

# National Accounting and Finance Council Why Did My Premium Go Up 30%?



Orlando, FL

October 24, 2017

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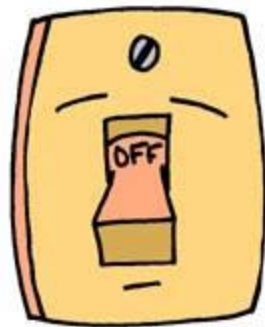
# Alternative Titles

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- Why won't my broker return my calls?
- Why did my excess carrier quit writing trucks?

# How did all of this happen?

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2011

# Inconceivable

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# 2011

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- September - \$40M, ATL

# 2012

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- March - \$13.2M , AZ
- May - \$21M, TX
- June – 36.5M, CA
- August - \$20M, CA
- August - \$117 LA
- December - \$18.5 IN

# 2013

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- March - \$58.5M, NM
- March - \$15, CA
- April - \$ 15.7, CT
- July - \$19M, CA
- December - \$30M, CA
- December - \$178M, CA
- December- \$281, Tex

# 2014

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- June - \$15M, FL
- October - \$42M, OH



# 2015

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- January - \$35M LA
- January - \$165M, NM
- March - \$19M, AZ
- March - \$19M, AL
- March - \$16.5 M Sandersville, GA
- June - \$17M CA
- July - \$22M MI
- October - \$32 M IN

# 2016

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- May- \$10M Ohio
- September - \$35 M TX
- November - \$37.5 MO
- Settlement of Nurse Cases - \$85M GA

# 2017

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- April - \$18 M IL

# INSERT VIDEO SOMBODYS GOTTA PAY

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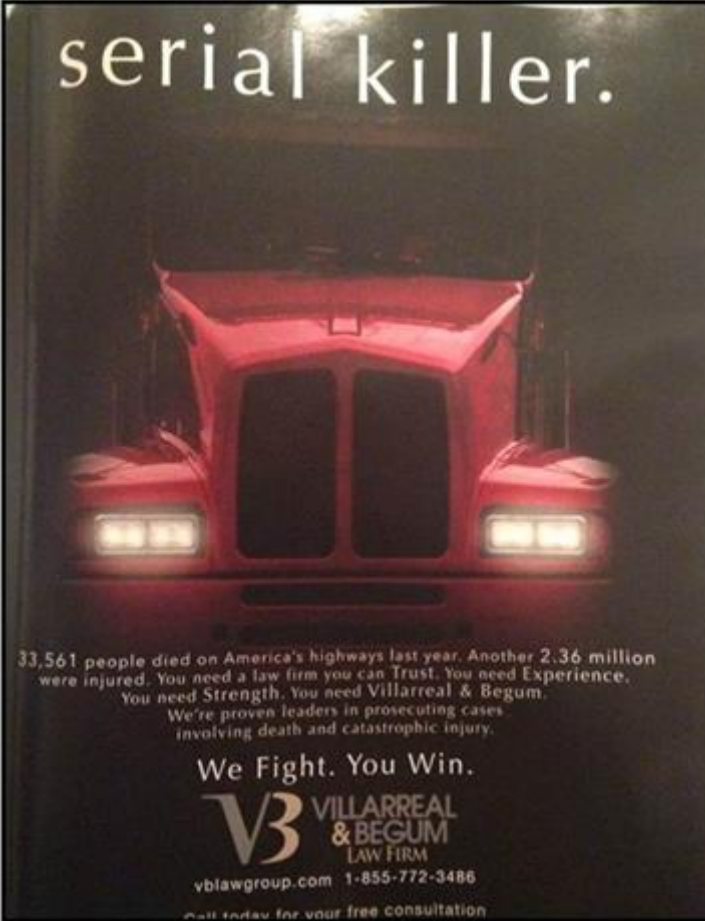
# Common Themes of Huge Truck Verdicts

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1. Better Plaintiff's Attorneys
  - a. Working Harder
  - b. More knowledgeable on trucks (gaps less)
  - c. Smarter
  - d. Not volume lawyers – time to work, prepare
  - e. Tech Savvy
  - f. Swing for the Fence

# Lawyer Ad in Maxim Magazine

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serial killer.

33,561 people died on America's highways last year. Another 2.36 million were injured. You need a law firm you can Trust. You need Experience. You need Strength. You need Villarreal & Begum. We're proven leaders in prosecuting cases involving death and catastrophic injury.

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# They are really serious

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# Common Themes of Huge Truck Verdicts

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## 2. Serious Injuries

a. TBI

b. Burns



# Common Themes of Huge Truck Verdicts

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3. Public Data
  - a. CSA/FMCSA
  - b. Track Hiring Process by Subpoena
  - c. Failure to address red flags in data

# Common Themes of Huge Truck Verdicts

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4. Management by Excess Carriers
  - a. Parachute lawyers
  - b. Hardball negotiations

# Common Themes of Huge Truck Verdicts

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5. Recalibration of Verdict Values
  - a. Health Care Costs
  - b. Value of the dollar
    1. Professional athletes
    2. Lotteries

# Common Themes of Huge Truck Verdicts

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6. Failure of Insurer to Escalate
  - a. Expense Minded
  - b. No focus groups/mock trials

# Common Themes of Huge Truck Verdicts

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7. Defense Counsel Outlawyered and Overmatched
  - a. Case management like a \$5k wreck case
  - b. Not the right lawyer for the case

# Common Themes of Huge Truck Verdicts

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8. Conduct from the Top of the MC
  - a. Safety expensive
  - b. Didn't Monitor Technology
    1. Hard brakes and speeding
    2. ELD data
    3. Collision Mitigation
    4. Even Recorders
  - c. Motor carrier hired the accident

You only get to explain 2 things and the jury  
stops listening

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# Take Aways

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- Manage claims as the insured
  - Ask questions
  - Insist on the plan
  - Are you comfortable with the lawyer
  - Who are the experts
  - Focus Groups



# What can you do?

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- Tort reform
- Judicial Elections

# What is Next?

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- Shippers and Brokers will want more than \$1M
  - Starting to see 2 types of brokers
- Freight rates have been steady
  - You only made a profit or broker even because low fuel offset high insurance.
  - Start projecting future rates
- Work on your retention
  - 6 Month Rule
- New CSA
- Drug and Alcohol

It's all ball bearings now

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# So What Do We Do Now?

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# Know your sweet spot

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# Some things are off limits

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# Don't Let People Pull Your Trailers

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# Fight for Safety Like It Is a Twinkie

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