ARBITRATION FORUMS, INC.

Membership driven. Innovation focused.

Total Recovery Solution® (TRS®) Guide for Responders

Contents

TRS Glossary of Terms

| Term	Description
Adverse Party	The party from whom you are seeking to recover damages.
Attached Evidence	The collection of all the evidence items attached to a section of the case (*Liability Arguments, Damages, Jurisidictional Exclusions, etc.*).
Case	A collection of liability arguments and damages for a set of parties involved in the occurrence.
Case ID	The numeric identifier for a collection of recovery and response submissions that belong together (i.e., under the same liability decision).
Coverage	The scope of protection provided under an insurance policy under which a company has paid a claim.
Discontinued	Status of an occurrence when no further activity is allowed, but the occurrence information is still searchable and viewable to the parties.
Evidence Attachment	An evidence item that the party has inserted into the damages or liability section to support specific arguments. Arbitrators are required to comment on any evidence linked in the *Liability Arguments* section.
Extension	A postponement of the response due date by a responding party to prepare and submit its response. Only one extension may be requested by a responding party; a fee is incurred.
Feature	A set of damages for a claim. For Automobile Collision and Comprehensive/OTC damages, a feature is identified by the vehicle year, make, and model. For PIP and MedPay, a feature is identified by the injured party's first and last name.

|	
Filing ID	The numeric identifier for a decision on a case.
Insert Evidence Attachment	An option to link evidence within your liability argument. Arbitrators must comment on all inserted evidence.
Jurisictional Exclusion	Argument that does not address dispute itself, but rather raises an objection to compulsory arbitration's jurisdiction.
Occurrence	An event that results in an insured loss.
Placeholder	An indicator for known evidence that is not available during the initial entry and is identified in the case. The evidence must be uploaded to the placeholder prior to submission.
Revisit/Rebut	Allows a party to address issues raised by the adverse party regarding damages, jurisdictional exclusions, newly impleaded parties, and policy limits.
Void Decision	Removes a decision from a case. Voiding a liability decision will discontinue the occurrence.

Responding to a Case in TRS

When a case is filed in TRS, the Adverse Party (Responder) receives an email notification. To respond, login to **www.arbfile.org** and select **TRS Arbitration**.

Search for a case by entering the AF Case ID, Claim Number, Policy Number, or Internal Reference Data in search field.
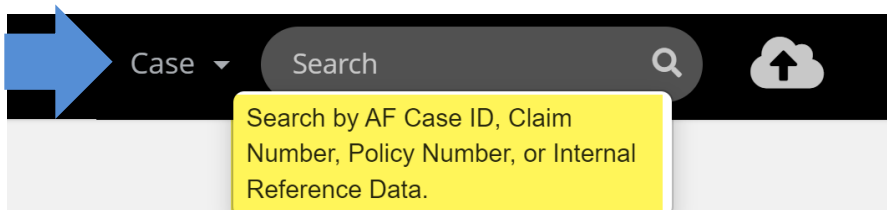
Once found, the case will display in the Worklist.
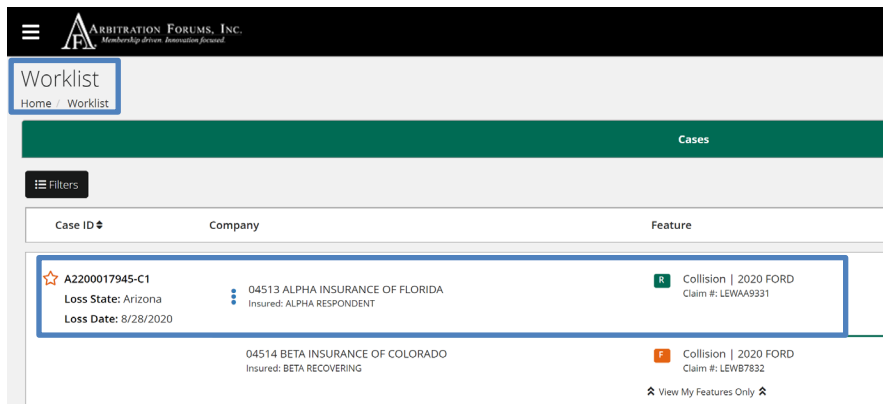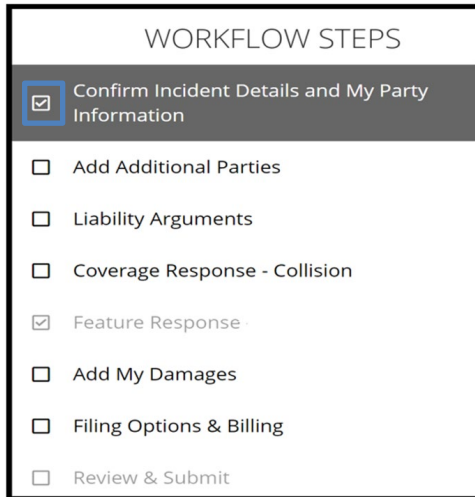

Each party's case is identified through TRS® Badges.

- The green "R" badge is the Responder's case.
- The orange "F" badge is the Filer's case.

> Selecting the arrows expands or collapses case information.
>
> | | |
> |---|---|
> | ⌄ View Features From All Parties ⌄ | Collapsed View |
> | ⌃ View My Features Only ⌃ | Expanded View |

A2200017945-C1
Loss State: Arizona
Loss Date: 8/28/2020

04513 ALPHA INSURANCE OF FLORIDA
Insured: ALPHA RESPONDENT

R Collision | 2020 FORD
Claim #: LEWAA9331

04514 BETA INSURANCE OF COLORADO
Insured: BETA RECOVERING

F Collision | 2020 FORD
Claim #: LEWB7832   BEN RESPONDER

⌃ View My Features Only ⌃

As Responder, you have 30 days to submit a response. This is denoted by the Due Date. To respond, select **Enter Response** from the the blue ellipsis drop-down menu.

A2200017945-C1
Loss State: Arizona
Loss Date: 8/28/2020

04513 ALPHA INSURANCE OF FLORIDA
Insured: ALPHA RESPONDENT

R Collision | 2020 FORD
Claim #: LEWAA9331

9/9/2022   In Progress

Assign Claim Rep
Enter Response

04514 BETA INSURANCE OF COLORADO
Insured: BETA RECOVERING

F Collision | 2020 FORD
Claim #: LEWB7832   BEN RESPONDER

⌃ View My Features Only ⌃

Using the **Filters Tab** is another way to search for cases.

Filters

Filter Presets   **+ Add**
Default fi...

Selected Filters   🗑 Clear
NeedsAttn X

> Arrows expand to reveal more filter options.

Assignment
☐ Assigned to Me
☐ Unassigned

Watches
☐ My Watched Cases

Case Status
☑ Needs Attention
☐ Recovering
☐ Responding
☐ Open
☐ Closed
☐ Deferred

> Reduce search time using different filter options such as Case Status, Coverage Group, etc.

TPA Assignment
☐ Assigned to TPA
☐ Not assigned to TPA

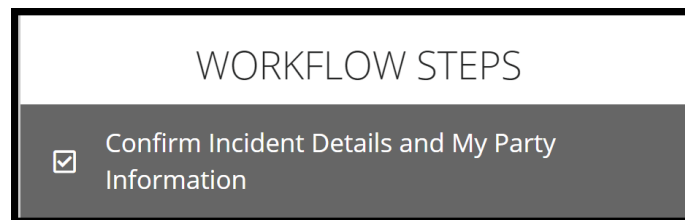**Coverage Group**
None Selected   ⊙

TRS Workflow Steps

Once in the case, the Responding Party will complete **workflow steps** found to the left. Completion of these steps is required in order to submit the case. As each step is completed, TRS® will automatically mark it as complete. This is denoted by a check mark. Once all workflow steps are marked as complete, the case can be submitted.

Confirm Incident Details and My Party Information

The Responder will confirm the information entered by the Filing Party.

Note: Required fields are denoted with an (*). Once the field is completed, it becomes a ✓.

Under **Case Type**, confirm the **Coverage Group** selected by the Filing Party is correct.

![Arbitration Forums, Inc. logo] ARBITRATION FORUMS, INC.
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Guide for Responders

Case Type

Coverage Group ❓   New York PIP

Options include:

- Collision, Comprehensive/OTC
- PIP
- MedPay
- New York PIP
- Property
- Workers' Compensation Subrogation (Special Arb)
- Third-Party Contribution (Special Arb)
- Non Compulsory (Special Arb)

Next, confirm the correct **Right of Recovery** is selected.

Right of Recovery   Loss Transfer

Options include:

- Negligence (Collision, Comprehensive/OTC, PIP, Med Pay, Property or Workers' Compensation Subrogation)
- Concurrent Coverage/Priority of Payment (Collision, Comprehensive/OTC, PIP, Med Pay, Property, or New York PIP)
- Contribution Among Co-defendants or Contribution for Concurrent Coverage (Third-Party Contribution)
- Non-Compulsory
- Loss Transfer (New York PIP only)

If the incorrect **Coverage Group** or **Right of Recovery** is selected, assert the appropriate **Jurisdictional Exclusion** (see **Jurisdictional Exclusions** to learn how to **Add Exclusion**).

