

BROOKLYN 
UNDERWRITING

**MAKING YOU
THE EXPERT**

www.brooklynunderwriting.com.au

About Brooklyn

Local Presence, Global Strength

Brooklyn Underwriting is part of the AXA XL family of companies, in itself a division of AXA.

About Brooklyn Underwriting

Located in Sydney, Melbourne and Brisbane, Brooklyn Underwriting is a specialist underwriting agency that has been operating for nearly three decades. Brooklyn Underwritings's insurance products are customised market-specific solutions that are supported by a specialist underwriting team with recognised experience in SME Property, Casualty, Financial Lines, and Specialty. To learn more, visit brooklynunderwriting.com.au.

About AXA XL

AXA XL is the P&C and Specialty Risk Division of AXA, known for solving complex risks for mid-sized companies, multinationals and even some inspirational individuals. With speed, agility and a focus on the future AXA XL can offer more products, greater global reach, and the best talent in an agile and inclusive workspace, empowered to deliver top client service across all lines of business - Property, Casualty, Professional and Financial Lines and Specialty

To learn more, visit axaxl.com

Financial Fact Sheet

AXA XL's core operating insurance & reinsurance companies have one or more of these financial strength ratings:

AM Best	A+
Standard & Poor's	AA
Fitch Ratings	AA

Claims Handling In Australia

All claims are lodged and managed in Australia by AXA XL's specialist and experienced claims team

Key Facts Summary

Global Strength – AXA XL

- No.1 Global P&C commercial lines insurer by GWP.
- One of the largest market caps of companies in the insurance industry at more than USD70bln.
- Gross written premiums of USD17.6 billion. Insurance represents approximately 73% of GWP. Reinsurance represents around 27% of GWP

Local Presence

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Level 18, Suite 30 123 Eagle Street Brisbane QLD 4000





Brooklyn Claims Service

Here at Brooklyn we are acutely aware that excellent claims management is absolutely vital for our brokers and clients when it matters most, and we have a good track record of walking the talk. Having to go through the claims process is never what you want, but if it happens we strive to deliver a unique 'Brooklyn claims experience' that takes a lot of the frustrations out of the claim process. Our approach is derived from our appreciation that our clients' needs and therefore the claims that they face are often different than larger clients. We explain the claim journey in plain English and manage expectations at the outset. We guide you and the Insured through the claim journey with empathy and find a practical way to get you to the finish line.

Our financial lines and liability claims are handled by our experienced in-house AXA XL claim team whilst our property claims are handled by our trusted partner InsurX, in conjunction with the AXA XL property claim team.

Our teams have the authority to settle claims, know the ins and outs of the Brooklyn products, and are approachable. We are part of an insurer with global claims reach and security but maintain our personal fair dinkum approach to the claim process.

A little about what you can expect from the lodgment and process:

Liability and Professional Risks claims

- Before submitting a claim (or notifying of circumstances) on behalf of your client, ask them to complete the relevant claim form as soon as possible. The claim forms capture the important information the claim handler requires to begin reviewing the claim. The claim forms can be accessed via our website.

Property Claims

- Please send the claim form along with any supporting documents (such as contract with the Claimant, relevant correspondence, quotes where relevant) to the following emails:
 - Professional Risks claims:
professionalrisksclaims@brooklynderwriting.com.au
 - Liability claims:
liabilityclaims@brooklynderwriting.com.au
 - The claim will be handled by our specialist Brooklyn claims team and we will come back to you swiftly with an acknowledgment.
 - Depending on the claim and the information provided, the claims handler may seek further information and/or clarifications and advise on strategy and way forward.
 - A claim reference number will be provided by our support team.
 - Your claims handler will keep you updated periodically on important developments including coverage position.
 - If you need any assistance when lodging a claim, please email the relevant Brooklyn claim email or call (02) 8270 1790.
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- Before making a claim on behalf of your client, ask them to complete the relevant claim form as soon as possible. The claim form captures the important information that the claim handler requires to begin reviewing the claim. The claim form can be accessed via the Brooklyn website.
 - Please send the claim form along with any supporting documents (such as quotes, photos, police report where relevant) to the following email:
propertyclaims@brooklynderwriting.com.au
 - The claim will be handled by InsurX on behalf of Brooklyn and in conjunction with the AXA XL property claims specialists.
 - InsurX will get back to you swiftly with an acknowledgment along with a claim number and advise what further information is required.
 - Coverage position will be relayed as soon as possible once all relevant information is at hand including a loss adjuster report (where applicable).
 - if you need any assistance when lodging a claim, please email propertyclaims@brooklynderwriting.com.au or call (02)8270 1790.



