



Mason Hayes+Curran

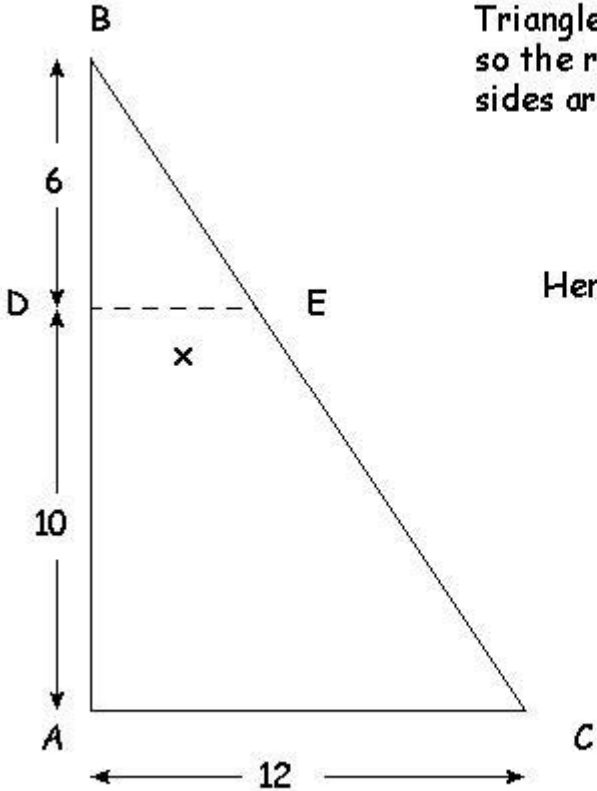
The Society of Actuaries in Ireland

Managing Litigation Risk

Rory Kirrane

8 May 2008

The problem with numbers...



Triangles ABC and DBE are similar so the ratios of corresponding sides are equal so:

$$\frac{DE}{AC} = \frac{DB}{AB}$$

Hence

$$\frac{x}{12} = \frac{6}{16}$$

$$x = \frac{9}{2}$$

- Litigation and the Actuary
- Contract / Tort – what's the difference?
- Jurisdiction
- Court / Arbitration

- Elements of Making / Defending a Claim
 - Duty
 - Breach of Duty
 - Causation – the key link
 - Loss and damage
- The burden of proof
- The role of the expert
- The role of the witness

- The Cost of Litigation
 - Are there any winners?
 - Legal cost
 - Management time and effort
 - Reputation
 - Unpredictability – loss of control
 - Business relationships
- Mediation – Taking Control