Jurisdictional Exclusions   Add Exclusion ▾

- Federal Vehicle
- Filed under wrong coverage
- Incorrect Right of Recovery
- Inter-Company Reimbursement Notification Form (IRN) Not Received
- Not Writing Business in Loss State
- Self-Insured Retention
- Statute of Limitations

Confirm **Incident Details** including the Loss Date and Loss State.

Incident Details   ✏ Request Incident Details Change

Loss Date   8/1/2022

Loss State   New York

Loss County

Loss City

If the information entered is incorrect, select **Request Incident Details Change**.

The following pop-up appears. Enter the correct **Loss Date** and/or **Loss State** in the fields provided. A **Reason** is required for this change. Attach evidence supporting the change and select **Submit Request**. Requests are verified by Arbitration Forums, Inc (AF). If approved, AF will update the case with the correct information.

Request Update to Incident Details

> While your request is under review, you will not be able to enter or submit a response.

Loss Date   [mm/dd/yyyy 📅]   Current Loss Date: 8/1/2022

Loss State   [▾]   Current Loss State: New York

✳ Reason   [   ]

Attached Evidence ❓   ➕ Attach Evidence

Evidence items have not been attached.

Cancel   Submit Request

Confirm the correct **Party Information** is displayed. This information is pre-filled based on login credentials. Ensure the correct Subsidiary is selected.

Party Information

Company	04514 - BETA INSURANCE CO
Subsidiary	0002 - BETA INSURANCE OF COLORADO

Confirm the **Policy Information** starting with the Claim Number, Line of Insurance, and Insured's information. The Policy Number and Policy Issue State are **not** required.

Policy Information

Claim Number	8312022B
Policy Number	
Policy Issue State	
✔ Line of Insurance	● Personal/Individual ○ Commercial/Business
✔ Insured's First Name	HARRY
✔ Insured's Last Name	GREEN

When Personal/Individual is selected, enter your Insured's First/Last Name.
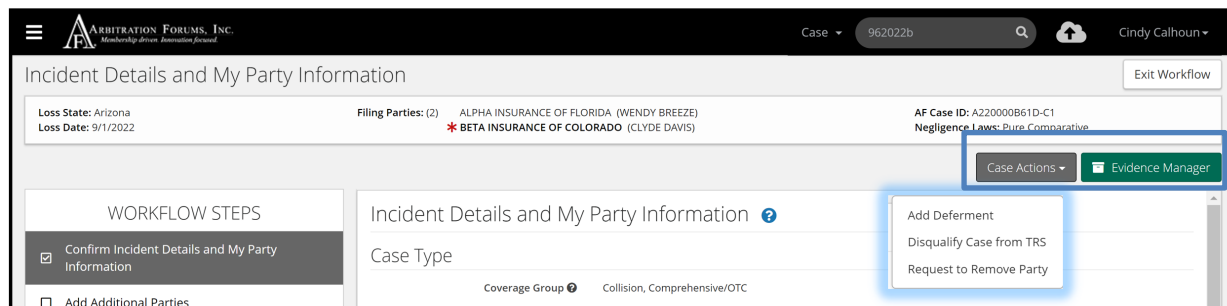
Policy Information

Claim Number	8312022B
Policy Number	
Policy Issue State	
✔ Line of Insurance	○ Personal/Individual ● Commercial/Business
✔ Insured's Company Name	ABC BUSINESS

When Commercial/Business is selected, enter your Insured's Company Name.

The **Case Actions** tab allows Responders to:

- Add a deferment
- Request to remove a party

The **Evidence Manager** is where evidence is stored for use later in the case (**See Insert, Attach, or Placeholder for Evidence** for more information on how to attach evidence to a case).

Add Additional Parties

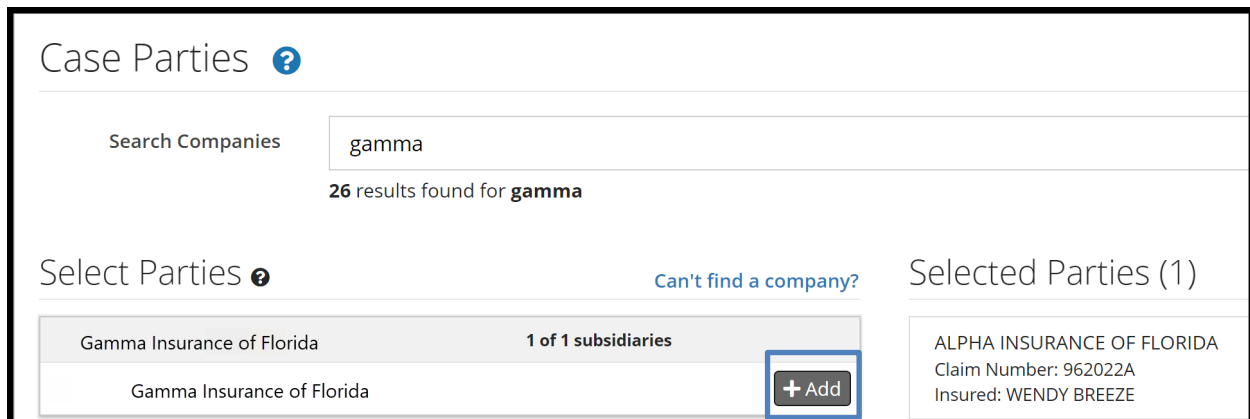WORKFLOW STEPS

☑ Add Additional Parties

The filing company's name appears under **Selected Parties**. To add additional parties, enter the company code/name in the **Search Companies** field. This information is transferred from E-Subro Hub if the demand was pushed to TRS for arbitration (Collision, Comprehensive/OTC).

Case Parties ❓

Search Companies | Enter the company name of the adverse party

Select Parties ❓

Selected Parties (1)

ALPHA INSURANCE OF FLORIDA
Claim Number: 962022A
Insured: WENDY BREEZE

The company will populate under the **Selected Parties** section.

To add the party, select the **+Add** tab.

Case Parties ❓

Search Companies | gamma

26 results found for **gamma**

Select Parties ❓   Can't find a company?

Selected Parties (1)

Gamma Insurance of Florida   1 of 1 subsidiaries

Gamma Insurance of Florida   **+ Add**

ALPHA INSURANCE OF FLORIDA
Claim Number: 962022A
Insured: WENDY BREEZE

It will then appear on the right side of the page. To remove the party, select the red trash icon found to the right.

For non-signatory companies, a Non-Sig badge will appear next to their name. Select the **+Add** tab to add them to the case (Does not include NY PIP).

Note: When adding a non-signatory party to a case, they **must** give consent. To confirm consent is given, attach a copy of the **Written Consent Letter** as evidence. If evidence is not provided of prior consent to arbitrate, the filing will proceed. However, the non-signatory party may object to consent to arbitration, which will prevent any recovery from this party even when it is found negligent for the accident or occurrence. When the loss occurs in a mandatory arbitration state, consent is **not** required.
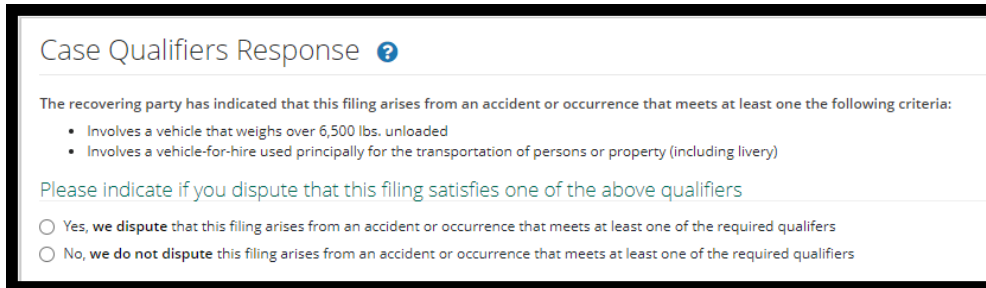
In **New York Loss Transfer** cases, no-fault payments made to an injured party are recoverable so long as the accident or occurrence meets one of the following criteria:

- Involves a vehicle that weights over 6,500 lbs. unloaded
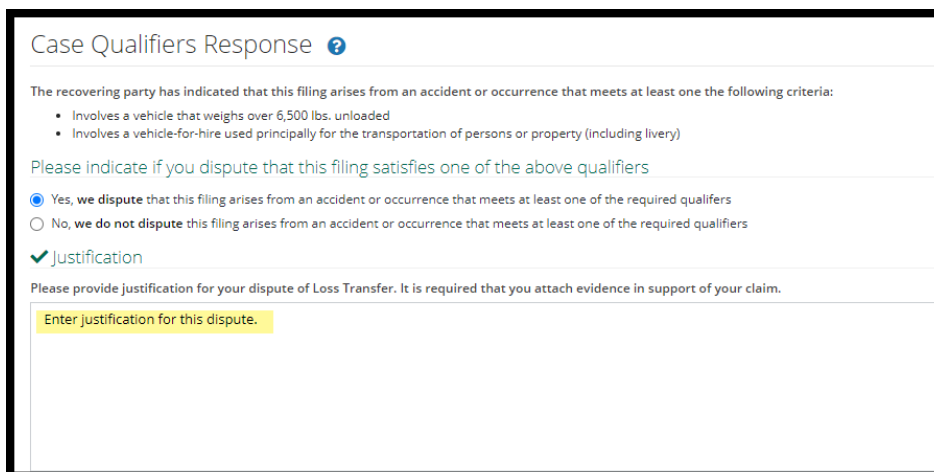
- Involves a vehicle-for-hire used principally for the transportation of persons or property (including livery)

Indicate if this filing satisfies one of the above qualifiers.

