

**IRONSHORE DEFENSE COUNSEL CASE EVALUATION REPORT & BUDGET**

**ATTORNEY CLIENT PRIVILEGED COMMUNICATION**

**Law Firm**

**Attorney**

**Attorney Email**

**Attorney Phone**

**Attorney Fax**

**Attorney Address**

**Date**

**Case Caption**

**Insured(s)**

**Law Firm File No**

**Ironshore Claim No**

1. **SUMMARY OF CASE**

* **Summary of the allegations of the complaint and causes of action**
* **Factual basis for litigation**
* **Information developed during preliminary evaluation**

1. **INSURED(s)**

* **Identify/Describe insured(s)**

1. **PLAINTIFF**

* **Description of plaintiff and assessment of plaintiffs’ counsel**

1. **CO-DEFENDANT(S)**

* **Description of co-defendants**
* **Insurance information (carrier, limits)**

1. **MOTION PRACTICE**

* **Recommended motions to be filed including dispositive motions**

1. **RECOMMENDED CROSS-CLAIMS**

* **Recommended cross-claims/counter-claims**
* **Recommended third party actions**

1. **LIABILITY**

* **Plaintiffs theory of liability – including analysis of standard of care and causation**
* **Plaintiffs’ experts**
* **Defense theory**
* **Defense experts**
* **Liability of non-Ironshore Insureds**
* **Joint & several liability**

1. **DAMAGES**

* **Economic damages**
* **Non-economic damages (if applicable)**
* **Causal relationship of injury to damages**
* **Defense damage plan/experts**
* **Plan for reduction of alleged damages**
* **Indemnity-Contribution-Collateral Source offset**
* **Lien issues (include discussion of Medicare Liens, if applicable)**

1. **CASE EVALUATION**

* **Assessment of Judge & Jurisdiction**
* **Discussion of strengths & weaknesses of case**
* **Verdict range**
  + **Insured**
  + **Total case**
* **Settlement value**
  + **Insured**
  + **Total case**
* **Chance to win/successful resolution**
  + **Insured**
  + **Total Case**
* **Apportionment**
  + **List each party and its % of liability**

1. **EARLY DISPOSITION STRATEGY**

* **Should early settlement be considered? If so, why?**
* **Should arbitration or mediation be used? If so, why?**

1. **TRIAL DATE (including likelihood of postponement)**
2. **DEFENSE COUNSEL BUDGET**

* **Please provide the projected cost of defense through case resolution. Please break down the projected defense budget: (1) through discovery phase; (2) through motion phase; and (3) through trial.**