

Curriculum Vitae

Thomas D Battell

Director, Adjusting Solutions LLP

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Qualifications:

- Fellow of the Chartered Institute of Insurance (FCII)
- Fellow of the Chartered Institute of Loss Adjusters (FCILA)
- European Loss Adjusting Expert (FUEDI-ELEA)
- Fellow of the International Federation of Adjusting Associations (FIFAA)
- Member of the Association of Building Engineers (MBEng)
- Member of the Academy of Experts (MAE)

Key Experience:

Tom has over 30 years combined underwriting and claims experience, which give him a unique insight into the insurance industry from both a technical and a business perspective. He has dealt with major material damage, business interruption and liability claims both in the UK and overseas. He has also undertaken investigations into insurance company failures and mergers and acquisition disputes. He has a reputation in the market as a leader in liability claims, primarily for product liability and recall.

Employment history:

2005 – Present	Director	Adjusting Solutions LLP
2004 – 2005	Director	Forensic Accounting LLP
2000 – 2004	Director	PwC Forensic Services (Insurance Claims) PricewaterhouseCoopers
1996 – 2000	Director	Specialist Adjusting Services, Pycraft & Arnold
1990 – 1996	Manager	Miller Knight
1984 – 1990	Adjuster	McLarens, Ellis & Buckle
1973 – 1984	Underwriter	Commercial & Industrial classes

Summary of Major Assignments:

Investigation into failure of insurance company

Working on behalf of the provisional liquidators of failed insurance company to examine causes of failure and to provide insurance technical expertise on a consulting basis, in particular to the areas of reserving and reinsurance,

Insurance related litigation in connection with failure of energy conglomerate

Appointed by administrators to examine pre-administration litigation issues involving insurance claims with a view to obtaining assets benefits for creditors

Recall and product rehabilitation claims for pharma company.

Review of recall process, measures for restoration of market position and costs incurred in connection with the recall of a blockbuster drug on a global basis with separate territory applications and regulatory issues.

Generator engine failures on a global basis

Investigations into failure of 47 generators in various continents to determine whether damage attributable to servicing inadequacies, design failure or inappropriate installation and usage. Examination of costs to determine direct physical, consequential and pure financial losses.

Professional Indemnity claim in respect of motorway design

Appointed by Insurers to investigate multi-million pound claim in connection with design and supervision deficiencies in construction of a motorway including sub-structure, pavement, super-structures, lighting and services.

Private finance initiative for construction contract hospital buildings

Appointed by insurers to examine possible deficiencies in performance of contract and design to determine the extent of policy indemnity and measure the effect of delays leading to penalties and additional costs.

Business recovery co-ordination of leading edge technology based business following extensive fire

Working on a team basis with insurers, insured and property damage adjusters to understand the business dynamics and changing marketplace, examining critical path to recovery and providing direct input into the mitigation process. Our involvement led to a conclusion which had financial and logistical benefits to both Insured and insurer and enabled the business to retain its strong market position.

Investigation of automotive paint failure

Acted for insurers of leading paint supplier to the automotive industry for the sporadic failure of the paint finish to cars for a prestige manufacturer. Investigation included both causation and quantum issues.

Aquaculture claim in connection with allegations of defective feed supplied to Salmon farming industry

Appointed by insurers to examine allegations and evidence presented by third party claimants. Arranging trials on the feed and conducting research with aquaculture industry experts. Review of quantum including the utilisation of forensic accounting techniques to eliminate over claiming /fraud.

Insurance due diligence on financial services acquisition

Review of existing insurance arrangements and future requirements following an acquisition of a financial services company with particular emphasis on D&O and E&O issues.

Reinsurance coverholder audit and actuarial valuation

Investigation into breaches of coverholder authority, audit of business operations and systems and actuarial valuation and analysis of financial results.

Fraud investigation in respect of a telecommunications captive

Investigation into breaches of fiduciary duty, misuse and misappropriation of funds and non arms-length transactions with related parties.

Life Assurance death claim investigation

Investigation into the death claims following Assured party disappearance with mounting business debts in the UK and overseas and history of bankruptcy

Investigation into a TPA delegated authority potential default and misappropriation

Examination of claims and accounting records of a loss adjusting firm to determine extent of exposure/recovery position for underwriters.

Claims Audit

Due Diligence examination of Global Claims Philosophy, Claims Manual and practical application including direct review of the European handlers and their files for all multi-millions dollars in connection with a US insurer sale and purchase agreement.

Professional liability investigation on software design company

Investigation into allegations of overselling, misrepresentation, late delivery, errors and omissions in design and functionality resulting in contractual disputes and damages claims.

Product liability and recall claims for services pipework manufacturer

Investigation into a range of alleged product faults connected with design, manufacture, fitting instruction and installation for above and below ground services pipework and rainwater goods.

Audit of Loss Adjusters business interruption claim

Initially appointed to audit claims handling procedures and performance of a major business interruption claim in progress. Instructed to take over handling of BI loss working with the adjusters who retained material damage claim.

Product liability and recall investigation – Salmonella contamination

Investigation into cause and extent of contamination and examination of safety issues. Review of necessary recall and product withdrawal measures from supermarkets and retailers. Pursuing recovery against suppliers.

Fidelity Guarantee claim investigation

Review of circumstances of loss, system of check and quantum issues in respect of fraud with company finance department.

Insurance Broker professional negligence claim

Expert report and quantum review of shortfall in claim settlement allegedly due to inadequate advice in arranging cover.

Railways train collision

Investigation of liability, including contractual responsibilities. Determination of the extent of necessary repairs with costing analysis.

Building industry product failure

Examination of causation, responsibilities and possible remedial works having regard to contractual conditions, the building programme and delay penalties.