

Countrywide SLA – GRS - Key Activities and Timelines

Activity	Communication	Ownership	Suggested Timeline
Legal Referral, Strategy Selection and Action Plan	<ul style="list-style-type: none"> Claims recommends initial strategy at time of referral or Claims communicates to Legal any change in strategy Legal agrees or recommends alternative strategy, i.e., particularly if case ripe for early resolution/settlement, ADR including mediation, and whether any dispositive motion practice might be effective. Legal provides Initial Case Evaluation with action plan and dates for completion (the detail of the evaluation will be contingent on the complexities of the case). <ul style="list-style-type: none"> When the defense expenses (fees + costs) are anticipated to exceed \$5,000 a formal litigation budget will be provided. When defense expenses (fees + costs) are anticipated to be below \$5,000, a Cost Range Estimate will be provided and include the following: <ul style="list-style-type: none"> Pleadings Motion Practice Paper Discovery Conferences Depositions Other litigation costs Exception for AFA Program Cases: Firms will provide an estimate of litigation expenses not included in AFA pricing; <ul style="list-style-type: none"> Claims will utilize the AFA Reference Guide for defense fees by phase/tier Legal indicates next contact point on all cases after referral Legal to provide viability of success on potential motions pertaining to liability and/or damages, both upon initial review and going forward. Legal to timely advise Claims of any value changing events or critical information developed 	<ul style="list-style-type: none"> Claim Task Legal Task Legal Task Claim Task Legal Task Legal Task Legal Task 	<ul style="list-style-type: none"> At time of referral 10 business days of referral or notice of strategy change 10 business days of referral or notice of strategy change At time of event or upon receipt of information
Settlement	<ul style="list-style-type: none"> Legal to notify Claims if plaintiff attorney inquires about settlement Claims will notify Legal of Settlement discussions (Legal will notify Claims if handling negotiations) Legal will assist with settlement when and where appropriate Negotiation is a Claims' task Legal will draft Release and consult with Claims In the event that Claims settles the case, prepares the Release and submits it to the Plaintiff attorney, the Claim Representative to notify Legal of the details and that Claims sent over the Release to Plaintiff. Should Claims receive the executed Release, the Claim Representative will forward Release to Legal. Legal will file any necessary closing paperwork and will follow up for the executed Release as needed. 	<ul style="list-style-type: none"> Legal Task Claim Task Legal Task Claim Task Legal Task Claim Task Claim Task Legal Task 	<ul style="list-style-type: none"> 5 business days 5 business days 5 business days 5 business days 5 business days Within 30 days

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Time Limit Demands/Offers of Judgment	<ul style="list-style-type: none"> Legal will notify and provide copies to claims and the insured client, of any time limited demands or offers of judgment. Claims will notify and provide copies to Legal, of any time limited demands Adjuster to receive a direct e-mail with support documents; Legal to forward documents to claims' imaging 	<ul style="list-style-type: none"> Legal Task Claim Task Legal Task 	<ul style="list-style-type: none"> Same day or next business day if received after hours
Investigation Activity	<ul style="list-style-type: none"> Update after activity is completed, highlighting impact on strategy (anything completed by Claims or Legal outside of the normal discovery through the court systems i.e., hospital trace, ISO search, social media search) Legal will update Claims indicating any impact on strategy, or no impact if appropriate, and will indicate the next touch point. 	<ul style="list-style-type: none"> Claim and/or Legal Task Legal Task 	<ul style="list-style-type: none"> 10 business days
Written Discovery	<ul style="list-style-type: none"> Legal identifies appropriate written discovery including tailored non-standard discovery to strategically defend the claim. Legal to forward written discovery to claims' imaging as soon as possible Legal provides discovery received to Claims with: <ul style="list-style-type: none"> Discovery summary, including medical records, with a level of detail appropriate to the complexity of the case; Analysis of discovery outlining its impact to the case and current case strategy; Recommendation on next steps If Plaintiff's responses are incomplete, Legal to outline what is missing and next steps to pursue (i.e., Motion to Compel) If Plaintiff Counsel asserts that our discovery responses were incomplete, Legal to advise Claims along with how alleged to be incomplete Legal to obtain medical & non-medical records, whether thru authorization or subpoena, unless otherwise agreed upon by Claims Legal will forward records order confirmation page (from vendor site) to Claims for review & to ensure all agreed facilities/providers were included Claims reviews discovery, including medical records, and posts summary of new information gleaned and/or indicates missing items to claim file. Notes items necessary for case evaluation and thoughts on next steps (IME, IMR, mediation, etc.) Claims & Legal collaborate to determine any changes to the Strategy and Plan (can be a verbal with post to file) 	<ul style="list-style-type: none"> Legal Task Legal Task Legal Task Legal Task Legal Task Legal Task Claim Task Claim & Legal Task 	<ul style="list-style-type: none"> 5 business days 5 business days or sooner 10 business days 5 business days 5 business days 5 business days to send order/acknowledge receipt 14 calendar days 14 calendar days
Motions to Compel	<ul style="list-style-type: none"> Legal to communicate expected date of receipt of response to written discovery Legal will file motions to compel on overdue discovery. When necessary, Legal will discuss and align with Claims on when motions to compel are not advised; local custom and practice is a factor in this motion practice 	<ul style="list-style-type: none"> Legal Task Legal Task 	<ul style="list-style-type: none"> 10 days after filing of discovery 10 business days of discovery responses being overdue

