

**BROOKLYN  
CLAIMS  
ROADMAP**

# CLAIMS ROADMAP

**Our Insured has been 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.

A "cost inclusive" 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.

A "cost exclusive" excess is paid towards a settlement with the claimant. Payment of a settlement amount is usually required within a short period of time. Your assistance may be required to ensure that the settlement of a claim is not threatened by any delays in payment of the excess.

*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.

### **Brooklyn is part of AXA XL.**

Please know that the products and capabilities listed here are just one part of our offering. Your usual contact will be able to talk with you about the complete Brooklyn offering to help you deliver the most relevant solution for your client.

This summary is intended for informational purposes only and is not advice. Insurance coverage in any case will depend upon the type of policy in effect, the terms, conditions, and exclusions in any such policy, and the facts of each unique situation. No representation is made that any specific insurance coverage would apply in the circumstances outlined herein. Please refer to the individual policy forms for specific coverage details. XL Insurance Company SE (trading as Brooklyn Underwriting) is part of AXA XL, a division of AXA Group providing products and services through three business groups: AXA XL Insurance, AXA XL Reinsurance and AXA XL Risk Consulting. AXA, the AXA and XL logos are trademarks of AXA SA or its affiliates. ©2020

### **For more information please contact:**



#### **Maya Lazarus**

*Brooklyn Claims Manager*  
AXA XL

Level 28, 123 Pitt Street,  
Sydney, NSW 2000

T: +61(2) 8270 1738

[maya.lazarus@axaxl.com](mailto:maya.lazarus@axaxl.com)  
[www.axaxl.com](http://www.axaxl.com)



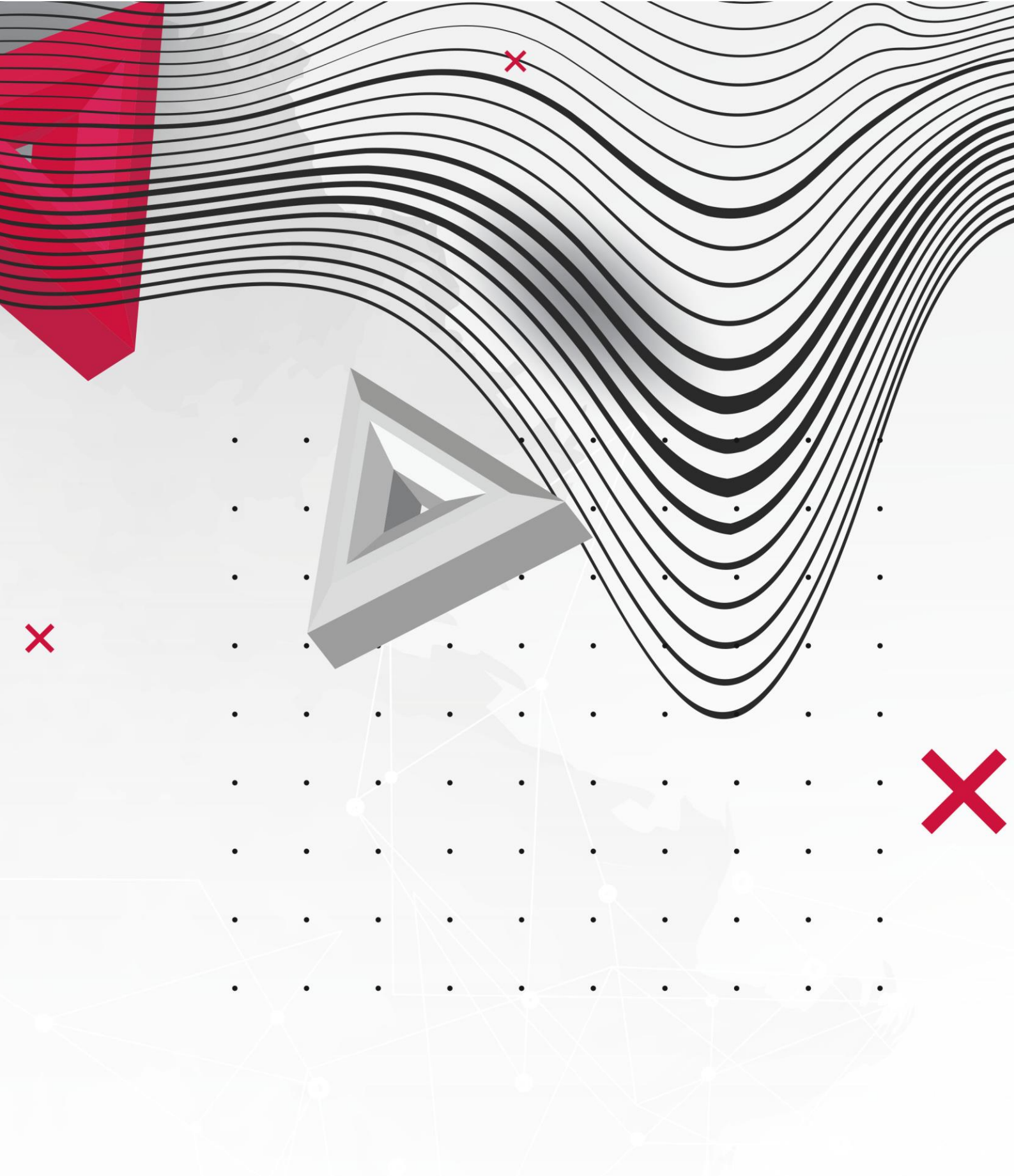
#### **Robyn Campbell**

*Claims Specialist, Casualty*  
*Brooklyn Underwriting*

Level 28, 123 Pitt Street,  
Sydney, NSW 2000

T: +61(2) 8270 1710

[robyn.campbell@brooklynderwriting.com.au](mailto:robyn.campbell@brooklynderwriting.com.au)  
[www.brooklynderwriting.com.au](http://www.brooklynderwriting.com.au)



XL Insurance Company SE  
Angel Place, Level 28, 123 Pitt Street,  
Sydney NSW 2000, Australia  
Telephone: +61 2 8270 1400  
Fax: +61 2 8270 1799  
website: [www.axaxl.com](http://www.axaxl.com)  
ABN 36 083 570 441

**BROOKLYN**   
UNDERWRITING