



JANICE A. RAMSAY, J.D.
PROPERTY INSURANCE
CONSULTANT/EXPERT/APPRaiser/UMPIRE

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PROFILE OF PRESENT WORK

From 2007 to the present, Janice A. Ramsay has provided consultation and testimony for insurers and insureds as an expert witness on property insurance coverage issues. She also acts as an appraiser in the appraisal process under property insurance policies.

SUMMARY OF PROFESSIONAL EXPERIENCE

As part of her law practice since 1971, Ms. Ramsay has given claims and coverage advice, handled law suits and appeals, drafted policy language, served as a expert witness for other lawyers, handled arbitrations and appraisals on property insurance related claims, and has been a speaker at many seminars for insurance company personnel and other lawyers and professional groups.

Before 2007, Ms.Ramsay was a full time lawyer practicing law in the area of property insurance beginning in 1971. From 1999 to 2007, she was a partner at Berger Kahn LLC. In 1984 she founded and for the next 15 years managed the law firm of Ramsay and Johnson aka Ramsay, Johnson and Klunder, which specialized in insurance law. It was the first such law firm founded by a woman in Orange County. She merged that firm with Berger Kahn in 1999.

From 1971 to 1984-Ms. Ramsay was the first women lawyer with and later the first woman partner of Cummins, White and Breidenbach. (now known as Cummins & White.) When that firm underwent a split in 1978 she remained as a partner with one of the successor firms, Breidenbach, Swainston, Yokiatis and Crispo.

PROPERTY INSURANCE LEGAL WORK DETAIL

Advice on Property Insurance Coverage and Claims handling Procedures: Ms. Ramsay has given advice involving commercial and personal lines policy issues, including coverage interpretation, underwriting and claims handling issues, and has handled examinations under oath, appraisals and other procedures during the claim process, coverage and bad faith litigation and subrogation. The claims and litigation she has handled have involved all kinds of losses, such as fires, earth movement, earthquakes, water damage, mold, defective construction, latent defects, riots, thefts and acts of civil authority. The claim have involved issues of arson, organized insurance fraud, business interruption coverage issues, underwriting problems, rights to rescission, reformation, misrepresentations in the application, broker and agent acts, employee dishonesty, insurable interest issues, claim evaluation issues, appraisals rights and procedures, the right to examinations under oath of innocent insureds, application of the suit limita-

tion provision and mortgagee rights to a claim. In the appraisal process, she has acted both as a lawyer for a party and as an appraiser and/or umpire. Ms. Ramsay has advised several insurers revising or writing insurance policies.

While the majority of Ms. Ramsay's career has involved working for insurers, Ms. Ramsay has successfully handled complex claims for insureds and successfully recovered moneys for them because of her depth of knowledge of insurance issues.

Litigation: Ms. Ramsay has lawsuits and appeals on property insurance coverage issues, insured's rights, bad faith, and subrogation of insurers. She has the following reported Appellate Cases: *Prudential-LMI v. Superior Court* (1990) 51 Cal.3d 674, 274 Cal.Rptr. 387, (one year limitation on suit and tolling), Ms. Ramsay handled the claim and Superior Court litigation and she and her firm were co-counsel on the appeal; likewise, Ms Ramsay handled the claim and the lawsuit and supervised the appeal in *State Farm Fire & Casualty Co. v. Tan* (C.D. Cal. 1988) 691 F. Supp. 1271 (the right to take the Examinations Under Oath of insureds separately). Ms. Ramsay tried the suit and supervised the appeal of *Carty v. American States* (1992) 7 Cal.App.4th 399, 9 Cal.Rptr. 2d 1 (applicability of the "latent defect" exclusion). Ms Ramsay handled the lawsuit and appeal in *Doheny West HOA v. American Guarantee & Liability Ins. Co.* (1997) 60 Cal.App.4 400, 70 Cal.Rptr. 2d 260 (interpretation of the collapse provision). Ms. Ramsay was a part of the team of lawyers that worked on the appeal to the *California Supreme Court of Vu v. Prudential* (2001) 26 Cal.App.4th 142 (application of estoppel to suit limitation provision).

Ms. Ramsay gave the advice in the underlying claims which advice was affirmed as correct by the courts in *Murray v. State Farm Fire and Casualty Co.* (1990) 219 Cal.App.3d 58, 268 Cal.Rptr. 33; *Waldsmith v. State Farm Fire & Casualty Co.* (1991) 232 Cal.App.3d 693, 283 Cal.Rptr. 607; and *Rosen v. State Farm General Ins. Co.* (Cal. Sup. Ct. June 12, 2003). Ms. Ramsay handled the appraisal that was the subject of *Michael v. Aetna Life and Casualty Co.*, (2001) 88 Cal. App. 4th 2d 515, 24 Cal. Rptr. 557.

Lectures and Publications: Ms. Ramsay has been a frequent speaker on property insurance issues since the late 1970's to the present. Ms. Ramsay was a speaker and/or panelist for the Property Loss Research Bureau (PLRB) National Conference of Insurers, California Continuing Education of the Bar (CEB), the Combined Claim Conference, the Property Loss Executives Association, the California State Bar, the Orange County Bar Association, the American Bar Association TIPS section, American Conference Institute, the California Conference of Arson Investigators, the Orange County and Los Angeles CPCU Chapters, the Property Loss Managers Conference, the Orange County Fire Chiefs' Association, the Rutter Group's seminars, and the West Valley Claims Association She has also given in-house seminars for several insurers.

In September of 1992, Ms. Ramsay was asked to act as a consultant to the California Continuing Education of the Bar (CEB) with regard to a chapter on real property insurance law in a book about real property sales transactions. In September of 1992, Ms. Ramsay was asked to act as a consultant to the California Continuing Education of the Bar (CEB) for their publication on property insurance law in a book about real property sales transactions.

HONORS AND AWARDS

Ms. Ramsay was awarded the Orange County Bar Association's Insurance Section, Spotlight Attorney in February 2000. She has been featured in three magazine articles. In September of 2004, Ms. Ramsay was pictured on the cover of a Supplement to the San Francisco and Los Angeles Daily Journal as a mentor to Edith Matthai, insurance litigator and former president of the L.A. County Bar Association and Former President of the So. California Defenses Counsel.

EDUCATION

B.A from Indiana University-1964 Honors: Recipient of a merit scholarship, member of Mortar Board and the Indiana University Foundation. Ms. Ramsay has been a member of the Dean's Advisory Board of the College of Arts and Sciences at Indiana University since 1990. She graduated from the University of San Francisco School of Law in 1969 as one of four women in her class and is now on the Board of Counselors for that school.

J.D. from the University of San Francisco School of Law-1969 Honors: Ranked sixth in her graduating class, member of Moot Court, member of McAuliffe Honor Society (academic achievement), and Law Review. Author of two law review articles. Ms. Ramsay is currently on USF Law School's Board of Counselors. Ms. Ramsay was admitted to the California Bar in January of 1970.

REFERENCES

References will be furnished on request.