Select **Yes** if you dispute this filing arises from one of the above case qualifiers. Provide a **Justification** in the field provided and **Attach Evidence**. Evidence should support your claim.
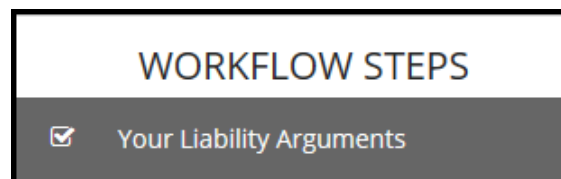

Select *No*, if you do not dispute this filing arises from one of the case qualifiers.

If **Priority of Paymen**t for **New York PIP** is selected as the **Right of Recovery**, this workflow step will not be present. Proceed to the next step.

Your Liability/Recovery Arguments

Your liability arguments will appear in the workflow steps when **Negligence**, **Loss Transfer (NY PIP only),** or **Contribution Among Co-Defendants** is selected as the **Right of Recovery**.

Recovery arguments will appear in the workflow steps when **Concurrent Coverage/Priority of Payment, Contribution for Concurrent Coverage or Non-Compulsory** is selected as the **Right of Recovery.**
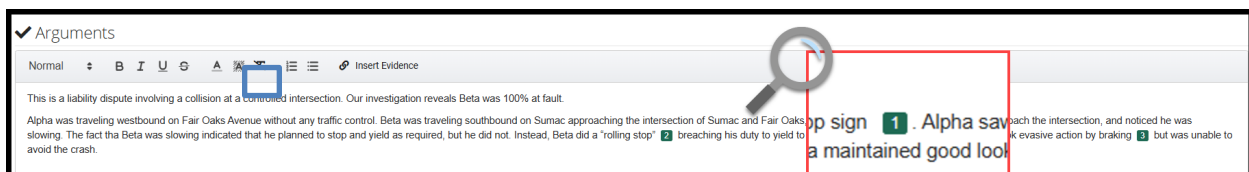
Insert, Attach, or Placholder for Evidence

Enter either liability or recovery arguments and insert evidence, if desired.

> Note: Arbitrators are required to make a comment about specific evidence items inserted in this section.
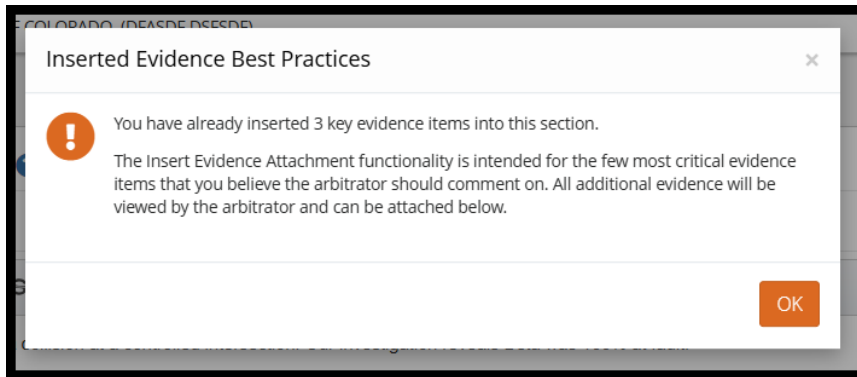
Insert Evidence

Inserted evidence will appear in the arguments section as a "green box" with a number assigned.

As a best practice, Responders should insert no more than three (3) evidence items into the liability arguments section. Inserting too many items defeats the purpose of emphasizing critical evidence that is most important to proving your liability or damages position to the arbitrator.

The following pop-message appears when attempting to insert more than three (3) items into your liability arguments.
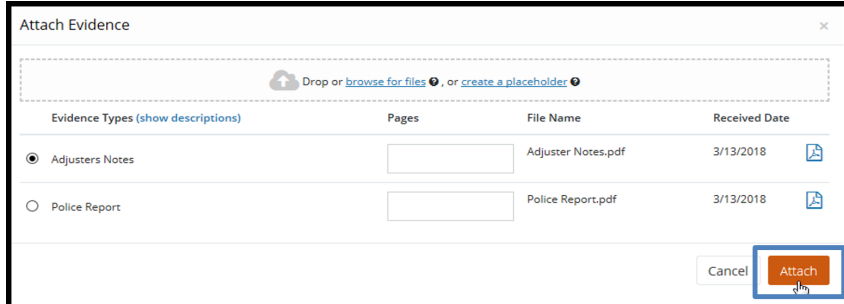
To insert evidence, select **Insert Evidence**.

Responders will choose specific evidence items from the **Evidence Manager**, if added previously, or browse for files saved in your database. See **Attach Evidence** to learn how to upload and attach evidence to a case.

Choose a specific evidence item by selecting the adjacent radio button and select **Attach**.


> Note: Evidence uploaded from E-Subro Hub will automatically be saved in Evidence Manager. Responders will need to manually attach it to the case.

Next, enter the percentage of liability admitted. If no liability is admitted enter "0". This section will appear when **Negligence** or **Loss Transfer Right of Recovery** is selected.
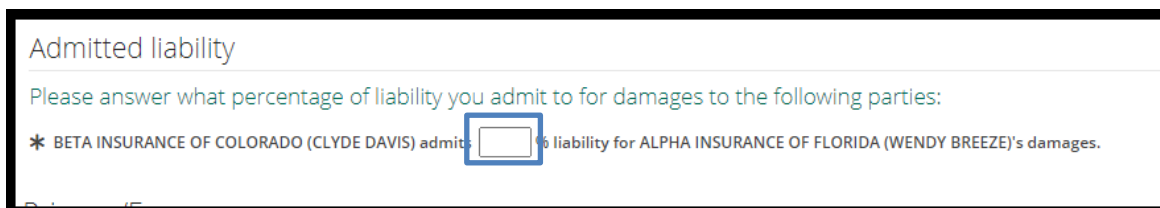
When **Concurrent Coverage/Priority of Payment, Contribution Among Co-defendants or Non-Compulsory** is selected as the **Right of Recovery**, the admitted liability section will *not* be present. Arguments raised under this Right of Recovery relate only to coverage disputes and not liability.
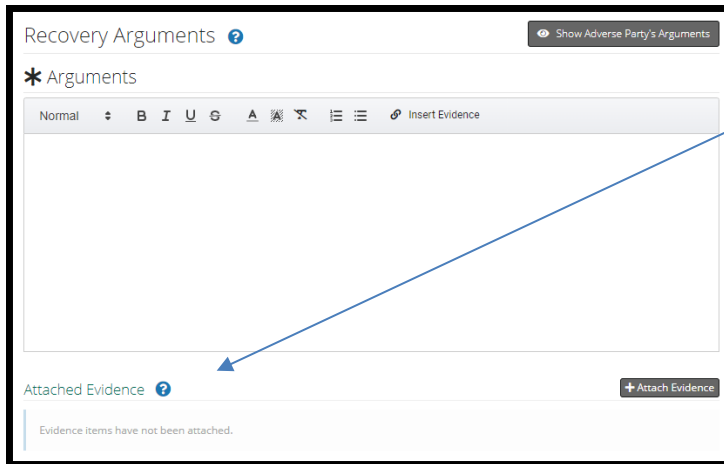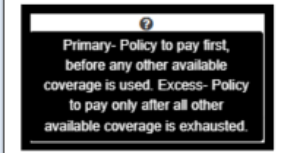

The **Admitted Liability** question is not present when the Right of Recovery is Concurrent Coverage/Priority of Payment.

Answer *Yes* or *No* to the Primary/Excess question by selecting the radio button. The system automatically defaults to *No.* (Does not apply if **New York PIP**, **Concurrent Coverage/Priority of Payment Right of Recovery,** or **Contribution for Concurrent Coverage** is selected).


Help Text is available when hovering over the question mark.

