

# Agenda

<b>Managing Risk in the Practice of Engineering</b> Identifying engineering risks Reviewing consequences of potential risks Understanding principles of risk management Complying with professional and ethical standards Identifying strategies to minimize engineering risk and maximize positive results	<i>G. Quesada</i>
<b>Understanding How Contracts Can Shift, Reduce or Increase Risk</b> An overview of contract law and key concepts Understanding contract formation and revision Recognizing liability exposure under contract Reviewing standard contract provisions and understanding their impact on risk <ul style="list-style-type: none"><li>• Guarantees, warranties and indemnities</li></ul> Understanding consequences for delay, disruption, nonperformance, inadequate performance Using contract terms to manage risk	<i>C. Kraatz</i>
<b>Law of Engineering Malpractice</b> Reviewing the grounds for professional liability claims Identifying who can bring a claim Examining common sources of professional liability claims Reviewing defenses to liability claims Determining damages Participating in dispute resolution: arbitration, mediation, litigation Obtaining Insurance coverage for professional liability claims	<i>S. Stoner</i>
<b>Reducing Risk for Yourself, Your Company and Your Clients</b> Negotiating fair and understandable contract terms Maintaining adequate documentation Implementing document retention policies and procedures Utilizing forms and standard documents Communicating with clients and other parties Implementing quality control practices Using alternative dispute resolution procedures	<i>J. Twigg</i>
<b>Managing Risk with General Liability and Professional Liability Insurance Coverage</b> Coverage provided by general liability vs. professional liability policies Certificates of insurance and additional insureds Indemnities Insurance availability Insurance policies Warranties, guarantees and certifications Recognizing and responding to design professional claims	<i>E. Moore</i>

## Managing Engineering Liability and Risk in Michigan

Live, Interactive Webinar - Wednesday, August 11, 2021

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PO Box 278  
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## Learning Objectives

### You'll be able to:

- Learn** common sources of professional liability claims, and identify standard defenses to liability.
- Participate** in dispute resolution, including arbitration, mediation, and litigation.
- Examine** how contract terms on risk, including guarantees, warranties, and indemnities.
- Explore** coverage provided by general liability and professional liability insurance policies.
- Review** strategies to minimize engineering risk and maximize positive results.



## HalfMoon Education Online Learning Managing Engineering Liability and Risk in Michigan

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- Review** the principles of risk management
- Examine** how contracts can shift, reduce, or increase risk
- Discuss** engineering malpractice law
- Identify** strategies for reducing risk for yourself, your company, and your clients
- Manage** risk with general and professional liability insurance coverage

### Continuing Education Credits

This webinar offers 6.5 continuing education hours to Michigan professional engineers.



# Faculty

**Gary D. Quesada, J.D.** is a partner at Cavanaugh & Quesada PLC. He has been practicing law since 1993 and is admitted to all Michigan Courts and the U.S. District Courts of Michigan. His practice has been concentrated in the design and construction industries. He has represented architects, engineers, contractors, suppliers, private construction owners, and public entities in business and construction law matters, contract, construction and property disputes, construction lien and bond claims and defense, professional malpractice, copyright, insurance claims and defense and government affairs. Mr. Quesada has been named an honorary affiliate member of the AIA, and he was named one of Metro Detroit's Top Lawyers by *DBusiness Magazine*. Mr. Quesada is also an arbitrator on the AAA panel.

**Carina M. Kraatz** is a principal at Kitch, Drutchas, Wagner, Valitutti & Sherbrook, P.C.'s Detroit office. She focuses her practice on commercial and construction litigation as well as intellectual property and bankruptcy issues. Ms. Kraatz's intellectual property practice includes patent and trademark prosecution and litigation on a variety of issues including image misappropriation and infringement. She received her J.D. degree from the University of Detroit Mercy School of Law and her LL.B degree from the University of Windsor Faculty of Law in Ontario, Canada. Ms. Kraatz is admitted to the U.S. District Courts of Eastern and Western Michigan as well as being registered to practice before the United States Patent and Trademark Office. Ms. Kraatz was named a Rising Star in 2019 and 2020 by Super Lawyers. In 2019, Ms. Kraatz received a Pro Bono Award from the United States Bankruptcy Court for the Eastern District of Michigan.

