

Don R. Sampen: Publications and Presentations
ICJL 2012 Submission

Column entitled "Insurance Matters" published about twice monthly in the *Chicago Daily Law Bulletin*; recent columns include:

Panel considers negligent misrepresentation	Dec. 7, 2011
Court finds tenant co-insured with landlord	Nov. 16, 2011
Court applies advertising coverage to TCPA claim	Nov. 2, 2011
Court finds pollution exclusion is ambiguous	Oct. 19, 2011
Court justifies coverage for intentional act	Oct. 5, 2011
A breach-of-warranty claim leads to coverage	Sept. 21, 2011
Court enforces single limit for 'related claims'	Sept. 7, 2011
Court applies rental exclusion to bar coverage	Aug. 17, 2011
D&O coverage applies in bankruptcy context	Aug. 3, 2011
There's no equitable subrogation against county	July 20, 2011
Court addresses key points in a TCPA case	July 6, 2011
Loss of use caused by a mislabeled product	June 15, 2011
No allocation given to settling non-defendants	June 1, 2011
Insured has post-application duty to disclose	May 18, 2011
Fact issue: is notice to broker notice to insurer	May 4, 2011
Claim notice does not commence arbitration	Apr. 20, 2011
Loss of business income coverage limited by court	Apr. 6, 2011
Insolvency exclusion bars errors, omissions coverage	Mar. 16, 2011
Absence of the automobile bars a class claim	Mar. 2, 2011
Appeals court declines reformation of policy	Feb. 16, 2011
Exhaustion occurs through a settlement agreement	Jan. 19, 2011
'Advertising injury' requires wide publication	Jan. 5, 2011
Lack of cooperation established on motion	Dec. 15, 2010
Insured's disappearance negates coverage	Dec. 1, 2010

"Quo Warranto and Mandamus," Chapter 8, in IICLE volume on Chancery and Special Remedies (2009/11).

"Overview of Antitrust Law for the Corporate Practitioner," chapter 6 in IICLE Business Law Series Volume III, spring (2005/08/11).

"Additional Insured/Targeted Tender Issues" series of CLE in-house presentations to insurer clients in 2011.

"New Conflict of Interest," *Chicago Daily Law Bulletin*, January 20, 2011

"Prosecuting A Claim Under the Illinois Whistleblower Reward and Protection Act," Chapter 17, in IICLE volume on Employment Termination (2002/05/08/10).

"Mediation Considerations on Appeal: Frivolous Arguments, Fee-Shifting and Interest," CLE presentation to Chartis attorneys/claims handlers, December 1, 2009.

"Additional Insured Issues in the Construction Setting," CLE presentation to AIG/Chartis attorneys/claims handlers, May 27, 2009.

"Coverage Issues Arising in the Context of Employee Injuries Giving Rise to Third Party Claims Against Employers," CLE presentation to AIG attorneys/claims handlers, May 6, 2008.

"Initiating Insurance Coverage Litigation," Chapter 14 (co-author), in *New Appleman Insurance Law Practice Guide* (Lexis 2007).

"Estates ruled off limits to Medicaid," reprint in the October 15, 2005 edition of *Council News*, published by the Northwest Suburban Estate Planning Council.

"Consumer Protection: Enforcement in the United States and Japan," 43 *Journal of Research on Social and Economic Life* 1 (June 2003) (co-authored with Koichi Hosokawa).

“Amendments to the Federal Rules of Evidence,” program speaker, CBA continuing legal education seminar on federal expert witness practice, November 1, 2000.

“The New Federal Local Rules and Current Developments in Federal Civil Procedure,” program moderator, CBA continuing legal education seminar, November 1, 1999.

“Smoke and Minors: Fee Awards to Government Plaintiffs in Tobacco Cases,” program speaker, ABA Annual Meeting, August 10, 1999.

“State and Federal Allocation of Enforcement Responsibility: Does a Market Allocation Agreement Exist? If Not, Should It?” program speaker and moderator, ABA Section of Antitrust Law 47th Annual Spring Meeting, April 15, 1999.

“State Enforcement,” Chapter 9, in 1998 Annual Review of Antitrust Developments (contributing author), published by the ABA Section of Antitrust Law as a supplement to Antitrust Law Developments 4th (spring 1999).

“Suing on Behalf of the State: A Parens Patriae Primer,” co-authored with Attorney General James E. Ryan, 86 Ill. Bar J. 684 (Dec. 1998).

