

**EVERETTE LEE HERNDON, JR.**

**Claims Consultant & Expert Witness**

7147 Murieta Parkway  
Rancho Murieta, CA 95683-9543  
Http://www.leeherndon.com

Phone: 916-354-8521  
Fax: 916-354-2564  
E-mail: herndon@ranchomurieta.org

**January 1998 to date - Everett Lee Herndon, Jr.**

**Claims Consultant & Expert Witness**

Claims Consultant & Expert Witness. Insurance Bad Faith. Insurance claims handling, custom and practice. Claims handler E&O. Claims handler malpractice. Insurance industry standards. State and Federal Court. Property, Liability, Automobile and Workers Compensation. Over 35 years experience in claims handling issues, coverage issues, claims management and litigation management. Trained and supervised adjusters. High standards of integrity and professionalism.

**June 1996 to July 1997**

**Contra Costa County Grand Jury**

**Grand Juror**

Responsible for investigation of reports of malfeasance and misfeasance of governmental entities within the county. Conducted investigations and wrote reports.

**April 1970 to September 1995**

**GAB Robins North America, Inc.**

**Regional Supervisor**

Responsible for the supervision, coordination and review of adjusters, claims, claims files and claims programs for numerous insurance companies, corporate and public entity accounts - liability, property, automobile and workers compensation. Trained adjusters in claims handling and industry standards. Directed defense counsel. Handled high exposure claims: e.g. complex litigation, coverage issues, E&O, construction defect, products liability, employment and environmental pollution. Reported directly to Regional Vice President.

**June 1966 to June 1994**

**United States Air Force, Reserves**

**Intelligence Officer**

Retired - Lieutenant Colonel, Air Intelligence Agency, Reserves. Intelligence analyst. Briefed command staff. Briefed and debriefed combat crews. Imagery interpretation officer. Executive Officer, Director of Operations and Training, IRD-20.

## **Everette Lee Herndon, Jr.**

Positions with GAB (partial list): Qualified Manager, Regional Supervisor, Regional Casualty Supervisor, Regional Casualty General Adjuster, Manager of Contract Administration Center, and multi-line adjuster.

### Activities while with GAB:

- In 25 years with GAB Robins North America, Inc., I adjusted or personally supervised over 30,000 files: property, liability, automobile and worker's compensation.
- Held GAB's California Independent Adjuster License and served as GAB's Qualified Manager for four years.
- Worked on or supervised claims for over 100 different insurance companies.
- Dealt with claims and litigation in all 50 states.
- Organized, trained and supervised GAB's first Worker's Compensation unit in California. Self-insured Worker's Compensation Administrator.
- Developed and wrote GAB's "A Guide to California Claims Handling Under Title 10" - California's Fair Claims Settlement Practices regulations.
- Conducted training seminars for adjusters to insure compliance with state regulations, good claims handling practices, good faith and avoidance of bad faith.
- Performed branch inspections and file audits.
- Devised, initiated and recommended standards and procedures to adjusters and branch managers for improving the quality and accuracy of their investigations and reporting procedures.
- Resolved many delicate and complicated coverage interpretation issues between insureds, insurance companies and brokers over the interpretations of both standard and manuscript policies.
- Founding member of Integrated Quality Team for Pacific Region. Trained adjusters on Total Quality Management methods.
- Set up and supervised new liability unit and obtained assignment from insurance company of over 1700 litigated cases from another third party administrator. Trained examiners and supervisors.

## Everette Lee Herndon, Jr.

### CREDENTIALS:

- Attorney - Member of State Bar of California - # 96464 (1980) (Inactive)
- Insurance Adjuster License - # 2C02651
- Senior Claim Law Associate
- Property Claim Law Associate
- Automobile Claim Law Associate
- Fraud Claim Law Associate
- Worker's Compensation Claim Law Associate
- Legal Principles Claim Specialist
- Associate in Claims
- Certificate to teach Law at Community College level in California
- Graduate Certificate in Teaching Critical Thinking

### SPEAKER:

- Mealey's Mold Conference, June 2001, Marina del Rey, CA - *"In-Depth Analysis of the Insurance Coverage Issues In Mold Litigation"*
- Mealey's Mold Conference, October 2001, Pasadena, CA - *"Insurance Coverage and Bad Faith"*
- Mealey's Mold Conference, February 2002, Phoenix, AZ - *"Insurance Coverage Issues Part I: First Party Claims"*
- Policyholders of America, March 2002, Austin, TX - Insurance, Mold and Bad Faith
- Harris-Martin Mold Conference, October 2002, San Antonio, TX - *"Analysis of a Mold Case: Interactive Panel Discussion"*
- American College of Toxicology, November 2004, Palm Springs, CA - *"The Great Debate: Indoor Mold - Plague or Nuisance?"*