Primary- Policy to pay first, before any other available coverage is used. Excess- Policy to pay only after all other available coverage is exhausted.
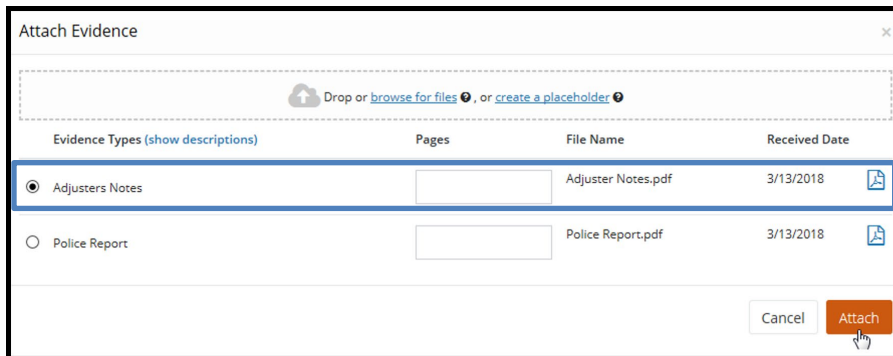
Attach Evidence

Next, attach evidence not previously inserted into the arguments section. To attach evidence, select the **Attach Evidence** tab.
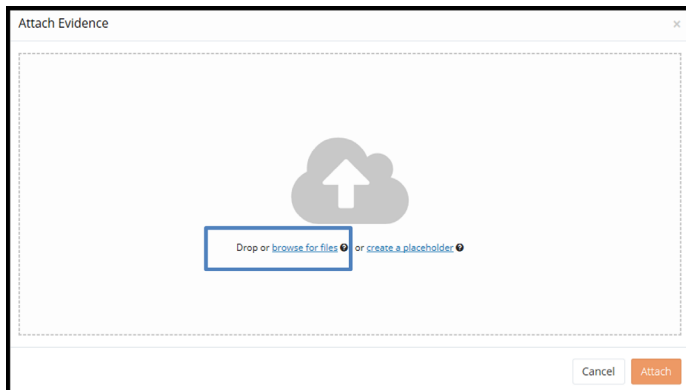
Note: Evidence inserted into Arguments will automatically appear in the Attached Evidence section as a green box.
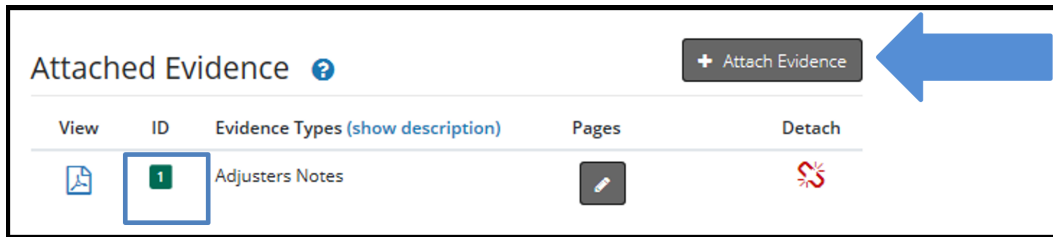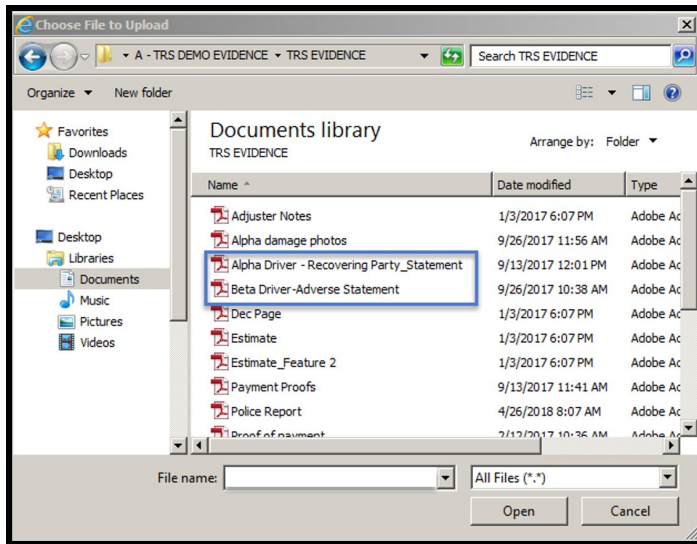
To add evidence not inserted into Arguments, choose the radio button with the relevant evidence type and select **Attach.**


To attach evidence not previously uploaded from E-Subro Hub, drag and drop them into the window or select **browse for files.**

Select evidence items stored in your claims system by double-clicking on the desired evidence item.
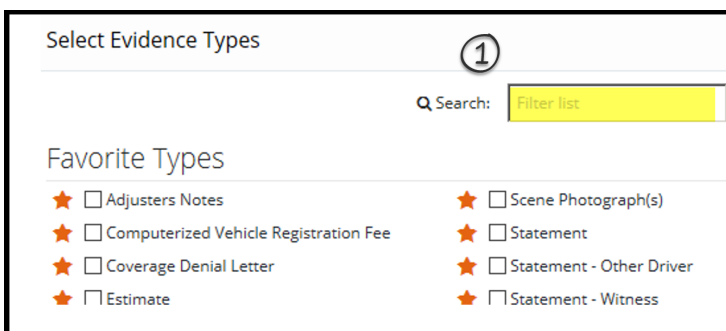
This brings the evidence into the Evidence Manager where responders are required to give it a type. Select the red link to reveal the evidence type options.
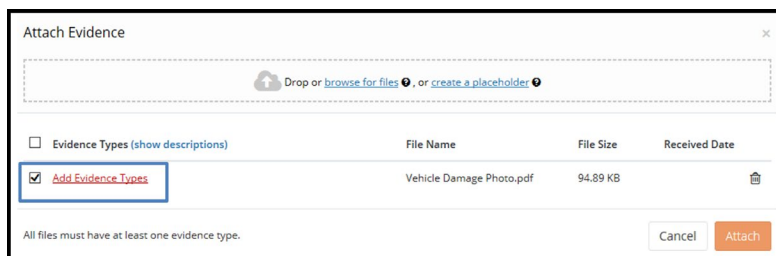
There are three ways to search for evidence types.

The **Search** box uses an incremental search to progressively find and filter through text. Enter the first few characters to identify a type from the list.

Responders can scroll through the **Evidence Types** list until evidence is located. Check the box next to the corresponding type and **Save** to bring it into the **Evidence Manager**.

Once evidence is saved in the **Evidence Manager**, Responders will need to select **Attach** to save evidence to the filing.

Responders can also search for evidence types via the **Favorite Types** list. To use this as a search option, Responders must first save the evidence type to "Favorites" by selecting the gold star. Next, select the box adjacent to the evidence item and select save. Once saved, it will appear on your **Favorite Types** list.

Evidence saved as a favorite is placed in a separate section for quicker access.

Note: Evidence Sharing for Collision and Comprehensive/OTC Cases Only

Attach evidence relevant to the liability arguments. Do not dispute damages or attach evidence regarding a damage dispute in this section (Liability Arguments Workflow Step).

Damage Dispute evidence attached to the **Supporting Evidence for Feature Response** section is viewable by the Recovering Party. Likewise, evidence attached to the Feature Damages sought section by the Recovering Party is viewable to the Responding Party **(Rule 2-1)**.

Arguments not properly raised will not be considered by the arbitrator **(Rule 2-5)**.

Placeholder for Evidence

When a piece of evidence is known but unavailable at the time of responding, **Create a Placeholder.**

This workflow will allow you to identify the evidence types and optional description and save. Follow the Insert/Attach Evidence workflow.

> **Note:** Evidence must replace the placeholder and be attached to the case prior to submission.

Coverage Response – Applicable Coverage Group

This section applies to Collision, Comprehensive/OTC, PIP, Med Pay, New York PIP, Property, Workers' Compensation Subrogation, Third-Party Contribution, or Non-Compulsory.

Answer the **Coverage Response** questions by selecting **Yes** or **No.**
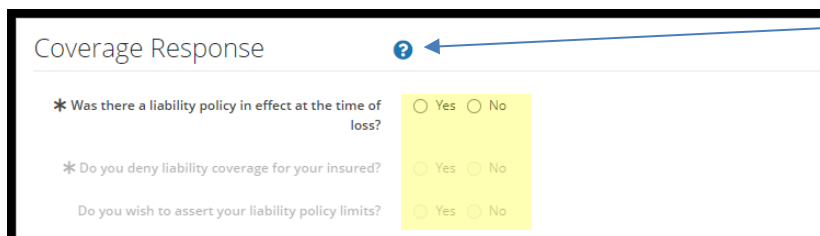
Select the blue question mark to reveal **Help Text.**

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Select **Yes** or **No** depending on whether there is a liability policy in effect at time of loss.
If **Yes**, go to the next question.

✔ Was there a liability policy in effect at the time of loss?   ● Yes ○ No

> This question appears when **Negligence** or **Contribution Among Co-defendants** is selected

If **No**, Responders are prompted to confirm they do not provide liability coverage for the named insured, are unable to locate a liability policy for the named insured, or the liability policy for the named insured expired prior to the date of loss. Select **Confirm**.

Proceed?

You should select Confirm only if you: do not provide liability coverage for the named insured, are unable to locate a liability policy for the named insured, or your liability policy for the named insured expired prior to the date of loss.

By selecting 'confirm' below, you are confirming the above is true and parties will be prevented from seeking recovery of damages against you in arbitration.

Cancel   Confirm

Once **Confirm** is selected, an additional question as to who holds the liability policy appears.
If **Yes**, enter the party(ies) carrying the liability policy at the time of loss.

✔ Do you know who holds the liability policy?   ● Yes ○ No

✱ Select all parties who had the liability policy in effect at the time of loss. ❓   Please add a party to the case and then select the party as a Liability Carrier.

If a party you wish to name as a carrier is not on this list return to Add Additional Parties and add them to this case.

If **No** is selected, all remaining questions will remain disabled. Proceed to the next workflow step.