“Age Discrimination and Reasonable Non-Age Factors,” 23 Notre Dame J. College & Univ. Law 1 (summer 1997).

“Exemptions and Defenses,” Chapter 3; “The Corporate Opportunity Doctrine and Fiduciary Duties of Corporate Officers and Directors,” Chapter 11; and “Commercial Bribery,” Chapter 16, in IICLE volume on Antitrust and Unfair Competition (June 1996), and 1998 supplement (December 1998); general editor of entire volume.

“Post Judgment Practice Changes: Traps for the Unwary,” speaker, CBA seminar hosted by the Federal Civil Procedure Committee, seminar entitled “Current Developments in Federal Civil Procedure” (May 1996).

“Consumer Fraud: Applications & Enforcement,” program moderator, CBA-sponsored CLE education seminar (May 1996).

“Innovation Markets: A New Frontier for Antitrust,” program moderator, CBA seminar hosted by the Antitrust Law Committee (March 1996).

“Changes -- New and Proposed -- in the Federal Rules of Procedure,” printed in CBA Federal Civil Procedure Committee Reporter 2 (January 1996); 8 DuPage County Bar Ass'n. Brief 36 (February 1996); 7 ABA Committee on Pretrial Practice & Discovery Newsletter 15 (March 1996).

“Reducing Your Liability,” 8 Aberdeen's Magazine of Masonry Construction 413 (August 1995).

“Regulated Industries and the State Action Doctrine,” speaker, ISBA Antitrust and Unfair Competition Spring Symposium (May 1992); related article published in 30 Antitrust & Unfair Competition Law Newsletter 1 (June 1992).

Commentary on proposed amendments to the Federal Rules of Civil Procedure promulgated by Judicial Conference of the United States, adopted by The Chicago Bar Association Board of Managers and sent to the Judicial Conference (January 1992).

Commentary on Interim Report of the Committee on Civility of the Seventh Federal Judicial Circuit, adopted by The Chicago Bar Association Board of Managers, and sent to Seventh Circuit Committee (October 1991); moderator of related panel discussion on civility (July 1991).

“Antitrust Restrictions on Managed Care Arrangements,” speaker, ISBA Antitrust Spring Symposium (May 1991); related article published in 30 Antitrust & Unfair Competition Law Newsletter 5 (October 1991).

Commentary on Proposed Amendments to Local Rule 3, pertaining to admission to trial bar, adopted by Chicago Bar Association Board of Managers and sent to federal district court (April 1991).

“The Illegal Loan That Was Never Made: Is It Still Illegal?,” 76 Illinois Banker 14 (March 1991).

“Tying By Financial Institutions: Once Commitment Is Made, Refusal to Make Tying Loan Is No Defense to Liability,” 29 ISBA Antitrust & Unfair Competition Law Newsletter 1 (December 1990).

“Developments in Private Lanham Act Cases and Legislation,” speaker, ISBA Antitrust Spring Symposium (May 1990).

“When the Feds Come A-Knocking,” 74 Illinois Banker 16 (July 1989), reprinted in Kansas Banker 6 (September 1989).

“Personal Liability of Financial Institution Directors and Officers: Are You Protected?,” 6 Illinois Reporter 5 (March-April, 1989).

“Personal Liability of Financial Institution Directors and Officers: Are You Protected?,” 74 Illinois Banker 24 (April 1989).

“Insecure Security,” 81 American Banking Association Banking Journal 77 (April 1989).

Handbook on Hazardous Waste Law and Its Impact on Secured Lending Transactions (August 1988).

Handbook on Lenders' Liability (June 1988).

“Influencing `Private' Legislation: The Split Widens Over Application of Noerr-Pennington,” 26 ISBA Antitrust Law Newsletter 4 (December 1987).

“Municipal Antitrust Liability: New Federal and State Limitations” and “Follow-up,” 74 Ill. B.J. 345 (March 1986) and 74 Ill. B.J. 228 (January 1986).

“Petitioning Foreign Governments: The Act of State and Noerr-Pennington Doctrines,” 15 Ga. J. Int'l. & Comp. L. 205 (1985).

“Law and Equity, The Right to a Jury Trial, and Equal Protection,” 70 Ill. B.J. 376 (February 1982).

“Civil Courts, Church Property, and Neutral Principles: A Dissenting View,” U. Ill. L.F. 543 (1975).

“Criminal Conspiracy in the New Criminal Codes,” Nw. U.L. Rev. 851 (1974).