Western Pacific.

# SPEAKER BIOGRAPHIES



## **Gisel Hernandez, The Vertex Companies, LLC**

Ms. Hernandez became a Senior Consultant in Surety for VERTEX in 2024. As Senior Consultant for the surety team Ms. Hernandez, provides project management services for Vertex in the South-East Region, Central Region, Midwest region and Latin America. She is fluent in English and native Spanish. Her roles and responsibilities include managing surety files, claims investigations, completion contracting, construction management, financial analysis, field investigation activities, and composition of complex technical reports as well as cost-to-complete analysis. She also has a unique background in Construction Quality Assurance. Ms. Hernandez, has worked on a wide variety of Construction Projects types, including Federal, Aviation, Education and Civil Infrastructure, in Design-Bid-Build, Design-build and CM at Risk delivery methods. Given her diverse background, Ms. Hernandez is able to assist in a variety of surety files at different levels.



## **Daniel Hurrelbrink, Crum and Forster Surety**

Daniel joined C&F in March of 2020 and has over 15 years of surety claims experience. Prior to joining C&F, Daniel was a Claim Specialist for Great American Insurance Company. Daniel has handled both commercial and contract surety bond claims throughout the U. S. Daniel has a Bachelor's Degree of Arts and Science from Northern Kentucky University and has an Associate in Claims (AIC) designation.



## **Shawn Kelly, Nationwide Mutual Insurance Company**

Shawn Kelly is a Director of Surety Claims at Nationwide Mutual Insurance Company and is based out of Baltimore Maryland. Shawn has been an in-house surety claim attorney for 11 years handling all aspects of payment and performance bond claims as well as providing business support advice to his surety underwriting colleagues. Shawn earned a Bachelor of Science in Civil Engineering from the University of Pittsburgh at Johnstown, a Bachelor of Arts in Spanish from Arizona State University and a J.D. from the University of Baltimore. In addition to being licensed to practice law in the State of Maryland and the District of Columbia, Shawn is also a registered professional engineer in the Commonwealth of Pennsylvania.



## **Ron Lachmansingh, Travelers Bond & Specialty Insurance**

Ron Lachmansingh is Claim Counsel, Surety at Travelers Canada. He has been with Travelers since 2022, and is responsible for handling performance and payment bond claims and related indemnity issues, reviewing contracts, and providing business support. Prior to joining Travelers, Ron was a civil and commercial litigator for 24 years. A significant portion of his practice was focused on construction law proceedings, in which he represented clients in motions, trials, mediations and arbitrations. Ron holds degrees in common law and civil law from McGill University Faculty of Law, a Bachelor of Journalism from Carleton University, and a Master of Business Administration from the Richard Ivey School of Business.



# SPEAKER BIOGRAPHIES



## **Kaitlyn M. Linsner, Esq., Watt Tieder Hoffar & Fitzgerald, LLP**

Kaitlyn joined Watt, Tieder, Hoffar & Fitzgerald in 2022 as an associate in the Chicago office. She focuses her practice in the areas of construction and surety law, providing litigation and transactional services to a wide variety of construction industry clients. Prior to joining Watt Tieder, Kaitlyn practiced at a boutique civil litigation firm and insurance defense firm where she gained experience in complex commercial litigation, real estate, banking, employment and professional liability. Kaitlyn also represented clients in family law matters. Kaitlyn graduated summa cum laude from Northern Illinois University College of Law in 2020. While in law school, she served as Editor-in-Chief of the NIU Law Review and the class commencement speaker.



## **David E. Matthews, Argo Surety**

Dave has worked in the surety industry for 20 years and is currently with Argo Surety. Upon completing law school at Valparaiso University School of Law, he initially hired on with CNA followed by a stint with Swiss Re. Dave works in both construction and commercial bond arenas. He is married with 6 children, and more importantly, 3 grandchildren, which keeps him active. He also enjoys various hobbies, such as golf and has recently taken up the pickleball craze.



## **John McDevitt, Liberty Mutual Surety**

John McDevitt is a Regional Vice President for Liberty Mutual's Global Risks surety claims team for the U.S. Specialty East and Latin America Regions and works out of the Boston, Massachusetts office. John has a BA from Bates College in Lewiston, Maine and a JD from Suffolk University Law School in Boston, Massachusetts. Prior to joining Liberty 12 years ago, John was bond claim counsel for Hanover Insurance Group, in private practice at a firm specializing in construction litigation, and served as a law clerk to the justices of the Massachusetts Superior Court.



## **Stephani Miller, Liberty Mutual Surety**

Stephani Miller has over 30 years of claims experience and is celebrating 21 years with Liberty Mutual. Stephani graduated Summa Cum Laude from Washington State University in 2013 with a BA in Social Sciences. Her focus within the Commercial Claims Department is on both Probate and Fidelity matters. Outside of work Stephani enjoys spending time with family and friends, especially her two grandchildren. She also enjoys helping out at a local winery with crush, bottling, and the tasting room.

# SPEAKER BIOGRAPHIES



## **Brian C. Padove, Esq., Watt Tieder Hoffar & Fitzgerald, LLP**

Brian is an attorney in Watt Tieder's Chicago office. His focus areas are commercial litigation, construction law, and suretyship representing a wide variety of construction industry clients. He is experienced in contract drafting and negotiations, breach of contract claims, mechanic's liens, and claims involving delays. He also represents sureties in matters involving payment and performance bond claims on private & public projects, drafting and negotiating takeover agreements, and collateral and indemnity disputes.