Top Tips to Minimise the Stress of Insurance Claims

Dealing with an incident can be unpleasant enough, and for many business owners, the thought of having to lodge an insurance claim just adds to the stress. But while it can seem overwhelming at first, the claims process doesn't need to leave you in a cold sweat.

At Brooklyn Underwriting (Brooklyn), we pride ourselves on claims excellence. We support our Insureds through every step of the claim process, and work with them to settle the claim promptly and efficiently, so that they can focus on continuing to grow their business.

Here are some tips from our claims team, to help resolve matters swiftly and to the best possible outcome:

1. Do not admit any liability to the third-party. It may be very clear that you are at fault but there may be other contributing factors to the error that were outside of your control. There is no need to let the third-party know that you will 'foot the bill'. You can simply say that this incident will be reported to your insurer, who will handle the matter.
2. Take photos of the damage caused and record any witnesses' contact details.
3. Contact your broker, who can assist with the logistics of lodging the claim.
4. Lodge the claim as soon as practicably possible. The sooner we get involved, the quicker we can resolve the claim.
5. Provide all the relevant information upfront when lodging the claim, including the name of any third- parties making a demand, any contracts you may have with the third-parties (if applicable), photos and quotes for rectification if available, along with a completed Brooklyn claim form. As soon as we have all the information, we will promptly provide you with our position as to whether the claim is covered or not.

6. Be prepared to pay your excess towards the costs of the claim.
7. Depending on the claim and circumstances, we may deal with the third-party directly. You should try to avoid having a separate line of communication with the third-party that we are not aware of.
8. We will try and resolve the claim as soon as possible and we will provide regular updates to your broker with any important developments.
9. Lastly, mistakes happen, but we need to learn from them. So please ensure you refresh your risk mitigation plan.

Brooklyn Trades Q&A With Our Panel Loss Adjuster

Most of our trades claims are handled in house by our specialist claims handlers. However, there are circumstances where it warrants to engage a loss adjuster to assist with understanding the factual matrix, consider liability or assess the costs incurred. To provide you with some insight on the role of the loss adjuster and their role in the process, we have conducted a Q & A with Louise Hardy, from Sedgwick Melbourne, one of Brooklyn's panel loss adjusters.

Q 1: Can you briefly outline the process when you are engaged by Brooklyn?

It's key to look over the new instructions as quickly as possible and gain a basic understanding of what's involved, get a feel for the urgency, and discover if there is a particular sensitivity to the claim.

Once I get an overview, I contact the broker, or Insured if we have their direct details, to say hello and give a quick brief on what my role will be.

I will ask for details on the incident, obtain the circumstances, the background of the works and obtain some general details too, so we can understand your business and the works you do.

Touching base with the third party is next, to make necessary arrangements such as attend the site and inspect the damage, or utilise our specialist virtual assessing tool and arrange a video inspection.

When the investigation is complete and I understand the damage and the works involved, quotes or invoices for the works will be requested and a detailed report is provided to Insurers that goes over the full circumstances.

Once completed and liability and policy coverage are confirmed, we reach out to the third party and negotiate settlement. This is often an in-depth process, but if I've done my job right and set expectations from the outset, it should be straight forward.

If there is a dispute on liability, we will raise this with the third party, or other parties involved, to either redirect the claim or deny responsibility.

After settlement, that's it, job done!

Q2: Most of our trades claims are handled in house. When loss adjusters such as Sedgwick are engaged there is normally a complexity in terms of liability, coverage or assessment of costs. From your experience, where do you see most of your instructions coming from when it comes to trades claims?

It's a mixed bag really. Often the involvement of other contractors, or disputes over liability are the biggest areas where we become involved. Concerns with amount of the claim submitted for the damage is another big one.

Because we are independent of the Insured or the third party, we can often quickly review everything faster and get a better result.

Q3: What are your top 3 tips to a tradie facing a claim once a loss adjuster has been engaged and which trade faces most claims from your experience?

