



CARL WARREN & COMPANY
Claims Management and Solutions



CW Connects
July 2016

In this issue of Carl Warren Connects:

EMPLOYEE SPOTLIGHT

Meet Carl Warren's New Chief Operating Officer, Jeanette Hernandez



[Jeanette Hernandez](#) joined the Carl Warren team in April of this year as our Chief Operating Officer. Read more for a little background on Jeanette and her new position at Carl Warren....

How many years have you been in the industry?

I have been in the P&C industry for 22 years. I have had a great opportunity to work in different areas of the business such as sales/agency, claims, finance, and operations.

What are your responsibilities at Carl Warren?

My primary responsibility is to create operational consistency and efficiency for the organization by maximizing our people, process, and technology. While I address day-to-day operational issues, I am also responsible for creating a corporate strategy that allows us to execute on our corporate goals.

What do you enjoy most about working here?

I think that it is an exciting time to be at Carl Warren. We have a great workforce and with the ever changing industries that we service, I see opportunity for growth and new ways to add value to our clients. We have invested in and built a strong infrastructure through our IT, Sales, and adjusting teams.

What significant changes have you seen in the industry in the last year and what do you think lies ahead?

I have seen two areas of focus that have emerged; how to truly leverage the investment in technology and creating lean efficient processes within an organization. As a business partner, we must be aware of many challenges our clients face but as they strive to be competitive and profitable in their business, these two areas seem to be a focus across the board.

What do you like to do in your spare time?

I love to spend time with my family, golf, travel, and when time and weather allows, scuba dive.

AACE AWARD WINNER



We are excited to announce that Carl Warren has been selected by the ESOP Association as the winner of the 2016 Intranet - 250 or Fewer Employees Annual Award of Communications Excellence (AACE).

The AACE Award recognizes the outstanding communications and educational programs of its members. Carl Warren was selected as a result of the effectiveness of our intranet as both a resource and communication tool for our employee-owners.

Thank you to our ESOP Committee for compiling our submission! View the full press release [here](#).

A group of our employee-owners in Southern California are pictured above.

SAME-SEX MARRIAGE, OPEN CARRY, AND WEED

Session topic presented at the 2016 CLM Conference.

There has been profound changes in the law through Supreme Court decisions and a shift in public sentiment. In April, our CCO, Mark Bernstein, presented at the Claims and Litigation Management (CLM) Annual Conference in Orlando, Florida with J. Thaddeus Eckenrode, Managing Officer & Senior Trial Attorney at Eckenrode-Maupin, Jeffrey Eberhard, Managing Partner at Smith Freed & Eberhard, and Caryn Siebert, VP/Head of Claims at Knight Insurance Group about how new Same-Sex Marriage, Open Carry and Marijuana legal concepts can impact evaluations, case value, and defense strategies in the insurance industry. [Read more here.](#)



EMPLOYEE-OWNER VOLUNTEERS IN HAITI

Sandy Lione, a Senior Examiner in our Concord office, recently volunteered in Port-au-Prince, Haiti. The program, "What If", serves meals to 1,200 children 5 days a week and built a school that will be free to students and will teach children from K-12. Sandy was able to tour the school and also helped serve a meal.



"It was a privilege to visit and meet the children and the dedicated Haitians that make the program work"
- Lione.

Amazing work Sandy; your compassion & commitment is an inspiration to us all! More information can be found on What If? Foundation [here](#).

PRIMA 2016 OVERVIEW

Thank you to our clients and partners that stopped by and visited us at the Public Risk Management Association (PRIMA) annual conference in Atlanta last month. Over 1,000 public sector risk management professionals and exhibitors were in attendance.



Next year, the conference will take place on June 4th-7th in Phoenix, AZ.

Left to Right: John Aquillo, WC Account Executive, Brandon Schlenker, Director of Public Entity, Laura Osvald, Marketing Manager, and Richard McAbee, Chief Marketing Officer.

Up next...visit with us at the California Association of Joint Powers Authorities (CAJPA) conference in South Lake Tahoe, Sept. 13-16th.

PUBLIC ENTITY CLIENT UPDATE

In addition to renewing contracts with both the City of Elmhurst and Village of Schiller Park in Illinois, Carl Warren has added another excess pool to our client base. We are excited to announce that the Independent Cities Risk Management Authority (ICRMA) recently signed a contract with Carl Warren and we will be providing both liability and workers' compensation services.