✔ Was there a liability policy in effect at the time of loss?   ○ Yes ● No

✔ Do you know who holds the liability policy?   ○ Yes ● No

✱ Do you deny liability coverage for your insured?   ○ Yes ○ No

Do you wish to assert your liability policy limits?   ○ Yes ○ No

When **Yes** is selected in regards to a liability policy that was in effect at the time of loss, additional questions appear.

> These questions apply to **Workers' Compensation Subrogation** and **Third Party Contribution disputes**

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If **Yes** is selected for the above questions, Responders are required to provide a **Justification.** Attach evidence to support your assertions.

For **Collision, Comprehensive/OTC, Property,** or **Third-Party Contribution** where the coverage response includes **property damage**, Responders will enter the Property Damage (PD) limits from the Declarations Page. This field appears only when **Yes** is selected to assert your liability policy limits.

For **PIP, Med Pay**, **Workers' Compensation Subrogation,** or **Third-Party Contribution** cases where the coverage response includes **bodily injury**, Responders are required to select the **Policy Limit** type. This field appears only when **Yes** is selected to assert your liability policy limits.

Per-Person/Per-Incident

When selecting **Per-Person/Per-Incident**, enter the limit of coverage per-person. Next, enter the limit of coverage per-incident.

Combined Single Limit

When selecting **Combined Single Limit**, Responders are prompted to enter only the single limit amount for property damage and injury combined for the occurrence.

Next, add **Additional Exposures**, if known, by selecting the **+Add** tab to the right. This section appears only when policy limits have been asserted.

This field should only be used when your liability policy limits are at risk and where exposures exist to parties *not* named in the current filing.

To add an additional exposure select the **+ Add** tab.
 (Does not apply to NY PIP filings).

Enter the amount of the exposure, if known. Select the **Paid** or **Unpaid** Exposure radio button and provide a **Description**.

When additional exposures are known prior to arbitration, enter the amount in the field provided.

$1,000.00

Next, select **Paid Exposure** as the type if an actual payment is made.

If payment has not been made, select **Unpaid Exposure** as the type.

If undetermined, check the **Undetermined Exposure Amount** box. Next, enter a description and add evidence to support it (for example, a police report).

If the additional exposure is **unknown/undetermined**, check the box.

For **New York PIP Priority of Payment** as the **Right of Recovery**, the following questions appear. Answer **Yes** or **No** by selecting the adjacent radio button.

Coverage Response - NYPIP

✔ Was there a policy or contract in effect at the time of loss? ● Yes ○ No

✔ Do you deny coverage for your insured? ○ Yes ● No

If **Yes** is selected, move to the next question. If **No** is selected, the following message will appear. Select **Confirm** if you are sure there was no policy or contract in effect at the time of loss.

> Proceed?
>
> Are you sure there was not a policy or contract in effect at the time of loss? This will prevent parties from seeking recovery of damages against you in arbitration.
>
> Cancel   Confirm

If **No** is selected, move to the next Workflow Step. If **Yes** is selected, you are required to provide a **Justification** and attach evidence supporting this assertion.

For **New York PIP Loss Transfer** as the **Right of Recovery**, the following questions appear. Answer **Yes** or **No** by selecting the adjacent radio button.

Coverage Response - NYPIP

✔ Was there a liability policy in effect at the time of loss? ● Yes ○ No

✔ Do you deny liability coverage for your insured? ○ Yes ● No

If **Yes** is selected, move to the next question. If **No** is selected, the following message will appear. Select **Confirm** only if you do not provide the liability coverage for the named insured, are unable to locate a liability policy, or the policy was expired on the date of loss.

> Proceed?
>
> You should select Confirm only if you: do not provide liability coverage for the named insured, are unable to locate a liability policy for the named insured, or your liability policy for the named insured expired prior to the date of loss.
>
> By selecting 'confirm' below, you are confirming the above is true and parties will be prevented from seeking recovery of damages against you in arbitration.
>
> Cancel   Confirm

If **No** is selected, move to the next Workflow Step. If **Yes** is selected, you are required to provide a **Justification** and attach evidence supporting this assertion.

Feature Response – Vehicle or Injury Party

```
WORKFLOW STEPS

☑  Feature Response -  Vehicle or Injured Party
```

The filing company's feature information, located at the top of the page, includes the driver and vehicle information **(Collision, Comprehensive/OTC)**, a feature description, **(Property or Non-Compulsory)** or injured party information **(PIP, Med Pay, New York PIP, Workers' Compensation Subrogation, or Third-Party Contribution)**. Other information includes:

- Claim Number
- Claim Representative (Name, Phone Number, and Email Address)
- Remittance Address

Collision, Comprehensive/OTC view:

Feature Response - 2021 HONDA (ALPHA INSURANCE OF FLORIDA) ❓

Driver: WENDY BREEZE	Vehicle: 2021 HONDA ACCORD	Bailment: No
Claim Number: 962022A	Claim Rep: Sally Jo Butterfield	Remittance Address: 3820 Northdale Blvd
	📞 813-574-4738	Tampa, FL 33624-1863
	✉ Sjbutterfield.company.com	

Property or Non-Compulsory view:

Feature Response - BOAT (ALPHA INSURANCE OF FLORIDA) ❓

Feature Description: damage to boat

Bailment: No

Claim Number: 2142023A	Claim Rep: JOHN X. DEMANDER	Remittance Address: ATTN: Arbitration Forums
	📞 813-967-8889	3820 Northdale Blvd Ste 200A
	✉ jdemander.alpha_04513_profile@arbfile.org	Tampa, FL 33624-1856

PIP, Med Pay, New York PIP, Workers' Compensation Subrogation, and Third-Party Contribution (bodily injury) view:

Feature Response - WILLIAM THORTON (ALPHA INSURANCE OF FLORIDA) ❓

Injured Party Name: WILLIAM THORTON	Injured Party Status: Driver	Vehicle: No Vehicle Specified
Claim Number: 9132022A	Claim Rep: JOHN X. DEMANDER	Remittance Address: ATTN: Juan Camaney
	📞 813-967-8889	3820 Northdale Blvd
	✉ jdemander.alpha_04513_rep@arbfile.org	Tampa, FL 33624-1863

Responding Party information includes your claim number, which has been pre-filled from the Incident Details screen. If this number differs, you have the option to update it in this section. In addition, the **Internal Reference** allows the option to add a unique reference ID for routing purposes.

Jurisdictional Exclusions

Jurisdictional exclusions (JE) are reasons why a Responding Party's case does not qualify to be heard by Arbitration Forums, Inc. To assert a jurisdictional exclusion, select the **Add Exclusion** Tab.

A list of exclusions will appear based on the Coverage Group selected:

Once an exclusion is selected, Responders are required to complete the description field.

Jurisdictional Exclusions

Filed under wrong coverage

🗑 Delete Exclusion

✔ Description

Enter Jurisdictional Exclusion (JE) description in this field.

Explain why this JE was selected.

If the incorrect exclusion is selected or is no longer needed, select **Delete Exclusion**.

Next, attach evidence in support of the exclusion asserted by selecting **+Attach Evidence** and follow the necessary steps (See **Insert, Attach, or Placeholder for Evidence** to learn more).

Supporting Evidence for Jurisdictional Exclusions ❓

➕ Attach Evidence

Damage Disputes

The Recovery Sought section allows Responders to review the damages sought by the filing company. Responders can also dispute damages from this section.

Recovery Sought

Company-Paid Damages

Auto Damage	$3,500.00	▾ Dispute
Rental	$500.00	▾ Dispute
Total Sought	**$4,000.00**	
Total Proposed	**$4,000.00**	
Difference	**$0.00**	

Each itemized damage item can be disputed. To dispute damages, select the **Dispute** tab adjacent to the item.

ARBITRATION FORUMS, INC.
Membership driven. Innovation focused.

| Auto Damage | $3,500.00 | ▼ Dispute |
| Rental | $500.00 | ▼ Dispute |

Once the **Dispute** tab is selected, the damage item will expand, allowing you to enter the required information: Proposed Amount, Dispute Type(s), and Justification.

Recovery Sought

Company-Paid Damages

Enter the **Proposed Amount**. Example: $250.00 for rental versus the amount the Filer is seeking of $500.00.

| Auto Damage | $3,500.00 | ▼ Dispute |
| Rental | $500.00 | 🗑 Delete Dispute |

＊Proposed Amount $250.00

＊Dispute Type(s) Select ⌄

＊Justification

Normal B I U S A ✍ ✗ ≣ ≣
🔗 Insert Evidence

Enter Justification here.

✔ Dispute Type(s) Rental x ⌃

Expands to reveal a drop-down menu to select **Dispute Type.**

☐ Select All
☐ No Subro Received/No Invoice
☑ Rental
☐ Unnecessary/Unreasonable Operations

To support a damage dispute, provide an explanation. This section also allows you to **Insert Evidence** to better support your arguments. Inserting evidence creates a relationship between the argument and evidence. Inserted evidence is assigned a numerical value and requires the arbitrator to make a comment. **Do not include payments paid to the filing company in this section. Enter any payment made for damages sought by the filing party or its insured under the Prior Payments section.**

The example below shows how inserted evidence appears in the Damage Dispute Justification section. A numerical value is automatically assigned to each inserted item.
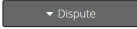
Normal B I U S A ✍ ✗ ≣ ≣
🔗 Insert Evidence

The rental invoice was not sent in the Filing Company's subrogation demand. The estimate calculates a 5 day repair. At $50.00 a day (comparable vehicle) we are willing to reimburse $250.00 and not the $500.00 being requested by the Filing Company. (see rental bill RE1),

At any time on this page, you are able to **Delete Dispute** and confirm to proceed.
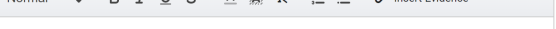
Rental	$500.00	🗑 Delete Dispute

As you work your way through this section, the Total Sought, Total Proposed, and Difference are calculated accordingly.

