

Phillips Murrah Insurance Defense Attorney discusses commercial trucking and e-discovery issues in AM Best Webinar



Kayce L. Gisinger is a Director and litigation attorney at Phillips Murrah with extensive trial experience, which includes the defense of cases involving product liability, auto and trucking negligence, premises liability, medical malpractice, legal malpractice, employment law and general negligence.

Phillips Murrah Director, [Kayce L. Gisinger](#), participated on Wednesday in a webcast panel discussion of insurance and claims experts, sponsored by [A.M. Best](#), a global credit rating agency, data provider and news publisher that focuses on the insurance industry.

Titled "Pileup in Commercial Auto," the webinar focused on the subject of difficulties in the highly competitive commercial automobile claims market. Subjects discussed were factors driving litigation and losses, how companies' underwriting is changing, and how ride-hailing services and autonomous vehicles are poised to change the sector.

"It's a great opportunity for those in the commercial auto industry to stay current on the critical issues they are facing in litigation today and learn proactive solutions," Gisinger said. "The format allows for the analysis of questions and concerns claim's handlers are dealing with on a daily basis."

From a legal defense perspective, regarding how new, on-board vehicle technology is changing the transportation industry, Gisinger said:

"One of the immediate effects is going to be an increase in electronic discovery, which is becoming more invasive all the time from the defense standpoint. The downside of technology in terms of commercial vehicles is the expectation that all vehicles should be fully equipped and it opens us up more to electronic discovery. Plaintiffs' counsel are demanding wholesale access to our clients' and our carriers' computer systems. I see that now with discovery disputes that are going on, and I'm sure it's going to become more and more common as more technology is placed inside these vehicles.

Technology is used to increase the safety factor and also to monitor the drivers, which documents and makes more available evidence that can be used against us. The trend under the new requirements for commercial carriers, as well as the safety measures that companies are implementing, is really opening up the scope of discovery. It is also widening the issues that plaintiffs' experts are talking about in terms of what's available to us and why are we are not using it; the implication being that we don't want to document it because

we want to hide our practices and what our drivers are doing."

The full informative discussion is now available in the [A.M. Best webinars archives](#). The website is free, but registration is required through the A.M. Best website [member center](#).

Other panelists include Nathan Edmonds, Senior Partner at Secrest Wardle; Mark Vanneste, Partner at Secrest Wardle; and Andrew Gibbs, Partner at Lindabury, McCormick, Estabrook & Cooper, P.C.



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