ICRMA is comprised of 20 member cities located in the Los Angeles and Orange counties. Carl Warren has four offices located within these two counties. The members pool their resources under a JPA. We had a great 2nd quarter and are ramping up for the 2nd half of the year.

AN OUNCE OF PREVENTION:



How Water Parks, Health Clubs, and Activity Parks can protect themselves from liability for customer injuries.

A 2013 story in Consumers Digest reported that injuries derived from water park accidents had, since 2009, increased by 38%, even as water park attendance during the same time period had increased by only 3.8 %. Often, people injured at water parks, health clubs or activity parks sue on the ground that the activity or premises was not reasonably safe. The law does not hold the operator of a water park, health club, activity park or other recreational facility liable whenever a customer is

injured-the law does not impose absolute liability on the operator. The law requires only that the operator take reasonable measures to make an activity safe. The law recognizes that people who swim, splash, jump, exercise and climb risk strains, broken bones, heart attacks, and even death-and that some risks of injury can't be eliminated by reasonable measures. But the operator is required by law to take **reasonable** steps to reduce the risk of injury.

What reasonable steps can the operator of a water park, health club or activity park take to avoid or reduce the risk of injury to its customers? What are the "look bad" issues - those things that will appear careless or unreasonable in the harsh light of a courtroom? What "looks good?" What are those actions that will demonstrate to a jury that the operator cares about injury to its customers, has taken reasonable steps to avoid or minimize the risk of injury, and should not be blamed when a customer is injured? From my experience representing operators of recreational facilities in personal injury lawsuits, I recommend the following:

1. Written procedures for the safe operation of equipment and customer activities, and a formal program to train staff in those procedures;
2. Monitoring staff to ensure that they are following those procedures;
3. Preparing a written record of customer injuries-who, what, where, when and how;
4. Having customers sign liability waivers, written in language that the typical customer will understand

Accidents happen, and their unwelcome partners are often lawsuits. Most jurors are fair; while they feel sorry for an injured person, they are less inclined to decide a case against a recreational facility if they believe that the facility took reasonable steps to avoid or reduce the risk of injury-the average person recognizes that risk is part of life. Every water park, activity park and health club should take reasonable steps to avoid customer injury and liability through training, monitoring and preservation of evidence. [Read more here.](#)

Article courtesy of David M. Kupfer, is an attorney and a member of Carroll McNulty & Kull LLC, a 100 lawyer firm with offices in New York, New Jersey, Philadelphia, Chicago, and Austin. (www.cmk.com). David has over 35 years of experience in trial and litigation practice, arbitrations and mediations in state and federal courts all over the country. Among his several practice areas, David advises activity parks, amusement operators, recreational facilities and fitness clubs on liability exposures and represents them in personal injury, administrative and regulatory matters.

Fun facts and precautionary measures

The Summer Olympics are quickly approaching - they will take place in Rio from August 5th-21st. There will be 42 Olympic sports and 306 events over the course of 19 days of competition. These events will yield 136 medals for women, 161 for men, and 9 mixed medals.

Did you know this will be the first time in Olympic history that a South American country has hosted the Games? Also, after a 112-year absence, Golf will return to the Olympics after the International Olympic Committee (IOC) decided to reinstate the sport. Find out more fun facts about this year's Olympics in Rio 2016 [here](#).

As more than 600,000 people prepare to travel to Rio, Zika virus fears are growing among athletes & spectators.



The outbreak of the mosquito-borne Zika virus has been linked to a birth defect known as microcephaly, which gives babies abnormally small heads and underdeveloped brains.

If anyone is traveling to the Olympic in Brazil, please keep up to date on the risks posed by the Zika virus. Prevent mosquito bites by wearing long sleeved clothes and using insect repellent with at least 50% Deet - most importantly don't forget to reapply.



Stay Connected

Carl Warren is an employee-owned Third Party Administrator with 70+ years of experience. We have offices nationwide and specialize in liability, workers' compensation, and property claims management and subrogation services.

Contact us to find out more:

Tel: (888) 858-2807

[Email](#)

