

Further Development of the Internet Based, Business Process Utility (“BPU”) for Insurance Claims

Moderator

William F. Swiggart, Esq.

Panelists

Ellen Wilcox – ES Wilcox & Assoc., LLC

William F. Swiggart, Esq.

Josh Lee - Microsoft

David Ferrara - ProcessClaims

Agenda

- Claims Utility
 - Market Overview
 - Business Implications
- BPU Legal Considerations
- Technology Implications
- Real World Example
- Panel Discussion / Q&A

Claims Utility Market Overview

- What is a Claims Utility?
- Initial Offerings
- Current Trends
- Potential Future Markets

Claims Utility

Business Implications

- Competitive Positioning
- Operating Models
 - In-house
 - Package
 - ASP
 - Outsourcing

Legal Considerations

Q: What is Legal Basis for BPU?

- State Street Bank Case (1998)
 - Pure Software Patentable
- AT&T v. Excel Case (1999)
 - Business Methods Patentable

Legal Considerations

Q: What is best Business Structure?

- Ownership
 - Spin-Off vs. Joint Venture
- Vehicle
 - Corporation vs. LLC
- Venue
 - Delaware vs. Bermuda, etc.

Legal Considerations

Q: Are there Anti-Trust Concerns?

- Spin-Offs

- Rules and Procedures to prevent customers from using BPU to violate anti-trust laws

- Joint Ventures

- Must prevent any appearance of Price-Fixing

Legal Considerations

Other Issues

- Privacy of Customer Data
 - Gramm-Leach-Bliley
 - EU Privacy Directive, etc.
- Laws re computer transactions
 - UCITA,
 - Electronic Signatures, etc.

Technology Implications

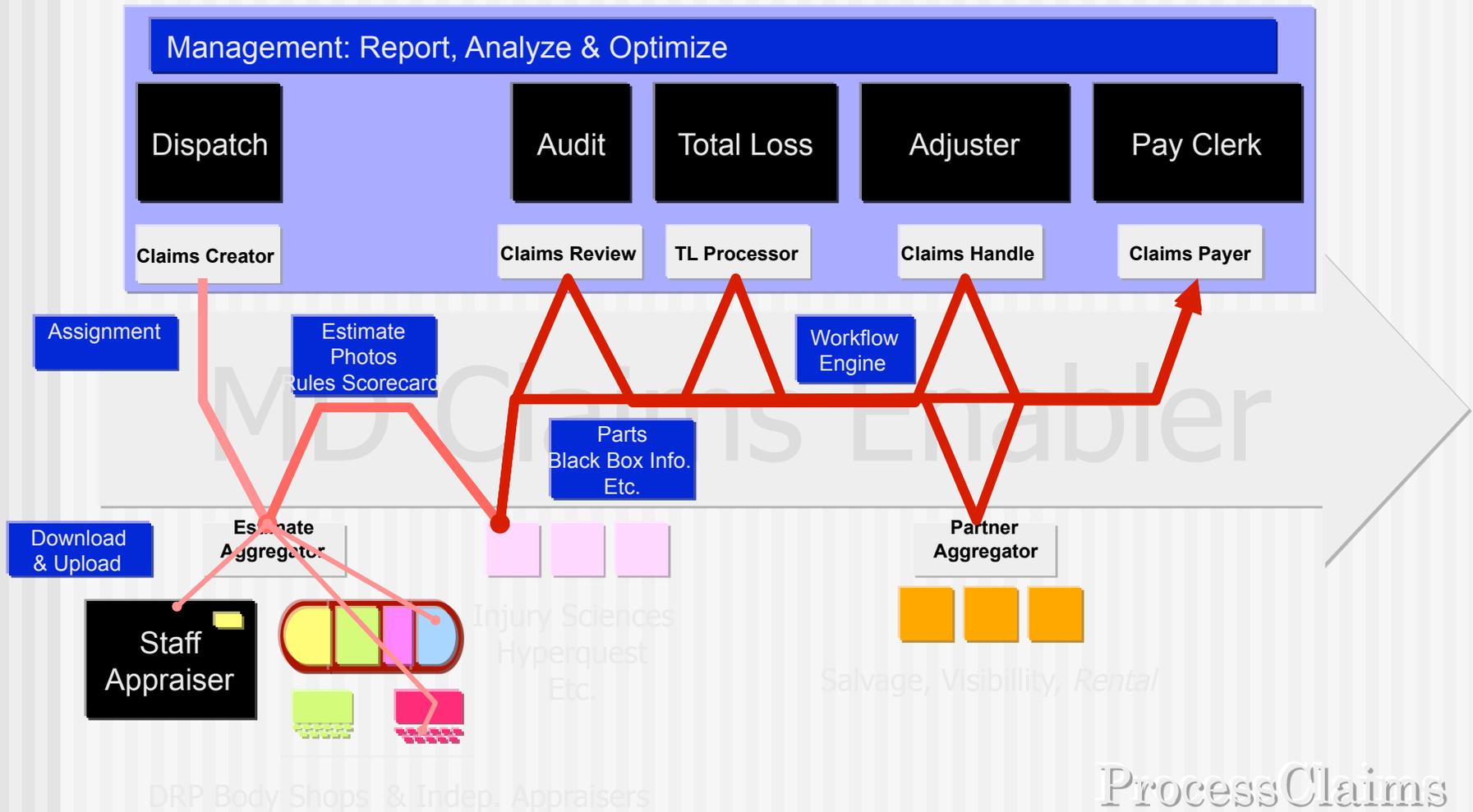
- Loosely coupled integration
- Seamless desktop to back office communication
- Use of data analysis for cost optimization

Technology Implications

- Technology facilitated “exchange”
- How much data is “good” for your company
- Usage of standards, who is leading and who is lagging

Real World Physical Damage Web Based Hub

INSURANCE COMPANY



Panel Discussion

■ Moderator

- William F. Swiggart
Swiggart & Agin, LLC, Boston, MA

■ Panelists

- Ellen Wilcox – ES Wilcox and Associates, LLC
- William F. Swiggart
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Questions and Answers

- What is an insurance claims utility ("ICU")?
- Is there a perceived need for ICUs?
- Is there a demonstrated need?
- What is the current state of the market for an ICU?
- What is the most likely future market for an ICU?
- Describe recent past ICUs ?
- Are there any current successful examples?

Questions and Answers

- What are current successful examples of ICUs?
- What has made current ICUs successful?
- Are there any serious technical obstacles to the development of an ICU today?
- If so, what are they?
- What institutional obstacles are there, if any to the development of ICUs?
- What ICUs are most likely to be available five years from now?