

We are looking at Oak Pointe Country Club in Brighton for the venue. Here is a basic overview of initial thoughts. You are welcome to make any suggestions you think would be appropriate. I think we should definitely have a coverage attorney on the panel and one of our section council members had a contact at the EPA that he thought would be a solid addition as many of these claims tend to have regulatory issues.

Environmental Claims in Michigan: Coverage, Causation, and Courtroom Reality

Program Focus

- A clear, non-technical explanation of **how environmental contamination claims develop**
- Practical insight into **Michigan insurance coverage issues** unique to environmental losses
- Litigation strategies and lessons learned from **real Michigan cases**

Participants will be able to:

- Understand the scientific basics underlying common environmental contamination claims in Michigan
- Identify how contamination pathways affect causation, liability, and coverage arguments
- Analyze key coverage issues, including triggers, pollution exclusions, and allocation
- Develop litigation strategies for long-tail environmental claims involving multiple policies and parties

How Environmental Claims Arise: The Science

- How contamination is discovered and reported (testing, sampling, investigations)
- Common Michigan scenarios: PFAS, groundwater migration, vapor intrusion, soil contamination
- Causation challenges and the role of competing experts
- Why timelines matter for liability, coverage, and allocation

Insurance Coverage Issues Under Michigan Law

- Trigger of coverage: exposure, injury-in-fact, manifestation
- Pollution exclusions and key exceptions
- Allocation across policy years and carriers, long-tail coverage issues
- Governmental demands, cleanup costs, and when a “suit” exists

Litigation Strategy and Risk Management

- Managing expert testimony and withstanding evidentiary challenges
- Declaratory judgment actions versus underlying liability litigation
- Settlement dynamics, indemnity issues, and practical risk management
- Lessons learned from Michigan environmental litigation