Tip 1: Take Photographs!

If you're still on site when the incident happens, take photos (and videos) and keep them, even if there's no claim at this point.

Tip 2: Keep the broken bit.

If a piece of equipment fails, retain the damaged part or section. It may be enough to pass the whole claim to someone else.

Tip 3: It's all in the details...

Once you know there's a claim, save the details of the subbie you used, and details of the other contractors involved on the job. Also, save copies of quotes and invoices you supplied, plus contracts and purchase orders. All of this will help us to review the claim.

In terms of which trades have most claims, I'd say plumbers as water causes some of the most catastrophic damage.

Q4: When do you think it is worth while doing a site visit rather than a desk job when it comes to a trade claim?

When I receive new instructions, it's usually quite clear if a site visit will be required. There may be queries over extent of damage, the Insured and the third party may not agree over costs or there may be a breakdown in the relationship between the two parties that just needs a go between. If there are complexities surrounding the cause or in terms of liability, it is often best to attend and meet someone face to face. Trades have a reputation to uphold; going to site can often ease the third party's mind that the matter is being dealt with.

Q5: Can you share a Trades claim you were engaged for that resonated with you, you found interesting or you made a difference to the insured and insurer?

The Insured was a plasterer. Tiles were cracking in a large number of bathrooms in an aged care setting. The Insured was confident that their works were to standard and they had followed the recommended installation instructions for the plasterboard.

I pro-actively managed the expectations of the Insured, the contractor and all other parties.

Following the commissioning of expert reports, a successful re-direction of the claim was completed to the manufacturer of the plasterboard as it was found to be defective - a decision which helped maintain the long-term relationship between the Insured and his clients.

I also assisted the Insured in recovering costs for rectification works from the manufacturer. Insurers ended up paying nothing, and the Insured was reimbursed for the costs of the re-plastering.

Litigated Claims Roadmap for Trades Personnel

There are instances when our Trades Insured is served with a statement of Claim and calls you for urgent advice and assistance. What do you do?

Brooklyn's dedicated claims team is here to help.

Let's work together to ensure the smoothest outcome to a stressful situation.

When our Insured sends you the Statement of Claim or a letter of demand, please remind them not to admit liability and ask them to prepare the following:

- any contractual documents setting out our Insured's role on the project/work the subject of the claim;
- a copy of our Insured's complete file for the project/work the subject of the claim; and
- a summary of the details of the dispute including when the dispute started and when any demand was first made.

Panel lawyers will be engaged when a matter is litigated or complex.

- Our panel lawyers are best placed to defend claims against our Insureds as they:
- comply with Brooklyn protocol, reporting and reserving requirements, ensuring that you receive a consistent and transparent service;
 - are carefully selected for their expertise through our national tender process;
 - charge agreed rates, reducing the financial impact on our Insured of any claim; and
 - are familiar with the litigation and insurance process.

Panel lawyers will be appointed on a "without prejudice" basis. What does this mean for our Insured?

We have not yet decided whether our Insured is entitled to cover under the policy. In the meantime, panel lawyers will be taking all necessary steps to defend our Insured and protect their interests.

Should we determine that there is no cover under the policy, our Insured will be required to pay for their own defence costs.

Insureds have an obligation to pay their policy excess, regardless of whether they believe the claim against them is legitimate.

The excess should be paid as soon as legal costs are incurred. The appointed panel lawyer will usually issue an invoice to our Insured up to the excess amount. Your assistance may be required to facilitate this process.

When will we provide our position on indemnity?

We will provide our position on indemnity as soon as we have all the relevant information about the claim.

If cover is available, it will usually be confirmed "based on known facts and circumstances". Should new information come to light, we may need to reconsider our position.

When and how will we update you?

We will keep you informed at each milestone in the claim's process. Some claims can be of a more complex nature, and so will move slowly. However, we will provide updates at least every quarter via email or by phone

How can you, as the Insured's broker, assist in a sticky situation?

Brokers should help our Insured understand the insurance process, assist in collecting the excess, and convey the importance of assisting our panel lawyers in defending the claim.

As a broker, you play a critical role in managing our Insureds' expectations, particularly once we and our panel lawyers decide on a settlement strategy for a claim.

