

BREAKOUT SESSION: Tuesday, 3/4 at 4:00 PM

**Insurance Recovery Demystified:
Working with Carriers After a Loss**



Scott Godes
Partner,
Barnes & Thornburg LLP



Zachary Eberson
Commercial Insurance Advisor,
Brown and Brown



Rob Folland
Partner,
Barnes & Thornburg LLP

TMA Florida 2025 Annual Conference
Magic in the Making: From Distress to Success

This panel will break down the complexities of insurance recovery, offering practical guidance on navigating claims and maximizing payouts after a loss. Experts will share insights on effectively communicating with carriers, overcoming common challenges, and ensuring a smoother recovery process.

Panel:

Scott Godes – Partner, Barnes & Thornburg LLP

- Scott N. Godes is a veteran trial lawyer with experience in insurance coverage matters and technology issues. He is a partner in Barnes & Thornburg LLP's Washington, D.C., office and has a national insurance recovery practice.

Mr. Godes has assisted a variety of clients over the years to obtain more than \$1 billion in insurance coverage. In one of his most significant matters, he was co-lead counsel in a landmark class action trial. It was the first case of its kind to determine that insurance coverage was available, without aggregate limits, for thousands of asbestos claims. In addition, he represents clients facing cybersecurity, data breach, cyberattack, privacy and other technology-related claims. Mr. Godes has litigated one of the few court cases regarding the scope of coverage available under a cyberinsurance policy, resulting in favorable settlements for his client. He also has won court rulings stating that a crime insurance policy provides coverage for business email compromise losses and that electronic data is tangible property under a crime insurance policy.

Mr. Godes serves as co-chair of the Cyber Risk & Data Privacy Subcommittee of the American Bar Association Section of Litigation Insurance Coverage Litigation Committee. He has also been a co-chair of the American Bar Association's Computer Technology Subcommittee of the Insurance Coverage Litigation Committee. Mr. Godes edits the [BT Policyholder Protection blog](#). Since 2017, Mr. Godes has been named to *The Best Lawyers in America* list for his work in insurance law.

He has represented policyholders in declaratory judgment, breach of contract, and bad faith insurance coverage actions, insurance-related bankruptcies and adversary actions, federal court receiverships, insurer rehabilitation actions, and commercial arbitrations. He has litigated and advised clients regarding insurance coverage for data breaches and cyber security issues; business email compromises; directors and officers

and securities claims; errors and omissions claims; crime and fidelity claims; general liability claims; consumer class action claims; business interruption, extra expense, and contingent business interruption claims; first-party property claims; computer data, hardware, and software claims; mass tort liabilities; product liability claims; class actions; asbestos claims; environmental property damage; flood claims; and class actions.

Mr. Godes received a J.D., with honors, in 1998 from The George Washington University Law School, where he was managing editor for the *Public Contract Law Journal* and was a member of the Moot Court Board. He received his B.A., *cum laude*, from Middlebury College (1994).

Zachary Eberson – Commercial Insurance Advisor, Brown and Brown

- Zachary Eberson is a seasoned Commercial Insurance Advisor with over 11 years of experience in risk management and insurance solutions. Though still relatively new to the Jacksonville area, he has quickly made an impact—not only with his clients at Brown & Brown but also within the local business and community networks.

Recognized as a Top 40 Under 40 by Insurance Business of America Magazine, Zach is a Certified Insurance Counselor (CIC) and a trusted advisor in the industry. He frequently serves as a keynote speaker on topics such as Mod Control, Cyber Liability, and Large Property Values, helping businesses navigate complex risk landscapes.

Beyond his professional expertise, Zach is a dedicated mentor with Future Business Leaders of America, passionate about guiding the next generation of industry professionals.

He lives in Ponte Vedra with his wife and three children and is an active member of the community. A firm believer in leading a healthy, active lifestyle, he enjoys cooking, reading, practicing Jiu Jitsu, and coaching his children's sports teams. When he's not working with clients or volunteering, you'll likely find him at the beach, surfing, and making the most of Florida's coastal lifestyle.

Moderator: Rob Folland – Partner, Barnes & Thornburg LLP

- Rob Folland focuses his practice on the defense of public and privately held companies, in complex commercial and financial disputes. Rob also has an active insolvency practice where he assists financial institutions' debtors and creditors' committees, trustees, receivers and creditors.

Assisting clients with high stakes business disputes and contract-related matters, Rob is dedicated to listening carefully to what his clients want to achieve, and then sets out to realize those ends. After decades of practice, he strives to solve even the most multifaceted and intricate challenges his clients are facing, particularly with regard to interpretation of contracts and loan documents and in the enforcement of settlement agreements.

Rob has represented national mortgage servicers against class action allegations in the context of forced-placed insurance claims, failure to honor oral modification of loan payment terms and in the context of the Fair Debt Collection Practices Act. He has also represented mortgage servicers and financial institutions in litigation concerning the Fair Credit Reporting Act, Ohio Consumer Sales Practices Act, Real Estate Settlement Procedures Act, Telephone Consumer Protection Act and Truth in Lending Act.

Appreciated by clients and colleagues alike for his perseverance, even in the face of serious financial consequences and difficulty, Rob strives to remain available to those he serves and to provide advice that is practical for their business and strategic objectives.

Prior to joining Barnes & Thornburg, Rob was an attorney at the firm of Thompson Hine for nearly 16 years.