



**ALFA International**  
THE GLOBAL LEGAL NETWORK

**CONSTRUCTION PRACTICE GROUP  
REGIONAL SEMINAR**



**New York, NY | November 14, 2024**

# SEMINAR PROGRAM SCHEDULE

## Thursday, November 14, 2024

### Program at Lester Schwab Katz & Dwyer, LLP Offices

100 Wall Street, 27th Floor | New York, New York

**1:30 P.M. – 2:00 P.M.**

**REGISTRATION**

**2:00 P.M. – 2:05 P.M.**

**WELCOME AND OPENING REMARKS**

*Speakers:*

**Chris Mueller**, *Construction Practice Group Chair*, TAYLOR, DAY, GRIMM & BOYD, Jacksonville, FL

**John Watt**, *Construction Practice Group Vice-Chair/Marketing Chair*, BAKER STERCHI COWDEN & RICE L.L.C., Kansas City, MO

**Alfredo Alvarado**, *Host Firm*, LESTER SCHWAB KATZ & DWYER, LLP, New York, NY

**2:05 P.M. – 2:55 P.M.**

**DEFENDING AGAINST AND ROOTING OUT FRAUD IN CONSTRUCTION ACCIDENTS**

*Speakers:*

**Alfredo Alvarado**, *Moderator*, LESTER SCHWAB KATZ & DWYER, LLP, New York, NY

**Derrick Mullen**, *Vice President*, SENECA INSURANCE COMPANY, INC., New York, NY

The recent RICO lawsuits filed against healthcare providers and law firms in federal court in New York have exposed fraud that has existed and currently exists in accidents. The panel will discuss different methods to utilize during discovery to uncover and defend against potential fraud in construction site accidents to minimize exposure to insurers and clients.

**2:55 P.M. – 3:10 P.M.**

**BREAK**

# SEMINAR PROGRAM SCHEDULE

3:10 P.M. – 4:00 P.M.

## INVESTIGATING POTENTIAL INSURANCE FRAUD IN CONSTRUCTION SITE ACCIDENTS

### *Speakers:*

**Alfredo Alvarado**, *Moderator*, LESTER SCHWAB KATZ & DWYER, LLP, New York, NY

**Carlo Catuogno**, *Senior Vice President – Investigations and Risk Mitigation*, BEAU DIETL & ASSOCIATES, New York, NY

**Sean Lanigan**, *Vice-President – Insurance and Surveillance Investigations*, BEAU DIETL & ASSOCIATES, New York, NY

**Michael Ruggiero**, *President & COO*, BEAU DIETL & ASSOCIATES, New York, NY

The panel will discuss insurance investigations, specifically related to construction site accidents. The panel's investigative services have assisted thousands of adjusters and defense attorneys in gathering the relevant information to make well-informed decisions. In many cases, they find that fraud is involved. Some cases turn out to be the result of a lone bad actor, but increasingly, they are uncovering that fake claims are the work of orchestrated criminal schemes.

4:00 P.M. – 4:10 P.M.

## BREAK

4:10 P.M. – 4:55 P.M.

## EVERYTHING YOU EVER WANTED TO KNOW ABOUT NY CONTRACTUAL INDEMNITY (BUT NEVER THOUGHT TO ASK)

### *Speaker:*

**Jonathan Glasser**, *Host Firm*, LESTER SCHWAB KATZ & DWYER, LLP, New York, NY

This session will be on the proper approach to the interpretation of the key contract language "arising out of" vs. a negligence trigger, insurance coverage for the contractual liability, priority of payment ("pass-through"), comparisons/contrasts with common law indemnity and contribution, and the impact of anti-indemnity statutes in the context of New York's Labor Law.

4:55 P.M. – 5:00 P.M.

## CLOSING REMARKS

### *Speakers:*

**Chris Mueller**, *Construction Practice Group Chair*, TAYLOR, DAY, GRIMM & BOYD, Jacksonville, FL

**John Watt**, *Construction Practice Group Vice-Chair/Marketing Chair*, BAKER STERCHI COWDEN & RICE L.L.C., Kansas City, MO

**Alfredo Alvarado**, *Host Firm*, LESTER SCHWAB KATZ & DWYER, LLP, New York, NY

5:00 P.M.

## SOCIAL EVENT AT HIDE ROOFTOP

# S O C I A L   E V E N T



## Cocktails & Dinner

### Hide Rooftop

Artezen Hotel Lobby Entrance | 24 John Street, 20th Floor

5:00 - 8:00 P.M.

# SPEAKERS



**ALFREDO ALVARADO** is a partner at Lester Schwab Katz & Dwyer, LLP, the ALFA International member firm in New York, New York. Alfredo concentrates on complex cases, product liability, professional liability, construction/labor law cases, general liability, and motor carrier and automobile liability. He has 26 years of extensive experience in the representation of companies and individuals in high-exposure cases in both State and Federal Courts in New York and New Jersey. He has lectured extensively on trial preparation, defending traumatic brain injury cases, Frye and Daubert standards in New York, the role of excess monitoring counsel, defending Labor Law Claims, and jury selection.



