

Marsh's Environmental Practice offers MCLE presentations on environmental insurance in California. If you are interested in such presentations for your firm in California or other states -- with or without MCLE approval -- please let us know.

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## Marsh Offers MCLE Presentations on Environmental Insurance

Marsh's Environmental Practice offers five MCLE presentations—approved for continuing legal education (CLE) credit by the State Bar of California—on issues surrounding today's environmental risk transfer marketplace. These presentations illustrate how environmental insurance is being utilized across the country to facilitate redevelopments, property transactions, construction projects, Superfund cleanups, guaranteed fixed-price remediation and liability buyouts.

Conveniently delivered at your office, the presentations are led by members of Marsh's Environmental Practice, comprised of specialists, many of whom are also lawyers, MBAs, geologists and engineers. Choose the module that most interests you and your practice, or schedule several sessions over a period of time to cover the complete curriculum. There is no charge for the presentations.

### Environmental Insurance Curriculum

#### 1. The Environmental Insurance/Risk Transfer Marketplace

This presentation provides an overview of the current vibrant and competitive environmental insurance marketplace. It reveals typical insurance-related requests from attorneys, common environmental policies and examples of their uses and benefits to clients. It covers emerging issues and trends such as natural resource damages (NRD), mold, vapor intrusion, guaranteed fixed-price contracting and specialty brownfields firms. It also touches on exclusions to be aware of when structuring coverage, and claims that have arisen on policies.

#### 2. Pollution Legal Liability (PLL): Facilitating Property Transactions and Providing Operational Coverage

This presentation discusses PLL coverage, from its use in covering properties, to Non-Owned Disposal Sites, transportation, NRD, and mold. Learn why many of our country's largest REITs and real estate firms carry PLL coverage. The discussion includes a coverage overview, policy wording and exclusions that insurers commonly seek to include, as well as suggestions for responding to them. The presentation provides examples of property transactions, redevelopments and mergers and acquisitions where PLL policies were used. It also includes examples of policies put in place to provide operational coverage from worldwide coverage of technology and chemical companies, to nationwide coverage for landfill companies/waste haulers.

#### 3. Cost Cap, Finite, Guaranteed Fixed-Price Remediation and Liability Buyouts—What is the Latest?

This presentation discusses cost cap policies and how they are being combined with other risk transfer structures, such as guaranteed fixed-price contracting, liability buyouts and blended finite policies. These structures are being used to facilitate real estate transactions and redevelopment projects and provide PRPs with solutions designed to address long-term environmental liabilities. The presentation includes a coverage overview, policy wording and claims examples. It also touches on structural considerations for guaranteed fixed-price remediation and liability buyouts, contractors offering these services, and case studies using these structures.

#### 4. Contractors' Pollution Liability (CPL): Condo Conversions, Infrastructure Projects, Construction & Mold

This presentation provides an overview of CPL and discusses how it can facilitate construction projects and real estate developments, as well as satisfy lender requirements. The presentation also

describes how CPL can be structured to protect the owner, developer and/or contractor(s) from specified environmental liabilities and how such structures might provide better coverage that reduces premium costs, finger-pointing and potential project delays. The presentation includes a coverage overview, examples of how CPL has been structured (including mold coverage) and pointers on key terms to consider when structuring coverage.

#### 5. Are These Policies Paying Claims?

Environmental policies have been touted as the answer to redevelopments and controlling environmental costs and risks. However, are these policies indeed paying claims? Marsh's experts will provide a brief overview of coverage, discuss the underwriting process and describe some of the claims that have grabbed media attention. They will also describe the types of claims that arise every day in redevelopment and operational coverage contexts. You will also learn tips on coverage terms that will assist you when negotiating insurance policies.

For more information about scheduling a session, please contact:

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Each module is approved for 1 to 1.25 (1 hour) MCLE credits.

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