## **Daniel D. Pentecost, Esq., Westfield Group**

Daniel D. Pentecost is Surety Claims Counsel with the Westfield Group in Westfield Center, Ohio. At this role for 10+ years, Daniel manages complex surety claims and contract performance defaults in several jurisdictions. Daniel earned his undergraduate degree from Ohio University and his J.D. from Cleveland-Marshall College of Law. He has been licensed to practice law in the State of Ohio since 2007.



## **Jeffrey S. Price, Manier & Herod, P.C.**

Jeffrey S. Price served as Manier & Herod's Managing Partner and Chairman of the Executive Committee from 2014 through 2020. His practice focuses on areas of fidelity law, surety law, cyber risk and liability insurance coverage, D&O and E&O insurance and commercial litigation. Mr. Price served as past Chair of the Fidelity & Surety Law Committee of the American Bar Association (2021-22). In 2022, he was elected to the Section Council for the Tort Trial and Insurance Practice Section of the ABA and is serving a three year term in that capacity (2022-2025). Mr. Price is admitted to practice in all the courts of North Carolina and Tennessee as well as a number of federal courts and courts of appeal throughout the United States. With the assistance of other members of the firm who are admitted in other jurisdictions, Mr. Price is able to provide support and representation to his clients in jurisdictions throughout the United States.



## **Edward Rubacha, Esq., Jennings Haug Keleher McLeod LLP**

Edward joined Jennings Haug Keleher McLeod in 1987 and became partner in 1996. He represents clients in a range of construction and commercial litigation matters, including doing business with Indian tribes and tribal entities on and off the reservation. His trial and litigation experience includes matters specific to the construction and surety industries and general commercial business disputes. He graduated from Purdue University and Arizona State University and has earned the AV Preeminent Rating with Martindale Hubbell®.

# SPEAKER BIOGRAPHIES



## **Adrienne Shivers, MBA, M.S., CPCU, AFSB, Liberty Mutual Surety**

Adrienne Shivers, MBA, M.S., CPCU, AFSB, is a Home Office Underwriter for Liberty Mutual Surety within the Small and Medium-sized Enterprise Commercial product segment. Mrs. Shivers joined Liberty Mutual Surety in 2014. In 2018, she advanced into her current Home Office role and is responsible for underwriting all product lines within Commercial Surety and managing the Fidelity Product Line. Prior to joining Liberty Mutual Surety, Adrienne was a member of the Indiana Army National Guard, serving six years and completing one deployment tour in Afghanistan.



## **Jarrod W. Stone, Manier & Herod, P.C.**

Jarrod Stone is a Shareholder with Manier & Herod, where he practices in the areas of surety law, fidelity law, construction law, insurance law, and general commercial law. In addition to being heavily involved in litigation, Jarrod also represents sureties in distressed contractor transactions and workouts, intercreditor transactions, surety credit facilities, bankruptcies, performance bond defaults, payment bond claims, and virtually every aspect of surety law. Jarrod is licensed to practice in Tennessee, Kentucky, and Ohio and is admitted to various federal courts throughout the country. Mr. Stone is also a frequent author and presenter on topics related to surety, fidelity, and insurance coverage law. He Co-Chaired the Surety Program at the ABA Fidelity and Surety Law Committee's Midwinter Meeting held in New York in January 2016. He also often conducts in-house seminars and CE presentations for his clients.



## **Genise W. Teich, Liberty Mutual Surety**

Genise is a Senior Surety Claims Counsel with Liberty Mutual Insurance Company for six years and has over 30 years of experience in surety law, handling complex contract and commercial claims as well as fidelity claims. She was previously a Senior Managing Claims Counsel at International Fidelity Insurance Company. Genise graduated with an AB degree in Molecular Biology from Brandeis University and Juris Doctor from Boston University School of Law. She is licensed to practice law in New Jersey, New York, Massachusetts, and Florida. She has made numerous presentations in surety and fidelity law and co-authored a chapter of the Second Edition of The Law of Performance Bonds, published by the ABA, Tort and Insurance Practice Section.



## **Justin Wear, Manier & Herod, P.C.**

Justin Wear is a Partner with Manier & Herod and serves as a Co-Chair of the firm's Surety & Fidelity Practice Group. His practice focuses on areas of fidelity law, surety law, cyber risk and liability insurance coverage, D&O and E&O insurance, and commercial litigation. Mr. Wear received his bachelor of arts, magna cum laude, from the University of the South in Sewanee, Tennessee. He received his Juris Doctor, summa cum laude and Order of the Coif, from the University of Tennessee College of Law. During law school, Mr. Wear was a member of and published contributor to the Tennessee Law Review. Justin is admitted to practice in all the courts of Tennessee and Arkansas.

# SPEAKER BIOGRAPHIES



## **Christy Zabek, Amerisure Surety**

Christy Zabek became Amerisure Surety's Assistant Vice President of Surety Claims in 2023. Amerisure Surety, headquartered in Michigan, was established and started issuing bonds in the spring of 2022. Christy started her career in surety claims at The Guarantee Company of North America USA in 2012. There, she handled payment bond claims, commercial claims, and performance claims. Through her tenure at The Guarantee, she handled large scale program default losses with one such loss involving over thirty defaulted projects. While handling performance bond claims as well as the indemnity enforcement that goes hand in hand with them, Christy also dealt with various bankruptcies. Christy attended Bowling Green State University for her undergraduate degree where she played soccer and Michigan State University for Law School. She is currently licensed in the state of Michigan. Christy has two boys, Logan (age 9) and Jesse (age 7).

**Thank you for attending this year's  
Midwest Surety & Construction Claims Conference:**  
*Staying in the Loop on Indemnity, Fidelity, and Commercial Surety*