**CARLO CATUOGNO** is the Senior Vice President of Investigations and Risk Management at Beau Dietl & Associates (BDA). Carlo has worked at BDA since 2018 and has been in his current role since 2021. Carlo works with corporate and legal clients facing unique challenges regarding due diligence, litigation support, complex fraud, safety, security and their overall risk profile. He manages a team of analysts, investigators, researchers, and consultants conducting high-level, critical, complex civil, and criminal investigations including death investigations, violent crimes, theft, extortion, corruption, fraud, crisis management, as well as foreign and domestic threat assessments.



**JONATHAN GLASSER** is a partner at Lester Schwab Katz & Dwyer, LLP, the ALFA International member firm in New York, New York. Jonathan provides legal services to major commercial general liability carriers nationally. He represents major and mid-sized commercial general liability carriers in numerous insurance disputes and coverage actions, litigating on behalf of and providing advisory opinions to those carriers in connection with complex risks and disputes in various courts. He has extensive experience representing carriers in matters involving commercial general liability risks, including prosecuting and defending declaratory judgment actions at the trial and appellate level. Jonathan also has experience litigating ERISA employee benefits disputes and life insurance claims. Jonathan specializes in and aggressively employs alternative dispute resolution methods, including mediation, to successfully resolve complex insurance matters.



**SEAN LANIGAN** is the Director of Insurance and Surveillance Investigations at Beau Dietl & Associates (BDA). Sean has worked for BDA for over 25 years and became head of the Insurance Investigations division in 2013. Sean oversees a team of highly skilled field surveillance operatives that delivers exceptional results, saving our clients millions of dollars annually. BDA's Insurance Investigation division services a host of major carriers, TPAs, self-insured entities and Defense firms to controvert fraudulent claims.

# SPEAKERS



**CHRIS MUELLER** is a shareholder with Taylor, Day, Grimm & Boyd, the ALFA International member firm in Jacksonville, Florida, and is Board Certified as a specialist in construction law by the Florida Bar. His practice primarily includes the representation of developers, general contractors, subcontractors, designers and material suppliers in a variety of construction disputes. He also represents insurance carriers on coverage matters and has litigated commercial and personal injury disputes throughout his career. Chris is AV-rated by Martindale-Hubbell, has been honored by *Super Lawyers* magazine and *U.S. News Best Lawyers in America* in construction law, is a fellow of the Construction Lawyers Society of America and is a frequent writer and lecturer on construction law topics. Chris serves as a mayoral appointee on Jacksonville's Construction Trades Qualifying Board.



**DERRICK MULLEN** is Vice President and Litigation Manager with Seneca Insurance Company, Inc. and is responsible for handling complex and high-exposure litigated claims involving major coverage issues, coordinating mediation days, managing a plaintiff doctors' spreadsheet as well as managing defense and coverage law firms. Since 1991, he has also worked for Hartford Insurance Company and Crum & Forster Insurance Company as an Inside Claims Representative and an Auto Claims Supervisor. Derrick gained a Bachelor of Science degree in Computer Engineering at Gardner Webb University in Boiling Springs, North Carolina. In his current role, Derrick specializes in commercial general liability insurance claims, as well as first-party property litigation filed against the company. Derrick's success in this area is supported by excellent negotiation and communication skills, high claim technical ability, leadership, and organizational skills combined with a special interest in coverage, habitability, product defect as well as construction defect claims. Derrick also carries an insurance adjusting license in 17 states and has a designation as a Master Certified Special Arbitrator (MCSA) as well as a Certified Claims Professional (CCP) designation.



**MICHAEL RUGGIERO** is the President and Chief Operating Officer of Beau Dietl & Associates, bringing a wealth of experience from a prominent law enforcement career. His journey began as a correction officer in Sing Sing prison, where he earned a reputation in the infamous "B" Block. Quickly rising through the ranks, he became an investigator on the prestigious NYS Corrections Escape and Absconder unit. Transitioning to the NYPD, Mike served in various capacities, including roles as an officer, detective (in the original Violent Felony Squad), anti-crime sergeant, and detective sergeant squad commander. His dedication to law enforcement led to a notable career, marked by significant awards and achievements.

# SPEAKERS



**JOHN WATT** is a member of Baker Sterchi Cowden & Rice LLC, the ALFA International member firm in Kansas City, Missouri. John has extensive experience in defending businesses in multi-million-dollar litigation. His practice includes product liability defense, construction litigation and toxic torts. John has been the primary attorney for the defense of such litigation from filing the responsive pleading through jury trial. He has both taken and defended expert, corporate representative and fact witness deposition in hundreds of cases across the country. John has argued in front of the appellate courts for Missouri and Kansas on multiple occasions. He also has extensive experience in arbitrating and mediating matters to a successful conclusion for his clients. In the past year, he has prevailed in a jury and bench trial for construction surety clients. As an active member of the local bar, he provides pro bono legal services for indigent clients through the Volunteer Attorney Project.