Company-Paid Damages		
Auto Damage	$3,500.00	▾ Dispute
Rental	$500.00	🗑 Delete Dispute

✔ Proposed Amount $ 250.00 ✔ Justification

Normal ⇕ B I U S̶ A 🅰 ✗ ☰ ☰ 🔗 Insert Evidence

✔ Dispute Type(s) [Rental x] ⊘

The rental invoice was not sent in the Filing Company's subrogation demand. The estimate calculates a 5 day repair. At $50.00 a day (comparable vehicle) we are willing to reimburse $250.00 and not the $500.00 being requested by the Filing Company. (see rental bill RE1),

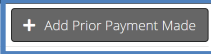| Total Sought	$4,000.00
Total Proposed	$3,750.00
Difference	$250.00

When **Concurrent Coverage/Priority of Payment** is selected as the Right of Recovery, Responders will enter a deductible amount in the field provided, if applicable.

Deductible Applicable to This Concurrent Coverage / Priority of Payment Feature	
Responding Party Deductible Amount	

Prior Payments Made

As a Responder, you can add **Prior Payments Made** to the filing company prior to arbitration. Any payment(s) made towards the filing party's damages or its insured (including deductibles), for the claim/damages sought in the filing, should be entered and supported by evidence showing the payment has **cleared** (cashed, deposited).

Prior Payments Made	✚ Add Prior Payment Made
ALPHA INSURANCE OF FLORIDA has not accepted prior payments from BETA INSURANCE OF COLORADO.	

This is especially true when there is a policy limit. This ensures the recovering party's award amount is adjusted for the prior payment and/or the remaining balance of policy limits is awarded accordingly (Does not include New York PIP).

When entering a payment dollar amount, describe what the payment is for (vehicle damages, out-of-pocket rental, property, deductibles, medical bills, lost wages, etc.).

✱ Payment Amount	[ ]	🗑 Delete Payment
Payment Description	[ ]	

Entering payments to parties other than the filing party or its insured should be entered as an additional exposure (Does not include New York PIP). This will ensure award allocations do not exceed an Adverse Parties policy limits.

Attached Evidence

The attached evidence list is a collection of the evidence for the page/section you are on.

The adverse party(ies) will have access to view the evidence attached to the feature damages, damage disputes, and damage dispute rebuttals section only.

When known evidence needs to be attached to the case, but it is unavailable at the time of entry, you can create a placeholder. This workflow will allow you to identify the evidence types and optional description and save.

The evidence must be attached prior to submission (See **Insert, Attach, or Placeholder for Evidence**).

Supporting Evidence for Feature Response ❓				➕ Attach Evidence
View	ID	Evidence Types (show description)	Pages	Detach
📄	RE1	Rental Bill/Receipt	✏️	🔗

> **Note: Evidence Sharing for Collision, Comprehensive/OTC Cases Only**
>
> Attach Damage Dispute evidence to the **Supporting Evidence for Feature Response** section. Evidence attached here is viewable to the Recovering Party. Likewise, evidence attached to the **Feature Damages** sought section by the Recovering Party is viewable to the Responding Party **(Rule 2-1)**.
>
> Arguments not properly raised will not be considered by the arbitrator **(Rule 2-5)**.

Add My Damages (Does Not Include New York PIP)

This workflow step allows Responders to enter damages paid to their insured and recover from negligent parties.

If you have damages, simply indicate **Yes** and proceed to the next Workflow Step: **Select Coverages. (See TRS Navigation Guide for Filers.)**

My Damages ❓

Add damages?   ⦿ Yes   ◯ No

If you do not have any damages, continue to next Workflow Step: **Filing and Billing Options.**

My Damages ❓

Add damages?   ◯ Yes   ⦿ No

Filing and Billing Options

WORKFLOW STEPS

☑ Filing Options & Billing

Responders can request a **Panel of Three** on qualifying cases exceeding $15,000.00 (does not include **New York PIP**). For qualifying cases, a box will appear for Responders to select.

Panel of Three ❓

I would like to request a Panel of Three hearing for the following qualified features

☐ 2022 FORD R - ALPHA INSURANCE OF FLORIDA

If you choose to request a Panel of Three hearing, a fee will apply.
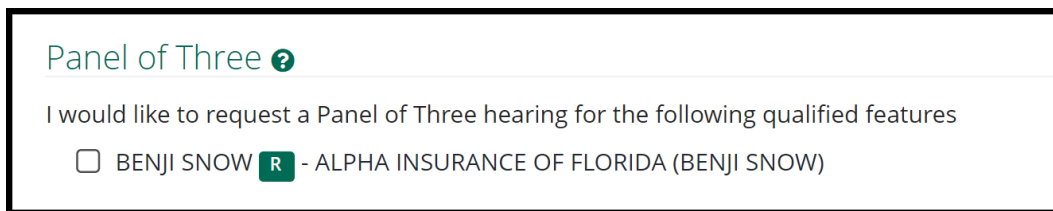
Panel of Three ❓

Requesting a Panel of Three will result in a scheduled hearing where three panelists will hear this filing collaboratively. A separate fee applies. A Panel of Three can only be requested for features with damages of at least $15,000.00.
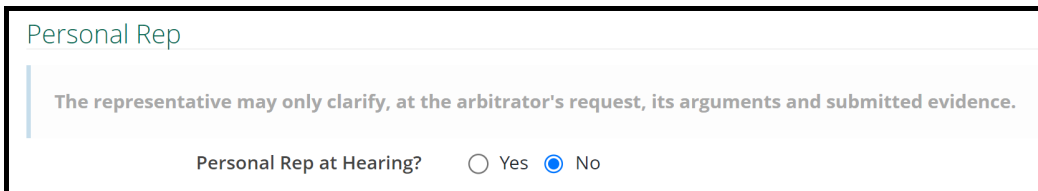
Total Recovery Solution® (TRS®)
Guide for Responders

If a case does not qualify, Responders will receive the following message, "No features qualify to request a Panel of Three."

Filing Options & Billing

Filing Options

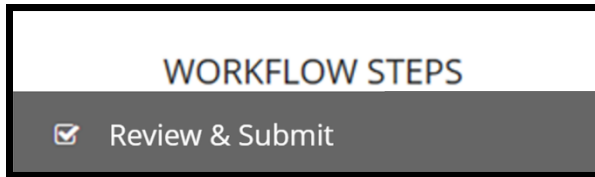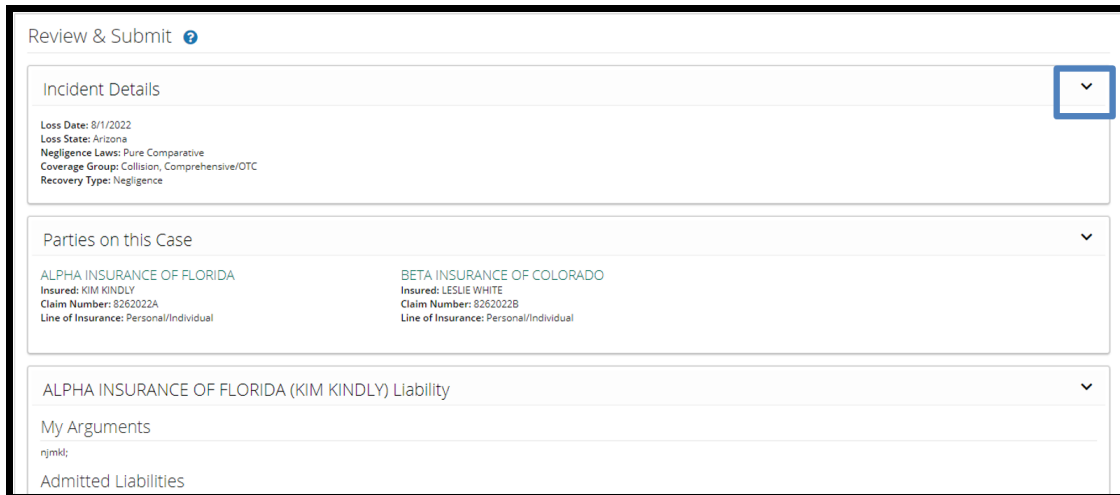Panel of Three ❓

No features qualify to request a Panel of Three
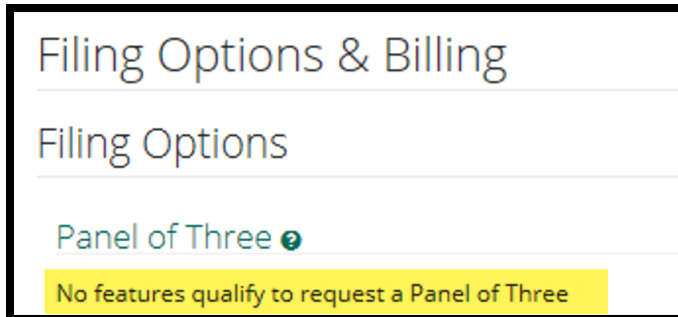
In **New York PIP**, a Panel of Three can be requested without a qualifying dollar amount. Select the box to make the request next to the appropriate feature. If you select a Panel of Three, this will result in a scheduled hearing where three panelists will hear the filing collaboratively.