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Depositions	<ul style="list-style-type: none"> Legal notifies claims of scheduled depositions Legal contacts claims, prior to the deposition to discuss strategy. Legal summarizes the call via email to be posted to the file. Legal advises of any change in deposition schedule, as well as, the reason for the change and any impact. Claims to provide Legal any specific deposition questions or issues to be addressed in depositions, if necessary (verbal or written) Legal provides claims with summary of deposition including impact to strategy and further handling recommendations. Legal contacts Claims after the deposition to discuss case and future strategy, if deemed necessary by Claims and Legal. 	<ul style="list-style-type: none"> Legal Task Legal Task Legal Task Claim Task Legal Task Legal Task 	<ul style="list-style-type: none"> 10 business days of receipt of notice of scheduled deposition Minimum 5 business days prior to scheduled deposition Upon notice 2 business days prior to depo 10 business days upon completion, or 5 business days if there is a deadline such as a PFS, TLD, discovery end date or if something discussed could materially change the case strategy 5 business days
Experts	<ul style="list-style-type: none"> Joint ownership of expert selection between Claims and Legal is expected. Legal will recommend either a specific expert to utilize, or a specific type of expert to utilize. In congested litigation venues, Legal may list several experts in order of preference. If neither Claims or Legal has a recommendation, both are required to review available resources and reconvene to finalize expert selection. Claims will then use its vendor tool, where SSI's allow, to retain the agreed upon expert. Joint ownership is also expected on defining what questions we are asking the expert to address, what information should be provided to the expert (medical records, photographs, estimates, other expert reports, etc.), and whether we are requesting a written or verbal report. Legal will contact claims and confer. Claims schedules IMR/IME's when needed and provides scheduled date to Legal. In the appropriate case and where agreed upon with Claims, Legal will take lead. Legal advises Claims on expert disclosure deadlines and provides status of scheduling orders Expert report/communication is to be sent to Legal directly from vendor to protect work product privilege, if applicable Recipient of expert report shares copy with partner department for review Legal reviews expert report and sends email to Claims outlining impact and next steps. 	<ul style="list-style-type: none"> Claim and Legal Task Legal Task Claim And Legal Task Claim Task Claim and Legal Task Claim Task Legal Task Legal or Claim Task Legal Task 	<ul style="list-style-type: none"> Upon request legal will provide expert recommendation in 5 business days 5 business days 5 business days Upon request 5 business days Upon receipt of scheduling order 5 business days 5 business days