### PUBLICATIONS:

- *"Bad Faith in First Party Property Claims," The Advocate, September 2004*
- *"Do Adjusters Have a Duty to Warn of the Risks of Mold Contamination?" Mealey's Litigation Report: Mold, October 2001*
- *"Are Mold Claims Covered Under a Homeowner's Policy?" Mealey's Mold Conference, June 26, 2001*
- *"Mold & Mildew: A Creeping Catastrophe," Claims, August 2000*
- *"Water Damage Claims and Mold," IAQ COUNCIL, July/August 2000*
- *"Protect Yourself From Mold Liability," Cleaning & Restoration, Nov. 2000*
- *"Asbestos Awareness Training: Protecting Both Adjusters and Insureds," Claims, December 1998*
- *"A Guide to California Claims Handling Under Title 10," GAB, January 1994*

**Everette Lee Herndon, Jr.**

**PROFESSIONAL ASSOCIATIONS:**

- State Bar of California - # 96464 (1980) (Inactive)
- Forensic Expert Witness Association
- American College of Forensic Examiners Institute
- Society of Claim Law Associates
- Policyholders of America

**EDUCATION:**

**Insurance Industry Conferences and Seminars (partial listing - 1999 to date):**

- Sacramento Claims Association - Update on California Law, November 2005
- Ropers, Majeski, Kahn & Bentley - Year in Review - May 2005
- Low, Ball & Lynch - CA Fair Claims Settlement Practices - November 2004
- American College of Toxicology Conference - November 2004
- Claims Conference of Northern California, September 2004
- Ropers, Majeski, Kahn & Bentley - Year in Review - May 2004
- Low, Ball & Lynch - California Law Update - November 2003
- ACE-SCLA Conference - Seattle, WA, October 2003
- Claims Conference of Northern California, September 2003
- Ropers, Majeski, Kahn & Bentley - Year in Review - May 2003
- Harris-Martin's Mold Litigation Conference, San Antonio, TX, October 2002
- Claims Conference of Northern California, September, 2002
- Ropers, Majeski, Kahn & Bentley - Year in Review - May 2002
- Property Loss Research Bureau Claims Conference - Anaheim, CA, April 2002
- Policyholders of America - Attorney Workshop, Austin, TX - March 2003
- Mealey's National Mold Litigation Conference, Phoenix, AZ, February 2002
- Property Claims Forum - Summer Mold Seminar - June 2001
- Low, Ball & Lynch - California Law Update - November 2001
- Mealey's National Mold Litigation Conference, Pasadena, CA, October 2001
- Mealey's National Mold Conference, Marina del Rey, CA, June 2001
- Ropers, Majeski, Kahn & Bentley - Year in Review - May 2001
- Claims Conference of Northern California, September 2000
- Ropers, Majeski Kahn & Bentley - Year in Review - May 2000
- Low, Ball & Lynch - California Law Update - April 2000
- Ropers, Majeski, Kahn & Bentley - Third Party Bad Faith - October 1999
- Ropers, Majeski, Kahn & Bentley - Year in Review - April 1999
- PLRB/LIRB Claims Conference - New Orleans, LA, March 1999

**Everette Lee Herndon, Jr.**

**GAB Robins North America, Inc:**

- Damages School
- Remedies School
- Advanced Casualty School
- Vale Tech, Automobile School
- Intermediate Casualty School
- Basic Property and Casualty School
- Casualty Correspondence Course
- Property Correspondence Course

**San Francisco State University:**

- Master of Arts - Philosophy. 1997
- Graduate Certificate in Teaching Critical Thinking

**John F. Kennedy University - School of Law:**

- Juris Doctor. 1980.

**University of Georgia:**

- Bachelor of Arts - Philosophy. 1966.

**EVERETTE LEE HERNDON, JR.**  
**Claims Consultant & Expert Witness**

7147 Murieta Parkway  
Rancho Murieta, CA 95683-9543  
Http://www.leeherndon.com

Phone: 916-354-8521  
Fax: 916-354-2564  
E-mail: herndon@ranchomurieta.org

**FEE SCHEDULE**

*Effective January 1, 2006*

Federal Tax ID #: 68-0422275

Advance/Retainer (non-refundable)*		\$1,000.00
Trial Testimony	-	\$300.00/hour
Deposition Testimony	-	\$300.00/hour
Minimum Fee for Testimony	-	\$1,200.00 (4 hours/half day) Outside of Sacramento area
File Review/Research	-	\$200.00/hour
Travel	-	\$100.00/hour
Expenses	-	as incurred

- \* Advance/Retainer Fee will be applied to work performed.  
Periodic billing for services once Advance/Retainer expended.