Tradies Claims Examples - Part 1:

Up in the Air Tradies

When it comes to tradies, there is a genuine understanding that a public and a products liability insurance policy is a must. However, the tradie Insured may want your input as their broker on to what type of claims they may face and what sets Brooklyn claims handling apart.

To help you with this conversation, we have put together some short claims' examples along with our Brooklyn points of difference.

Tree Lopper (1)

What Happened?

Our Insured is a tree lopper who was engaged to undertake tree removal works within a residential strata complex. Whilst cutting a tree down within the common area of the property, a large branch was dropped on the roof and gutters, causing damage to two rows of tiles, two gutters and the fascia. In addition to a claim for the complete replacement of the tiles and guttering, a number of tenants also sought damages for rent abatement, due to their inability to utilize their premises.

Response

The Brooklyn claim handler promptly appointed one of our panel adjusting firms to undertake "make safe works, to mitigate the rent abatement claims. With respect to the claims for the entire replacement of the tiles and guttering, the Brooklyn claims handler advised the Body Corporate and Strata Manager that our Insured is only liable for the replacement of the roofing and guttering section that was damaged. Following comprehensive discussions with the independent Property Manager, members of the Body Corporate and the Strata Manager, the Brooklyn claim handler was able to secure a settlement which represented only those parts of the roofing and guttering directly damaged by the falling branch. This resolution was to the mutual satisfaction of the Insured, the claimant and Brooklyn.

Tree Lopper (2)

What Happened?

Our Insured is a tree lopper who was pruning a tree on a driveway using a ladder. Whilst collecting tools from his vehicle, a gust of wind tipped over the ladder hitting a third-party brand-new BMW, causing damage to the boot of the car. The Insured, via his broker, lodged the claim which was a recovery action by the motor vehicle insurer of the car owner.

Response

The Brooklyn claim handler promptly confirmed indemnity and swiftly took over the claim handling. The Insured was clearly liable, and the Brooklyn claim handler settled the recovery action within two weeks from receipt of the claim.

Rofer

What Happened?

Our Insured is a roofer who was contracted by a construction company (the Claimant) to install safety handrails, ladder and anchor points to the roof at a worksite. An employee of the Insured incorrectly installed the screws, causing damage to the existing roof sheets. The sheet required replacement and the Claimant issued an invoice for \$6,000 to the Insured for the costs of the replacement.

Response

The Insured [via the broker] was diligent in providing all the necessary information including photos. Indemnity and payment to the Insured was made by the Brooklyn claim handler within a week from receipt of the claim.

Window Cleaner

What happened?

Our Insured is a window cleaner. Whilst pressure cleaning around a window, a nut from the pressure cleaner came loose and hit the glass window. The Insured believed that his employee hadn't tightened the pressure cleaner sufficiently which caused it to come loose while cleaning. The owner of the building sought the costs for the damaged glass window and issued an invoice for \$2,000.

Response

Although a photo of the damage was not taken, the glass replacement invoice sufficiently confirmed the incident. Therefore, the Brooklyn claim handler confirmed coverage and made payment to the third party five days from receipt of the claim.

Painter

What happened?

Our Insured is a painter. Whilst painting the exterior walls of a high-end apartment building, a 15-litre exterior paint drum accidentally dropped on to the balcony of one of the apartments. The handle had snapped off a paint drum. Paint splattered the balcony and through open living room doors.

Response

The apartment owners submitted a quote for replacement items that were damaged as a result of the incident. These items included high-end outdoor and indoor furniture and the Claimant sought payment of over \$37,000. Due to the difficulty assessing the reasonableness of the quote provided by the third party and whether the items could not in fact not be repaired as advised by the claimant, a loss adjuster was appointed for a desk-top report. The loss adjuster reviewed the quotes and was ultimately successful negotiating a settlement of \$30,000 factoring in depreciation of the furniture value.

Sign Installer

What Happened?

Our Insured is a sign installer who was undertaking a removal of a sign at a high rise building which was located below a toll sign. While lowering themselves down via rope access, the Insured's employee had gone through the toll sign with their foot causing a hole in the sign.

Response

The Insured provided a repair quote from the third-party provider. The third-party provider claimed that the Insured's own repairer took too long to issue a purchase order and therefore it would have been more financially viable to proceed with their own albeit the quote being \$2,000 dearer than the Insured's proposed costs of works. The third-party also provided a quote for loss of rent for the damaged sign; this formed part of their claim to the Insured.

