



## PROFESSIONAL RESUME

OF

**STANLEY L. LIPSHULTZ, J.D., CPCU**

6600 Struttman Lane, North Bethesda, Maryland 20852

### EMPLOYMENT

**July 1999 - Present**

**Stanley L. Lipshultz, J.D. CPCU**

Mr. Lipshultz maintains a consulting practice serving as an expert witness and litigation consultant in disputes involving agents' and brokers' errors and omissions, claims handling, bad faith, coverage issues and related customs and practices in property and casualty insurance. Mr. Lipshultz is an instructor for the Maryland and District of Columbia Independent Insurance Agents as well as the CPCU Society. He served as a consultant to the Maryland Insurance Administration from 2004 through 2008. As part of his consulting practice, Mr. Lipshultz serves as a mediator and arbitrator in insurance related matters.

**1972 - July 1999**

**Law Firm of Lipshultz and Hone Chartered, Silver Spring, Maryland.**

**Partner**

At Lipshultz and Hone, a firm in which he is one of four founding partners, Mr. Lipshultz initially concentrated his energies in the defense of products liability and warranty claims, property and casualty claims and insurance coverage litigation. He was called upon to conduct examinations under oath on behalf of various insurers as well as represent insurers in direct suits brought against them involving various aspects of coverage. Mr. Lipshultz began representing insurance agents and brokers and real estate agents in 1978 and developed a substantial trial practice focused on professional liability and coverage issues.

**1971 - 1972**

**Friedman & Lipshultz, Bethesda, Maryland**

**Associate**

Mr. Lipshultz began his legal career as an associate in a small trial firm in Chevy Chase, Maryland. He focused primarily on the defense of personal injury and products liability claims. Mr. Lipshultz was called upon to use his skills acquired as an insurance claims adjuster in the handling of all types of claims and lawsuits involving personal injury, property damage, commercial and personal property losses as well as subrogation and collection on behalf of various insurers.

**1970 - 1971**

**Federal National Mortgage Association, Washington, D.C.**

**Government Loan Specialist**

While a Government Loan Specialist for the Federal National Mortgage Association, Mr. Lipshultz was primarily responsible for writing, editing and updating the guidelines used by the mortgage community to do business with FNMA. These included the Seller's Guide, the Servicing Guide and the Seller/Servicer Guides. Mr. Lipshultz also assisted with the twice monthly auction of funds (the "Free Market System Auction"), where large institutional mortgagees sold mortgages to FNMA.

**1968 - 1970**

**Insurance Company of North America, Washington, D.C. Service Office.**

**Claims Representative, Liability Supervisor**

Mr. Lipshultz began his insurance career with the Insurance Company of North America as a multiple lines outside staff claims adjuster. His responsibilities included the handling of all types of claims, including property, casualty, worker's compensation, bonds, accident and health. Mr. Lipshultz conducted investigations of liability claims including accident scene investigations, interviewing witnesses and taking statements, evaluating claims, negotiating settlements with claimants and their attorneys, subrogation and attending trials. Mr. Lipshultz also handled first party property losses under business commercial and homeowner's policies. As a Liability Supervisor, Mr. Lipshultz assigned and supervised all types of third party liability claims including claims in litigation. He was also responsible for reviewing and assigning claims to staff as well as independent adjusters.

**EDUCATION**

**Juris Doctor, Washington College of Law, The American University, Washington, D.C., 1970.**

**A.B., Political Science, Washington University, St. Louis, Missouri, 1967.**

**Bonds, Liens & Insurance, Certificate, University of Baltimore School of Law, September 1978.**

**Construction Scheduling & Cost Control, Certificate, Pepperdine University, April 1984.**

**Risk Management, Touro College, Certificate, October 1984.**

**PROFESSIONAL DESIGNATIONS**

**Chartered Property Casualty Underwriter (CPCU), American Institute for Property and Liability Underwriters, 1989. National Offices as a member of the CPCU Society: Member, Consultant, Litigation, and Expert Witness Governing Committee (CLEW), 1993-2002, 2008 -2011; CLEW Section Newsletter Editor, 1995 - 1999; CLEW Committee Chairman, 1999 -2002; Member, National Board of Governors, 2002-2005; Member, Executive Committee, 2004 -2005; Member, Audit Committee, 2004-2005; Chairman, Diversity Committee, 2005 -2008.**

**PROFESSIONAL LICENSES**

**Certificate of Qualification issued by the Maryland Insurance Administration, Qualified as a Resident Producer Individual for Property, Casualty and Automobile.**

**BAR ADMISSIONS**

State of Maryland, 1971; District of Columbia, 1971; United States Supreme Court, 1975; District of Columbia Court of Appeals (1972); United States Court of Appeals for the District of Columbia Circuit, 1972; United States District Court for the District of Maryland (1972); Fourth Circuit, 1976; Sixth Circuit, 1987.