Panel of Three ❓

I would like to request a Panel of Three hearing for the following qualified features

☐ BENJI SNOW [R] - ALPHA INSURANCE OF FLORIDA (BENJI SNOW)

Responders can request to personally appear virtually at the hearing by selecting **Yes** or **No**.

Personal Rep

The representative may only clarify, at the arbitrator's request, its arguments and submitted evidence.

Personal Rep at Hearing?   ○ Yes   ● No

Review and Submit

WORKFLOW STEPS

☑ Review & Submit

Each section is expanded or collapsed using the down arrow to the right of the page.

Review & Submit ⓘ

Incident Details ⌄

Loss Date: 8/1/2022
Loss State: Arizona
Negligence Laws: Pure Comparative
Coverage Group: Collision, Comprehensive/OTC
Recovery Type: Negligence

Parties on this Case ⌄

ALPHA INSURANCE OF FLORIDA
Insured: KIM KINDLY
Claim Number: 8262022A
Line of Insurance: Personal/Individual

BETA INSURANCE OF COLORADO
Insured: LESLIE WHITE
Claim Number: 8262022B
Line of Insurance: Personal/Individual

ALPHA INSURANCE OF FLORIDA (KIM KINDLY) Liability ⌄

My Arguments

njmkl;

Admitted Liabilities

Proofread for spelling or grammatical errors.

WORKFLOW STEPS

☑ Confirm Incident Details and My Party Information

☑ Case Qualifiers Response

☑ Liability Arguments

☑ Coverage Response - NYPIP
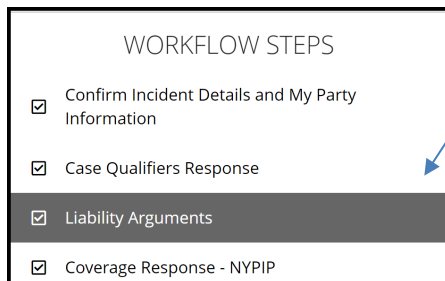
To correct or update an area, navigate to the specific section via the **Workflow Steps** and update the necessary information.

Note: All corrections must be made prior to submitting the case. There are no amendments in TRS.

Select **Submit**. Your response is now complete. Once submitted, no amendments can be made. You can only revisit the case for specific reasons (See **Revisits**).
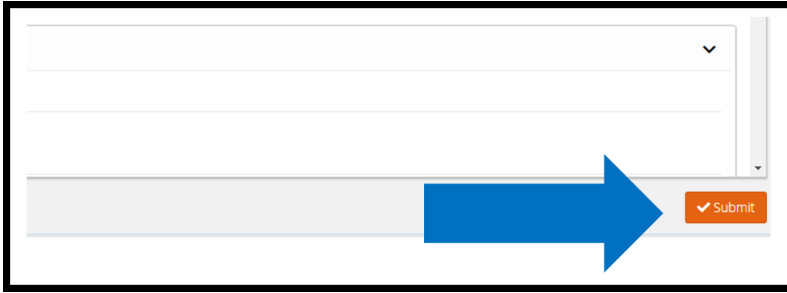
Appeal Process (Property and Special Only)

Currently, appeals are offered in TRS for Property and Special disputes only. To request an appeal, the Company Claim Amount must be $10,000.00 and above for Property and the Total Settlement Amount must be $100,000.00 and above for Special. A charge of $1,000.00 is incurred by the requesting party.

The appeal process is not intended to simply facilitate another chance to prevail. Under Rule 2-12, appeals can be requested when an actual error by the original arbitrator or panel is made. Examples include the erroneous interpretation of submitted case law or misreading of evidence.

The right to appeal a decision is limited to the parties that "participated" in the original hearing. In other words, if a Responder did not respond, it may not appeal the decision.

To start the appeal process, the decision must display a status of **Decision Published.** Appeal requests must be made within 30 days of the Decision Publication date.

Select the Case ID number to access the Case Overview page.
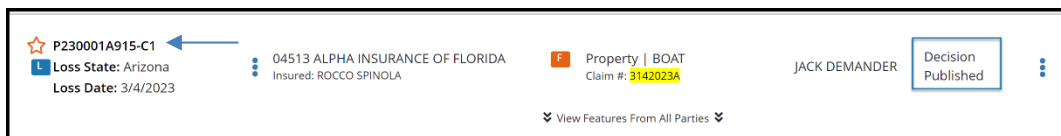
From Case Overview, navigate to **Decisions** and select **Appeal Decision** from the **Decision Actions** drop-down menu.
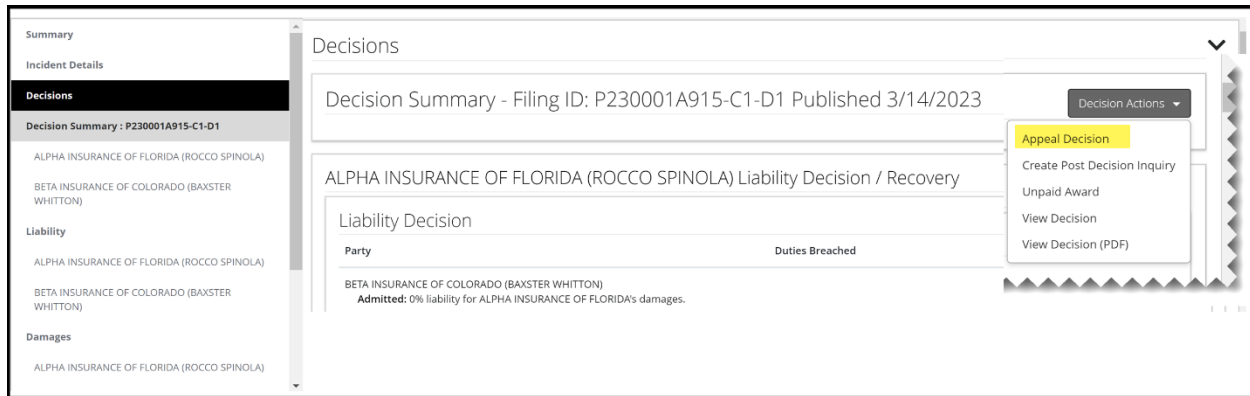
From the Appeal Decision screen:

1. Enter an appeal explanation in the field provided.
2. Review each party's proven liability percentages.
3. Review the Total Damages Awarded.
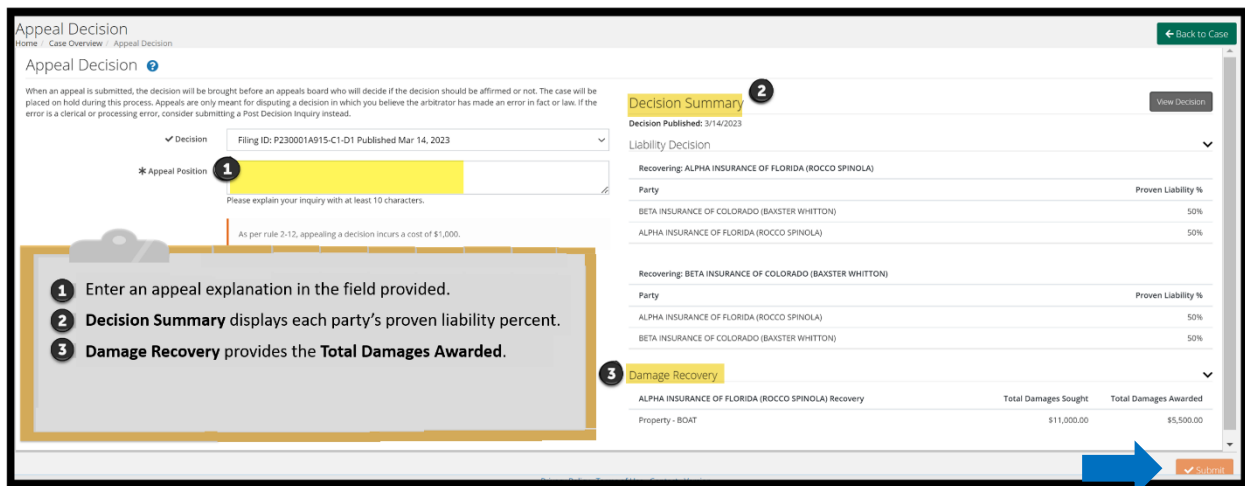
Once an explanation is entered, select the Submit tab.