The Brooklyn claim handler sought photos of the damage and some clarification on how the damage occurred. Once the information was provided, the claims handler assessed the quotes as reasonable and paid out the third party within two weeks.

*The Brooklyn
points of
difference*

- Our claim handlers are experts in trades claims and most likely have seen a similar one before; they can guide you through the process and ensure our clients can get on with your work whilst they take care of the claim;
 - We strive to resolve the claim as soon as possible;
 - All claims are important to us, regardless of the size;
 - We keep it simple; we ask for the information we need to understand the claim rather than extensive paperwork;
 - All payments for covered claims are made in a timely manner;
- Some trades claims may look straight forward at the outset but complications can later arise; we are experts at navigating through the roller coaster of a claim lifecycle;
 - We use third-party providers such as loss adjusters that are experts in trades claims and adhere to our guidelines;
 - We ensure your rights are protected and often improve the bottom line by negotiating effectively with third-parties and claimants;
 - Your reputation is our reputation in we place great importance on ensuring yours is maintained via our strong claims delivery.

The Grounded Tradies

When it comes to tradies, there is a genuine understanding that a public and a products liability insurance policy is a must. However, the tradie Insured may want your input, as their broker, as to what type of claims they may face and what sets Brooklyn claims handling apart.

To help you with this conversation, we have put together some short claim examples along with our Brooklyn points of difference.

Electricians (1)

What Happened?

Our Insured is a commercial electrician. He was engaged by an electrical distributor network to supply and install service cables. The distributor (Claimant) was contacted by the local Council regarding a blocked drain which flooded the area and caused significant damage. Investigations revealed that the cause of the blocked drain was due to a conduit that had been put through the drain by the Insured. Upon a site visit there was substantial damage to a council's nature strip due to two large sink holes. The Claimant proceeded with the repairs and a civil crew was required to excavate the area and re-route a new conduit under the drain. The Claimant sought the costs of the repair from the Insured.

Brooklyn Response

The Brooklyn claim handler sought further information from the Insured such as confirmation of who in fact did the work (employee or labor hire), whether dial before you dig was consulted (it appears the pipe was not on the dial before you dig) and whether there could be further items/costs claimed from the Insured (to ensure the claim is wrapped up in full). Once the additional information was provided by the Insured, coverage was promptly confirmed. The Brooklyn claims handler, then took over the handling of the demand from the third party and was successful in negotiating a settlement for a significantly less amount than sought by the Claimant by arguing the labor hour rates were higher than market rates.

Electricians (2)

What Happened?

Our Insured is an electrician who performed electrical upgrades for their client's aged care facility. During those works, an incorrect wiring connection led to a power surge which damaged air conditioning units, refrigerators and electrical appliances throughout the facility. The Insured, via their broker, urgently lodged the claim that day to restore their vulnerable client's residents damaged property.

Response

The Brooklyn claims handler promptly lodged the claim and liaised with the Insured and the broker. Indemnity and liability were confirmed, an agreement on costs and a process implemented to expedite the replacement of the appliances /performance of repair works was made. The Insured was happy throughout the claims process; not only did they have certainty of coverage and costs with Brooklyn, they were able to maintain its strong reputation in a highly stressful situation.

Plumber

What Happened?

Our Insured is a commercial plumber who was contracted by a developer to design and install stormwater and sewer pipes at a development site. Following the completion of the work, the Insured issued a compliance certificate. The developer made a claim against the Insured for \$100,000 alleging some work was defective and non-compliant and required rectification.

Brooklyn Response

- Due to the complexity and the multi facets of the claim as well as the need for a site visit, Brooklyn promptly engaged a loss adjuster. The adjuster identified a number of issues/incidents: The Insured had installed the toilets as per the hydraulic plans whereas they should have installed them as per the architect plans. As result, it was necessary for the Insured to remove and refit the toilets in the correct position.

- The Insured advised that they raised the pressure to 1200KPA rather than the required pressure testing of 1500KPA for underground pipework. The Insured's test caused blowout to at least 5 sections the pipework which required the removal and replacement of the copper piping and the removal and replacement of monitored valves.
- Finally, a York flex line pipe failed behind a wall within an apartment causing an escape of water which affected the flooring and timbers within an apartment.