**BAR ASSOCIATIONS**

District of Columbia Bar

Maryland State and Montgomery County Bar Associations

American Bar Association, (Member, Tort and Insurance Practice Section; Litigation Section, Co-Chairman, 1991 Mid Year Meeting; Co-Chairman of Insurance Coverage Litigation Subcommittee, Errors and Omissions, (1989 -1991)

**PROFESSIONAL ASSOCIATIONS**

Society of CPCU, Washington, D.C. Chapter, 1989-; (Vice-president/President, 2000-2001; President-Elect, 2001-2002; President, 2002-2003)

American Association of Insurance Management Consultants (AAIMCo) (2013 -)

Society of Insurance Trainers and Educators (SITE) (2004-2016)

Defense Research Institute (Member, Insurance Law Committee) (1988-1999)

Maryland Association of Defense Trial Counsel (1988-1999)

**TEACHING EXPERIENCE**

Member, Foundations Courses Subcommittee II, CPCU Advisory Committee, American Institute for CPCU, Malvern, Pennsylvania (2004 - 2009).

Basic and Advanced Errors and Omissions Loss Control Seminar, Independent Insurance Agents of Maryland (1993 - 2002); *Best Practices of Errors and Omissions Loss Control*, Independent Insurance Agents of Maryland, Metropolitan Washington Independent Insurance Agents (2002-2007); *A Practical Guide to Agency Errors and Omissions Risk Management*, (2007 - 2012); *E&O Risk Management: Meeting the Challenge of Change*, (2013-) *E&O Risk Management: Meeting the Challenge of Change, Parts I and II* (2020-); *Agency Errors and Omissions*, ACSR 4 (2018 -).

CPCU 6: *The Legal Environment of Insurance*, District of Columbia Chapter of CPCU (1992-2001), CPCU 530: *The Legal Environment of Risk Management and Insurance* (2002-2005); CPCU 520: *Insurance Operations, Regulation, and Statutory Accounting* (2005); INS 22: *Personal Insurance*

(2001); AIC 36: *Liability Claim Practices* (2001); *Multiple Lines Insurance Production: Commercial Liability Insurance* (AAI Segment A) 2006.

*Certificates of Insurance: Contractual Liability and Additional Insured Issues*, Independent Insurance Agents and Brokers of Maryland, (2008- ); *Insurance Ethics*, Independent Insurance Agents and Brokers of Maryland, (2009- ).

*Professional Liability: Working Through the Policies*, CPCU Society Center for Leadership (2009-2010). *Ethics, Privacy and Compliance*, Independent Insurance Agents of Maryland, (1999 - 2001); *Commercial Liability Insurance* (2005); *Maryland Agent Market Conduct* (2004)

### AWARDS AND HONORS

Biogropee, *Who's Who* 2022; 15<sup>th</sup> Edition, *Marquis Millennium Magazine*

George M. Gottheimer Memorial Award *For Outstanding Contributions to Insurance Education*, now known as the Gottheimer – Malecki Award, CPCU Society and the Consulting, Litigation and Expert Witness Interest Group of the CPCU Society, August 2009

Biogropee, *Who's Who in American Law*, First Edition

Standard Setter Award, CPCU Society, January 1998.

President's Education Award, Independent Insurance Agents of Maryland, 1995.

Rated AV Preeminent®:  October 1991. The highest peer rating standard. This rating signifies that the lawyer's reviewed peers rank him at the highest level of professional excellence for his legal knowledge, communication skills and ethical standards.

### PUBLICATIONS

*Determining Bad Faith in Claims Handling Litigation: An All-Inclusive Approach, Insights, A Professional Journal* by the CPCU Society, Summer 2023.

*Perspectives on the Special Relationship: Wakefern, Tiara and Voss*. IRMI *Insurance Law Essentials, Deep Dives*, August 2020.

*Commingle and the Insurance Professional*, Maryland Messenger, Independent Insurance Agents of Maryland, 2017 July/August.

*Independent Insurance Agents Duties in Maryland*, Maryland Messenger, Independent Insurance Agents of Maryland, Inc., 2016 November/December.

“When a Special Agent-Insured Relationship Imposes a Heightened Legal Duty” IRMI, *The Risk Report*, Vol. XXXVII, No. 8, April 2015.

*The Special Relationship and the Insurance Producer*, CPCU eJournal, June 2012.