**Scott D. Stoner** is an attorney at Starr, Butler, Alexopoulos & Stoner, PLLC. Mr. Stoner has successfully defended claims against design professionals for design defects, tortious interference, failure to inspect, and damages for delay, and he has handled contractor claims and surety and lien claims. In addition, he frequently represents shareholders in various business disputes, including breach of fiduciary duty, fraud, and usurpation of corporate opportunity. Mr. Stoner has successfully tried cases in both state and federal courts. His contributions to the legal profession are not limited to the courtroom. He has lectured extensively on various risk management issues for design professionals on areas such as contract drafting, project documentation, claims handling, and other issues that typically arise during the course of a construction project. Mr. Stoner earned his Bachelor of Arts degrees in Economics and Political Science from Indiana University and his Juris Doctorate degree from the University of Toledo College of Law.

**Justin J. Twigg** is a litigation attorney with the Detroit office of O'Hagan Meyer, LLC with a wealth of experience in complex litigation stemming from over a decade and a half of practice split between Australia and the United States, representing a broad range of clients from small businesses to large multinationals. He has litigated and successfully resolved complex construction disputes and other litigation involving the defense of design professionals. In addition to his litigation practice, Mr. Twigg has extensive experience in assisting design professionals in the review and negotiation of service agreements with a particular focus on risk management and professional liability issues.

**Eric A. Moore, CIC, LIC** is vice president of Moore Insurance Services in Hillsdale, Michigan, and he has been active in the insurance industry since 1986. Mr. Moore is a certified insurance counselor and a licensed insurance counselor (both since 1991) with the State of Michigan. He is the current president of a/e ProNet, a national organization of insurance agents and brokers that specializes in providing insurance and risk management services to the design professional community (architects, engineers, surveyors and environmental consultants).

# Webinar Information

Log into Webinar 8:00 - 8:30 am EDT	Break 11:45 am - 12:45 pm EDT
Morning Session 8:30 - 11:45 am EDT	Afternoon Session 12:45 - 4:30 pm EDT

**Tuition**  
**\$289** for individual registration  
**\$199** for three or more registrants from the same company at the same time.  
**Included with your registration:** *PDF seminar manual.*

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- Visit us online at [www.halfmoonseminars.org](http://www.halfmoonseminars.org)
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**Cancellations:** Cancel at least 48 hours before the start of the webinar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another webinar or the self-study package. You may also authorize another person to take your place.

**Continuing Education Credit Information**  
This webinar is open to the public and offers 6.5 continuing education hours to professional engineers licensed in Michigan. Educators and courses are not subject to preapproval in Michigan.  
  
Completion certificates will be awarded to participants who complete this event, respond to prompts, and earn a passing score (80%) on the quiz that follows the presentation (multiple attempts allowed).

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Recordings of this webinar are available for purchase. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

# Additional Learning

**Universal Residential Design**  
- Thurs, July 15, 2021 | 8:30 am - 4:30 pm CDT

**The NEW 2021 Minimum Standards for ALTA/NSPS Land Title Surveys**  
- Mon, July 19, 2021 | 9:00 am - 12:15 pm CDT

**Managing Construction with AIA Document A201: General Conditions**  
- Tues, July 20, 2021 | 8:30 am - 4:00 pm CDT

**Deep Excavations**  
- Wed, July 21, 2021 | 8:30 am - 4:30 pm CDT

**Providing Floodplain Services**  
- Wed, July 21, 2021 | 11:00 am - 2:30 pm CDT

**High-Performance Building Envelopes**  
- Wed, July 21, 2021 | 11:00 am - 2:45 pm CDT  
- Thurs, July 22, 2021 | 11:00 am - 2:45 pm CDT

**Technical Writing Workshop for Design Professionals**  
- Fri, July 23, 2021 | 8:30 am - 5:00 pm CDT

**Site Design**  
- Mon, July 26, 2021 | 8:30 am - 5:00 pm CDT

For more information and other online learning opportunities visit:  
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# Registration

**Managing Engineering Liability and Risk in Michigan**  
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How to Register		Registrant Information
<b>Online:</b> <a href="http://www.halfmoonseminars.org">www.halfmoonseminars.org</a>		Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip: _____ Occupation: _____ Email: _____ Phone: _____
<b>Phone:</b> 715-835-5900	<b>Code:</b>	<b>Additional Registrants:</b> Name: _____ Occupation: _____ Email: _____ Phone: _____  Name: _____ Occupation: _____ Email: _____ Phone: _____
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<b>Complete the entire form.</b> Attach duplicates if necessary.		
		Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.
		( )  I need special accommodations. Please contact me.

**Tuition**

( ) **I will be attending the live webinar.** Single Registrant - **\$289.00**. Three or more registrants from the same company registering at the same time - **\$199.00** each.

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☐ Streamable MP4 Video/PDF Manual for **\$299.00**.

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