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Scheduling Orders	<ul style="list-style-type: none"> Legal to provide claims with copies of all scheduling orders, highlighting trial date, discovery cutoff date, expert designation dates and dates for dispositive motions; Legal to update Claims on any scheduling changes 	<ul style="list-style-type: none"> Legal Task 	<ul style="list-style-type: none"> 5 business days of receipt or sooner if deadline requires
Settlement Conference/ADR/Mediation	<ul style="list-style-type: none"> Legal to notify Claims of proposed Settlement Conference/ADR/Mediation dates, as well as, any changes to those scheduled dates Claims and Legal will discuss strategy for event Legal to provide ADR/Mediation report, to include strategy recommendations Following event, Legal to provide summary and info on remaining pre-trial events or settlement Legal and Claims will verbally collaborate to discuss expected outcomes, determine next steps, outline remaining action items and who is responsible for completion of each identified action item. Legal to provide written summary of call based on case/Claims needs 	<ul style="list-style-type: none"> Legal task Claim and Legal Task Legal Task Legal Task Claim and Legal Task 	<ul style="list-style-type: none"> 5 business days after receipt of scheduling 2-4 weeks prior to event 2-4 weeks prior to event 5 business days 10 business days
Pre-Trial Conference	<ul style="list-style-type: none"> Legal to notify Claims of any Pre-Trial Conference or Hearing dates, as well as, any changes to those scheduled dates Claims and Legal will discuss strategy for conference; Legal to provide Claims any submissions Legal to summarize, as appropriate, pre-trial conference and findings and provide recommendations for next steps; if there are unknowns at the time of the pre-trial discussion/report then Legal will update Claims as they develop Legal will collaborate with Claims to identify action items and agree on who is responsible for completion of each action item 	<ul style="list-style-type: none"> Legal task Claim and Legal Task Legal Task Claim and Legal Task 	<ul style="list-style-type: none"> 5 business days after receipt of scheduling 2 weeks prior 5 business days 10 business days
Trial Prep	<ul style="list-style-type: none"> Legal submits final trial plans <ul style="list-style-type: none"> Legal will provide information: <ul style="list-style-type: none"> On the jurisdiction Any prior similar case jury verdicts Jury pool Judge issues Claims reviews and confirms final trial strategy with Legal Legal provides outstanding pre-trial motions, expected results, and impact Legal provides detailed Pre-Trial report. On a case reserved at \$25,000 or lower, Pre-Trial report will be streamlined. Claims to schedule Pre-Trial Call with Legal if deemed necessary 	<ul style="list-style-type: none"> Legal Task Claim and Legal Task Legal Task Legal Task Claim Task 	<ul style="list-style-type: none"> 2 months prior to trial 2 months prior to trial 2 months prior to trial 2 months prior to trial 30-45 days before trial
Trial	<ul style="list-style-type: none"> Claims and Legal discuss trial developments highlighting impact to strategy 	<ul style="list-style-type: none"> Claim and Legal Task 	<ul style="list-style-type: none"> Claims and Legal to agree prior to Trial on cadence and method of communication

Appendix A: Pre-Trial Report

PAL Defense Counsel Pre-Trial Report	
<p>Claim # Adjuster Date Prepared by Trial Date Court</p> <p>The trial plan should be a succinct summary of the whole case. When it is read by Claims and insureds, there should be no doubt that Counsel has a total grasp of the facts, issues, witnesses, etc. The plan should convey that Counsel, in concert with his/her client, has a blueprint as to how the case will be presented at trial.</p>	
Impact Reporting	Analysis
Trial Strategy:	
Trial Plan Overview:	Facts of the case and how they will be presented at trial, including expected witnesses and testimony:
Liability:	
Damages:	
Assessment:	<p>Venue: Jurisdiction:</p> <p>Settlement status (last demand, last offers):</p> <p>Pre-trial motions, motions in limine and chances of success:</p> <p>Pre-judgment interest? Yes <input type="checkbox"/> No <input type="checkbox"/> Calculation?</p> <p>Post-judgment interest? Yes <input type="checkbox"/> No <input type="checkbox"/> Calculation?</p> <p>Verdict potential (insured and all parties).</p> <p>Statutory caps (if any):</p> <p>Settlement potential and recommended strategy (if applicable):</p> <p>What are your proposed jury instructions? Is plaintiff likely to agree? What will the jury see on the verdict form?</p>
Other:	<p>Has the Insured/Defendant and/or Excess/Umbrella carrier been advised of all demands and offers? Their reactions? Duty owed to Excess/Umbrella carrier?</p> <p>Should an appeal be necessary, what are the rules of the court? Number of days to file Post-Trial Motions, number of days to appeal, potential costs of appeal, cost of appeal bond (or will available policy coverage be acceptable?</p> <p>Other issues, concerns and comments</p>
Expense Estimate:	Updated expense estimate through trial. If the previous estimate is still applicable, there should be an affirmative statement to claims acknowledging that the previous budget is still viable.

Appendix B: Cost Range Estimate Example

(Applicable on Hourly cases < \$5000 in anticipated expenses)

- Pleadings - Prepare Answer, 1 hour @\$150
- Motion Practice – Prepare Motion to Compel Discovery, .8 hour @ \$150
- Paper Discovery - .5 hour @\$150
- Conferences – Prepare and attend pre-trial conference @ 4.5 hours @\$150
- Depositions – Plaintiff and defendant, 7 hours @ \$150
- Other litigation costs – IME exam and report
- Anticipated incurred costs prior to trial prep - \$2070