***What Makes the "Special Relationship" So Special? Coverage, Litigators, Educators & Witness Interest Group Vol. 18, No. 2, October 2011.***

***Document, Record, Detail and Authenticate! The Maryland Messenger, Independent Agents of Maryland, Inc., July/August 2011.***

***Certificates of Insurance: Is the Playing Field Level? The Maryland Messenger, Independent Insurance Agents of Maryland, Inc., January/February 2009.***

***Agency Company Relations: A Changing Environment? Consulting, Litigation and Expert Witness Section Quarterly, Vol. 8, No.3, August 2001; The Maryland Messenger, Independent Insurance Agents of Maryland, Inc., Volume XIV, Issue 5, May/June 2001.***

***The Agent and Broker as Risk Manager: An E&O Time Bomb! Consulting, Litigation and Expert Witness Section Quarterly, Vol.7, No. 4, December 2000.***

***Preparing the Expert's Report, Consulting, Litigation and Expert Witness Section Quarterly, Vol. 4, Nos. 1 and 2, June 1997.***

***Deposing an Insurance Expert, Consulting, Litigation and Expert Witness Section Quarterly, Vol. 2, Nos. 3 and 4, November 1995.***

***Preparing for the Discovery Deposition and Trial, Consulting, Litigation & Expert Witness Section Quarterly, Vol. 1, No. 2, December 1994.***

***Liability of Brokers and Agents, Lorman Education Services, Eau Claire, Wisconsin, March 5, 1993.***

***Co-Author Disputes with Insurance Companies and Agents, The Maryland Institute for Continuing Professional Education of Lawyers, Inc., October 1992.***

***Professional Liability Insurance Litigation in the 1990's, American Bar Association Section of Litigation, (Mid-Year Meeting, 1990), Committee on Insurance Coverage Litigation.***

#### **OTHER PUBLICATIONS**

***Co-Author with Christopher A. Conte, J.D., The Maryland Automobile Insurance Fund, The Preferred System of Delivery of Automobile Insurance for the Residual Market, Research paper submitted on behalf of the District of Columbia Chapter of the Society of CPCU. "Award for Excellence" Research Award, October 27, 1998, from the CPCU Society.***

#### **PRESENTATIONS**

***Maryland Workers' Compensation Educational Association, Panelist, "Futuristic Work," September 18, 2017.***

***Panelist, "Understanding Your Agency's Standard of Care," Big "I" Professional Liability Webinar, July 10, 2013.***

**The Maryland State Bar Association 2011 Mid-Year Meeting, Riviera Maya, Mexico. “A Litigator’s Guide to Managing Claims Against Insurance Agents and Brokers” February 2, 2011.**

**Professional Education and Seminars, CPCU Annual Meeting, Orlando, Florida. Mock Trial “Broken Building, Broken Trial . . . A Miscarriage of Justice?” A case study of trial mechanics and coverage disputes, the mediation and appellate processes. September 26, 2010.**

**The Maryland State Bar Association 2010 Mid-Year Meeting, Punta Cana, Dominican Republic. “Litigating Disputes with Insurance Agents and Brokers,” February 25, 2010.**

**Professional Education and Seminars, CPCU Annual Meeting, Denver, Colorado. Mock Trial “Rocky Mountain Heist . . . or, Certificates of Insurance, Additional Insureds and other Myths.” A case study of credit default swap instruments, certificates of insurance and additional insured endorsements. August 30, 2009.**

**CPCU Symposia: “How to Start Your Own Consulting Practice,” October 29, 2008, Chevy Chase, Maryland; “Order in the Court! The Insurance Professional as Expert Witness and Litigation Consultant,” October 30, 2008, Chevy Chase, Maryland.**

**Professional Education Seminars, CPCU Annual Meeting, Philadelphia, Pennsylvania. Mock Trial “Noah Omitian and the Liberty Bell: The Truth Revealed.” A case study of policy coverage and agent error and omissions issues. September 7, 2008.**

**Professional Education Seminars, CPCU Annual Meeting, Honolulu, Hawaii. Mock Trial “Sun, Fun and Umbrella Drinks or Prior Acts Mostly Wrongful,” A case study of directors and officers claims for irregularities of S-1 Registration Statement and violations of § 11 of the Securities Act of 1933, September 9, 2007.**

**Professional Education Seminars, CPCU Annual Meeting, Nashville, Tennessee. Mock Trial “Ring of Fire or Arson Most Foul.” A case study of the proof necessary in an arson case and what constitutes Bad Faith. September 10, 2006.**

