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## Designing and Drafting Insurance Settlements and Releases

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November 8, 2022  
Strafford Webinars

### *Covered and Non-Covered Claims, Multiple Defendants, Overbroad Language*

A live 90-minute CLE video webinar with interactive Q&A

[Click here to register for this webinar.](#)

#### Date & Time

**Tuesday, November 8, 2022 | 1:00pm-2:30pm EST,  
10:00am-11:30am PST**

*Early Registration Discount Deadline, Friday, October 21, 2022*

This CLE webinar will review the best strategies for drafting insurance settlements, focusing on releases. The panel will discuss issues that arise with covered and non-covered claims, multiple defendants, problematic language that can sabotage the parties' expectations and forfeit future rights, and how to avoid over and under inclusive language that can have unintended consequences.

#### Description

A party paying under a settlement expects closure; therefore, the release is a critical component of most settlement agreements and requires careful forethought and skillful drafting. **Both underinclusive and overinclusive liability releases may substantially handicap future legal rights** against contract parties or third parties. Confidentiality and hold harmless provisions can create serious complications.

There is danger in assuming, without further analysis, that customary language is appropriate. Getting or giving the broadest release possible is not always the best course. **A complex case involving several parties increases the difficulty of defining and understanding the scope of the release**, and who is giving and getting it. Parties have unknowingly waived claims against third parties by releasing an insurer even if those claims were unrelated to litigation.

Listen as this experienced panel offers the best strategies for drafting and analyzing insurance settlement releases.

#### Speaker

**Jay Levin**, Shareholder, Flaster Greenberg

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## Outline

1. Purposes of releases
2. Elements of a strong release
3. Pitfalls of overly broad releases
4. Addressing unknown claims or claimants

## Benefits

The panel will review these and other key issues:

- How can policyholders preserve rights to seek supplemental benefits under a policy?
- Is there a legal basis in the insurance contract for an insurance carrier to demand a release from the policyholder?
- What is the best way to protect rights against third parties?

## **ATTORNEYS MENTIONED**

Jay Levin