

**OUTLINE OF MR. KORNBLUM'S QUALIFICATIONS REGARDING EXPERT
WITNESSING ON INSURANCE ISSUES**

1. I am an attorney at law for over 45 years, duly licensed to practice before all courts of the State of California and Indiana. I the principle in the law firm Guy Kornblum & Associates, with offices in San Francisco. I have had my own law firm for over 32 years, and have practiced in the present format since September 2000.. Except as indicated, I have personal knowledge of all of the facts contained in this declaration and, if called as a witness, I could and would competently testify to all of said facts.

2. My practice has involved insurance claims and related matters since I started practicing law in 1966 with Ice, Miller, Donadio & Ryan in Indianapolis, Indiana. This continued when I was an associated at Bledsoe, Smith, Cathcart, Johnson & Rogers in San Francisco in 1967. I served as Assistant Dean and an instructor at Hastings College of the Law from 1970-72 during which I oversaw projects relating to insurance matters. I also served on the Advisory Committee to the National Conference on Uniforma State Laws regarding no fault insurance. In 1972 I joined Pettit & Martin, San Francisco, and left as a partner in 1979 to start my own practice. While at Pettit & Martin, I handled hundreds of insurance cases, and tried the first insurance bad faith case involving first party bad faith claims (two jury trials in the Fall 1974) even before *Egan v. Mutual of Omaha Ins. Co.* was tried in late 1974. From the early 70's to into the 1990's I represented insurance companies and preformed many services for them relating to insurance claims handling as I note below..

3. I have qualified as an expert on insurance matters and insurance claims handling in several cases including cases in Los Angeles County, Solano County, San Mateo County, San Francisco County, Sacramento County, and Contra Costa County, and also in the United States District Court for the Northern District of California (two cases), and also at arbitration.. My testimony has been accepted on a wide variety of issues in the areas of insurance company claims handling and practice including evaluating coverage positions, the investigation of claims, compliance with insurance regulations, and overall insurance industry claims handling

principles, customs, and practices. I have been qualified as an expert witness in each of these areas on numerous occasions both in state and federal courts.

4. I served on then Insurance Commissioner John Garamendi's Task Force on Consumer Complaints and Unfair Practices which reviewed and commented on the regulations which eventually were adopted as part of Insurance Code §790.03 in the early 1990's. My testimony was by the California Court of Appeal in *United States Fire Ins. Co. v. Button Trans.*, A108419, to affirm the jury finding of insurance bad faith. In that case I testified, and was qualified, as an expert on insurance company claims handling. I have spent thousands of hours working with claims personnel in assessing claims decisions in litigation, preparing claims personnel to testify at deposition and trial, and reviewing claims files and procedures in the context of litigation. I have conducted hundreds of hours of training seminars for insurance company claims staff on the proper handling of claims so as to meet the good faith requirements and satisfy regulatory requirements. I have also been the speaker on video taped programs which were used by several insurance companies, including State Farm, Allstate and CUNA Mutual to train claims personnel on insurance company claims handling and practices, and have worked with several insurance companies in preparing claims manuals and policy memos. .

5. I am Certified in Civil Trial Advocacy by the prestigious National Board of Trial Advocacy. I am also a Charter Fellow, The Litigation Counsel of America Trial Lawyer Honorary, a Platinum Member of The Verdict Club and a Member of the Multi-Million Dollar Advocates Form, and recently named a Legends Society Top Lawyer. I have been a Northern California *Super Lawyer* each year since 2006. I was selected as the 2010 Best Lawyer in the San Francisco Bay Area in a poll conducted by the Nob Hill Gazette, a prominent San Francisco publication.

6. I graduated from Indiana University in 1961, after which I was on active duty with the U.S. Army as a officer in Counterintelligence. I then received my J.D. in 1966 from The Hastings College of Law, University of California, where I as Order of the Coif, a member of the Thurston Honor Society and a Member of the Editorial Board of the Hastings Law

Journal. .

7. I have taught “Insurance Law – A Consumer’s Perspective” at San Francisco Law School, presented numerous seminars on insurance litigation, and authored numerous books, monographs, and articles concerning insurance bad faith.

8. A list of some of the publications authored by me concerning insurance litigation are:

- Co-author, *Litigating Insurance Claims* (Wiley & Sons 1993)
- Co-author, *California Practice Guide: Bad Faith* (The Rutter Group 1986), and supplement (now part of *California Practice Guide: Insurance Litigation* (The Rutter Group 1995)) (with Justice M. Kaufman; H. Levine).
- “An Overview of Third Party Bad Faith: Failure to Accept Reasonable Settlements,” San Francisco Bar Bulletin, October 2011 (CLE).
- “Insurance ‘Bad Faith’ in Uninsured and Underinsured Motorist Cases,” San Francisco Bar Bulletin, April 2012 (CLE).
- “Insurance ‘Bad Faith’ Basics, Part II,” *California Business Law Practitioner* (California Continuing Education of the Bar), Volume 24, Number 4, Fall 2009.
- “Insurance ‘Bad Faith’ Basics, Part I,” *California Business Law Practitioner* (California Continuing Education of the Bar), Volume 24, Number 3, Summer 2009.
- “Evaluation of an Insurance Bad Faith Case,” *Forum* (Consumer Attorneys of California), March 2007, p. 8.
- “Using Insurance Experts in Bad Faith Cases: Should I or Shouldn’t I?” *Trial* 30-37 (February 2000).
- “Pre-suit Considerations in Bad Faith Cases,” *Trial* 72-74 (October 1998).
- “Bad Treatment is Bad Faith!” *Insurance Litigation* 24-26, 39-40 (September-October 1998).

9. A list of some of the seminars I presented concerning insurance litigation are:

- **Marin County Bar Association** “Insurance Bad Faith Litigation,” Corte Madera, California, September 2009.
- **American Association for Justice**, Speaker, Annual Meeting, Panel on Insurance Bad Faith, New York City, July 2011.
- **Aids Legal Referral Service** “Insurance Bad Faith Litigation,” San Francisco Bar Association Headquarters, June 2012.
- **California Continuing Education of the Bar** “Hot Topics in Property and Liability Insurance,” Co-Panelist, San Francisco, California, March 5, 2010. “Insurance Law for Real Estate and Corporate Counsel,” Co-Panelist, San Francisco, California.
- **Association of Trial Lawyers of America** “Finding the Right Defendant in an Insurance ‘Bad Faith Case’ – Pinning the ‘Tale’ on the Right Donkeys,” Palm Springs Midwinter Meeting, Insurance Bad Faith Group, February 2005.
- **Association of Trial Lawyers of America** “Games Insurers Play in Handling Claims,” Insurance Bad Faith Group, Annual Meeting, San Francisco, California, July 2003.