**Professional Education Seminars, CPCU Annual Meeting, Atlanta, Georgia, Mock Trial “Poof, It’s Gone!” A case study of identity theft, material misrepresentation, and rescission. October 23, 2005.**

**Professional Education Seminars, CPCU Annual Meeting, Los Angeles, California, “Mock Trial: Who Pays When the Sky Falls?” A case study of time element claims. October 24, 2004.**

**American Society of Consulting Arborists 2003 Annual Conference, North Tahoe, Incline Village, Nevada, “Errors and Omissions Insurance: How to Minimize Your Exposure” December 5, 2003.**

**Professional Education Seminars, CPCU Annual Meeting, New Orleans, Louisiana, “Mock Trial: Directors and Officers in Court!” A case study in directors and officers claims and defenses. October 12, 2003.**

**Professional Education Seminars, CPCU Annual Meeting, Orlando, Florida, “Business Income Losses Resulting from Bioterrorism,” October 20, 2002.**

**Professional Education Seminars, CPCU Annual Meeting, Seattle, Washington, “International Mass Tort Coverage Litigation,” October 22, 2001.**

**Professional Education Seminars, CPCU Annual Meeting, San Antonio, Texas, "The Agent and Broker as Risk Manager: An E&O Time bomb," October 22, 2000.**

**Professional Education Seminars, CPCU Annual Meeting, Boston, Massachusetts, "The Millennium Trial: Y2K Computer Failures and Business Loss," October 19, 1999.**

**The Seventh Annual Property Insurance Seminar, Towson, Maryland, Topic: "Agent Error and Omissions Issues," April 20, 1999.**

**Professional Education Seminars, CPCU Society Annual Meeting, San Diego, California, "Mediation: Wrongful Termination," October 25, 1998; "Mock Trial: Wrongful Termination," October 25, 1998.**

**Professional Education Seminars, CPCU Society Annual Meeting, Dallas, Texas, "Mock Trial, Sexual Harassment in the Workplace," September 28, 1997; "Mediation: A Cost-Effective Claims and Litigation Tool," September 30, 1997.**

**Co-creator and Presenter, CPCU Symposium, Agent & Broker Errors and Omissions: Preparing for the New Millennium, Atlanta, Georgia, July 31, 1997; Kenner, Louisiana, November 12, 1998.**

**The Maryland Institute for Continuing Professional Education of Lawyers, Inc., Second Annual Insurance Institute Seminar, May 2, 1997, Agent and Broker Liability.**

**Professional Education Seminars, CPCU Society Annual Meeting, New York, New York. "Agent E&O Identification and Avoidance of E&O Exposures" October 15, 1996, "Agent E&O Claim Repair" - October 16, 1996.**

**CPCU Symposium, "Order in the Court!, The Insurance Professional as Expert Witness and Litigation Consultant," August 25 and 26, 1995, Tampa, Florida; September 8 and 9, 1995, Boston, Massachusetts; March 19 and 20, 1998, Seattle, Washington; April 30 and May 1, 1998, Scottsdale, Arizona.**

**CPCU Seminar, "Current Topics in Insurance," Timonium, Maryland, May 17, 1995, (Topic: Agents/Brokers Errors and Omissions).**

**Faculty Member, "Recent Developments in Insurance Law" sponsored by Lorman Education Services, Eau Claire, Wisconsin, March 5, 1993.**

**Faculty Member, Disputes with Insurance Companies and Agents, Maryland Institute for Continuing Professional Education of Lawyers, Inc., October 9, 1992 and October 16, 1992.**

**Panelist, A.B.A. Mid-Year Meeting Section of Litigation, Committee on Insurance Coverage Litigation, April 1990, Tucson, AZ.**

**Seminar "Environmental Liability Coverage: Practical Aspects and Theory," 15th Annual Meeting, National Association of Legal Assistants, July 1990.**

**Errors and Omissions Seminars for Continuing Education (approved by the States of Maryland and Delaware); Independent Insurance Agents of Maryland, November 1985 and June 1990;**

**Independent Insurance Agents of Metropolitan Baltimore, June 1988. National Association of Insurance Women, Maryland Council, October 1989.**

**"Causes of Errors and Omissions Claims" presented to Mid-Atlantic Surety Association, October 1988; Independent Insurance Agents of Southern Maryland October 1988; Independent Agents of Montgomery and Prince George's Counties, March 1988; Tri-County Independent Insurance Agents Association, May 1989; Nationwide Insurance Co., January 1989 (videotaped).**

**"First and Third Party Bad Faith and Claims Handling," Senior Staff, Maryland Automobile Insurance Fund, Annapolis, Maryland, February 1989.**