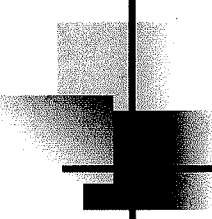


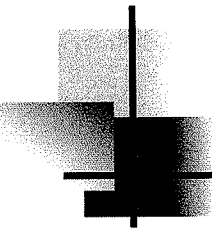
SUBCONTRACTOR ACTIVITIES IN CD CASES

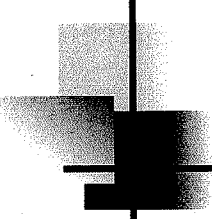


Procedures for Subcontractor Counsel to Pursue in Evaluating and Defending Claims against their Subcontractor Clients

- Introduction.
- Critical issues to raise when interviewing your client:
 - a. Status and form of the client's business.
 - b. Your client's scope of work and recall about the job.
 - c. Claims and document analysis.
 - a. Contracts and subcontracts
 - b. Indemnity agreements
 - c. Project files

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- Insurance tenders and additional insured requirements
 1. Tender to other carriers.
 2. Additional insured endorsements.
 3. Coverage and the Aas decision.
 4. Calderon negotiations before suit is filed.

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1. Investigating plaintiff's statement of claims and destructive testing
 2. What are the assumptions and extrapolations?
 3. Hiring expert consultants: Who do you represent?
 4. Scope of investigation.
 - a. Proactive vs. reactive.
 - b. Destructive vs. nondestructive testing.
 - c. Merits of written vs. oral reports.
 - d. Financial responsibility for the investigaton.

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- Working with other parties: Who are your allies and your enemies?
 - Joint expert meetings to achieve an agreed upon scope of repair.
 - Bid and allocation meeting.
 - Settlement conferences and mediations / resolutions tactics.