The Brooklyn claims handler was issued with the loss adjuster report and had a preliminary conversation with the broker on coverage. The broker acknowledged that the three incidents were the result of defective workmanship carried out during the installation and appreciated that the rectification work would not fall for cover. However, the claims handler confirmed that the damaged timber flooring within the apartment, together with the removal and replacement of relevant affected doors and timber work caused by the pipe leak is a covered under the policy for property damage to the third party. Brooklyn promptly settled the third-party claim for \$20,000.

Diesel Mechanic

What happened?

Our Insured is a Diesel Mechanic who performed a service for a client's vehicle. Unfortunately, three days after the service, the vehicle suffered irreparable engine failure. The cause was found to be from an installation error of the oil filter, which was performed during the insured's service. The Insured, via their broker, lodged the claim which was a recovery action by the client directly.

Response

The Brooklyn claims handler promptly appointed a boutique motor loss adjusting firm. They were familiar with the vehicle model, the cause of the loss and were able to provide their report within two business days. Indemnity and liability were confirmed, and the adjuster then sourced and priced a reconditioned engine which included the engine's previous modifications, transport and the Insured's installation

costs. The cost for the Insured to replace the reconditioned engine was a fraction of the original quote they obtained from a Toyota Dealership. This resolution was to the mutual satisfaction of the Insured, the client and Brooklyn which was achieved within nine business days from lodgment.

Concreter

What Happened?

The Insured is a concreter who was engaged by a local council to remove and replace concrete along various streets in its jurisdiction. The Claimant was a local residence that alleged that he sustained injuries to his shoulders, spine as well as mental injury when he attempted to gain access to his property via a wooden plank placed by the Insured over a wet concrete footpath. The Claimant alleged the plank was wobbly and shifted sideways, causing him to fall heavily to the ground. He commenced proceedings against the Insured at the District Court.

Response

Brooklyn was notified of the litigated claim and promptly confirmed indemnity and engaged one of its panel firms specializing in personal injuries. It was clear from the provided and the panel firm's independent investigation that the Insured was liable; the Insured should have installed a ramp rather than a plank which would have been more stable and failed to erect handrails along the walkway. However, the panel firm was able to obtain medical reports that referred to the Plaintiff's unrelated, pre-existing condition that exacerbated his current injury.

The matter proceeded to an informal settlement conference with a view that all reasonable attempts should be made to settle the claim considering the uncontested liability position. However, the panel firm was able to present a robust position on the quantum and reduce it from \$450,000 to a settlement of \$175,000 by arguing the past and future economic losses presented by the Claimant is inflated considering he has continued working full time and that he will require minimal assistance in care in future. This represented an excellent outcome for Brooklyn and the Insured who was pleased with the support and approach taken by Brooklyn.

Concreter (2)

What Happened?

The Insured is a concreter based in QLD. They provided concrete to a builder who used it to build slabs for a job at a local national park. The builder quickly realized that the concrete did not appear right as the surface was bubbling and breaking up. The slab was removed and sent for testing to identify the reason why the cement was not adequate. The testing identified that the cause was human error due to mixing wrong ratios of ingredients.

Response

The claim was covered under Defective Concrete Extension of the Policy which covers claims where the concrete is not fit for purpose as well as removal of the defective concrete.

Brooklyn paid \$35,000 for the defective concrete plus \$1,000 for transport costs of removing the defective concrete from the national park.

The Brooklyn points of difference

- Our claim handlers are experts in trades claims and most likely have seen a similar one before; they can guide you through the process and ensure our clients can get on with your work whilst they take care of the claim;
- We strive to resolve the claim as soon as possible;
- All claims are important to us, regardless of the size;
- We keep it simple; we ask for the information we need to understand the claim rather than extensive paperwork;
- All payments for covered claims are made in a timely manner;
- Some trades claims may look straight forward at the outset but complications can later arise; we are experts at navigating through the roller coaster of a claim lifecycle;
- We use third-party providers such as loss adjusters that are experts in trades claims and adhere to our guidelines;
- We ensure your rights are protected and often improve the bottom line by negotiating effectively with third-parties and claimants;
- Your reputation is our reputation in we place great importance on ensuring yours is maintained via our strong claims delivery.

For more information, please contact:



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