Deferments

The documents linked below provide step-by-step instructions on how to request, withdraw, or challenge a deferment.
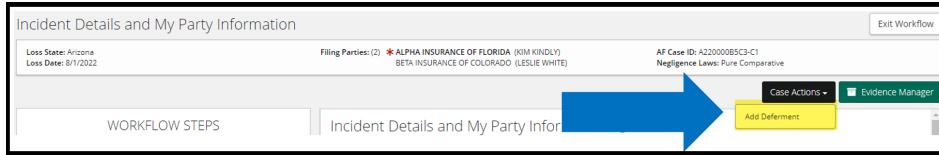
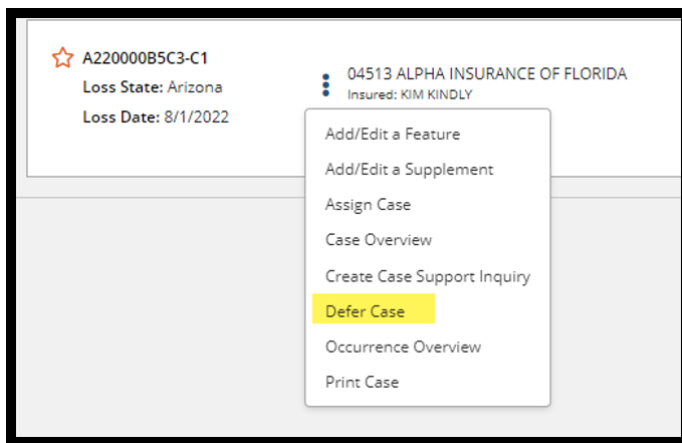[Request a Deferment](#)

[How to Withdraw a Deferment](#)

[How to Challenge a Deferment](#)

Parties can postpone a hearing (for one year) by adding a **deferment.** There are two ways to add a deferment to a case:

- From the **Case Actions** Tab and **Add Deferment** or,

- From the blue ellipsis drop-down menu, select **Defer Case.**

Select a **Deferment Reason** and provide a **Justification**. **Attach Evidence** to support the reason for the selected deferment.
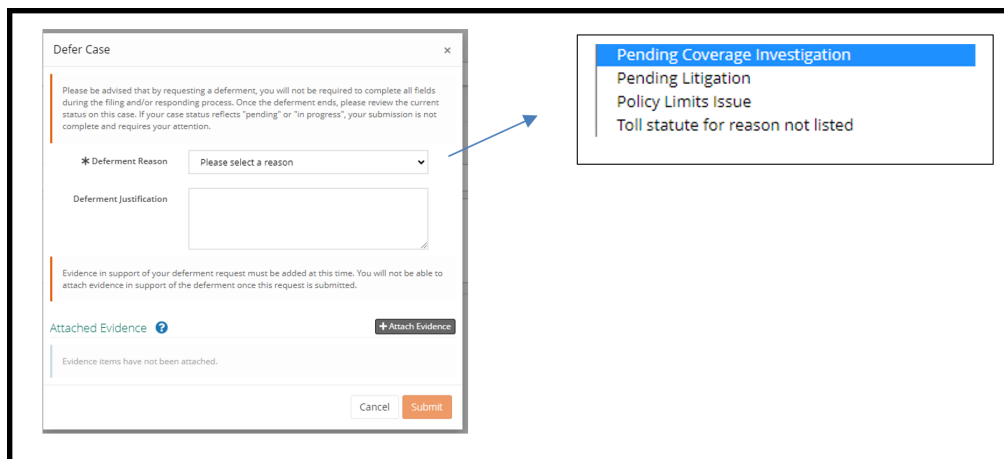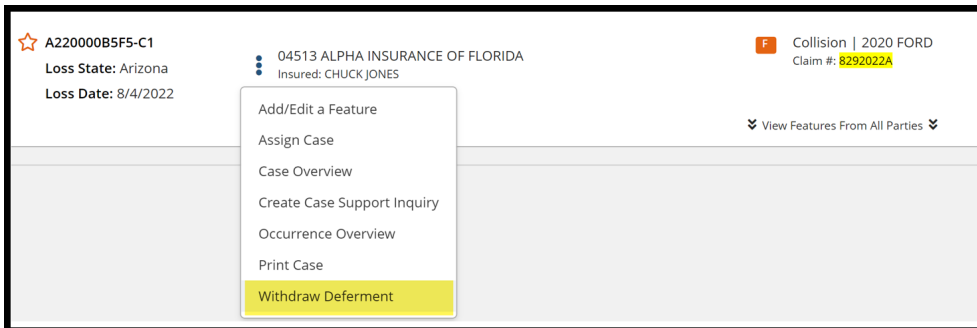
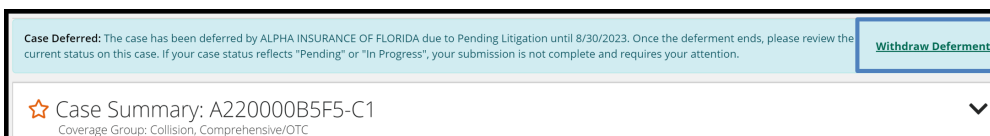To confirm the deferment is added, an email notification is sent.
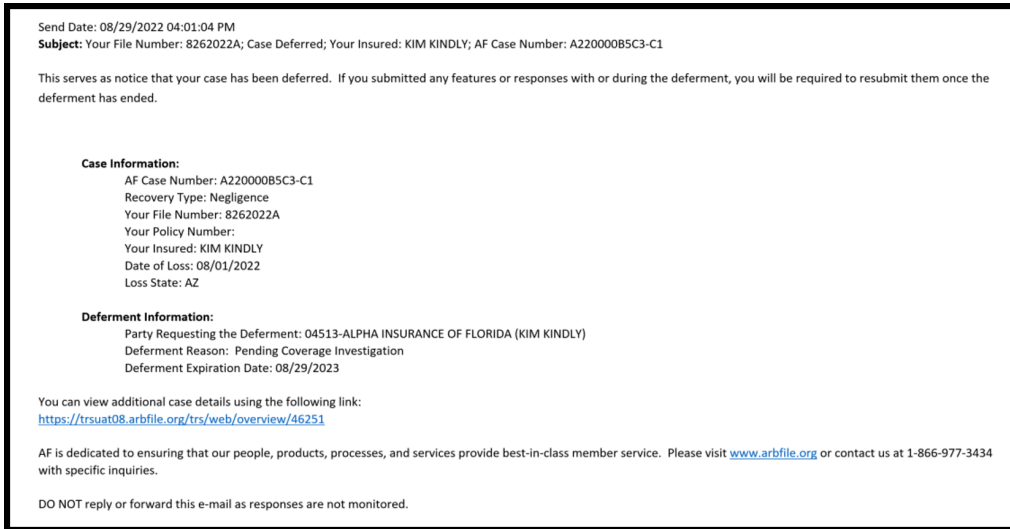
A deferment verification is also confirmed by the case status.
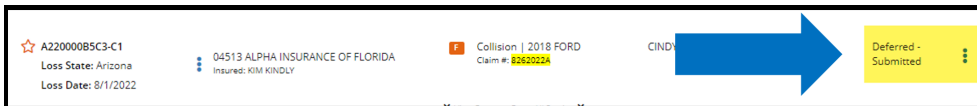
To withdraw a case **before** the one year expiration, select **Withdraw Deferment** from the blue ellipsis.

Deferments can also be withdrawn from within the case by selecting **Withdraw Deferment** from the blue banner.
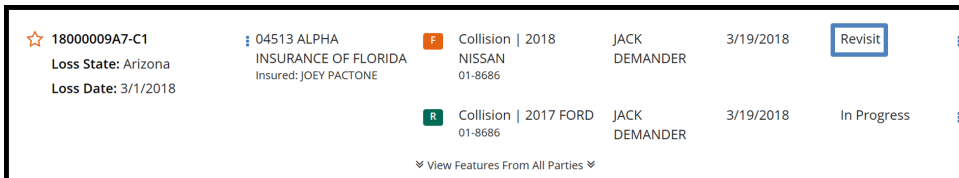
Revisits

Parties have limited circumstances in which to **revisit** a filing (i.e., update filing information for a new impleaded party, review cases where counterclaims are filed, or where a party raises a damage dispute, asserted policy limits, or jurisdictional exclusion).

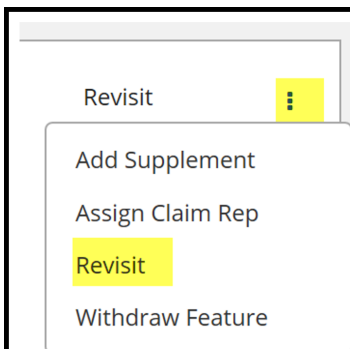You have seven calendar days to revisit your case and update/change or enter a rebuttal.

To view files with a revisit, go to the TRS Worklist. Under **My Cases**, filter search by selecting cases that need attention.

If a case has a revisit, it will appear on the right side.

Select the blue ellipsis to the right, and then select **Revisit**.

Supplements

Arbitration should not be filed until a claim is concluded. That said, AF realizes that supplemental damages may arise after an initial filing is submitted or heard.

When this occurs, the responding party is strongly encouraged to voluntarily reimburse the damages based on the initial liability decision. Arbitration may be filed, however, if the damages are disputed.

Rule 5-3 outlines when a company can file for supplemental damages. Payments must be made on or after the initial filing submission date. It is also important to note that for new Auto filings, evidence submitted by the parties to support or dispute the supplement damages will be viewable by the parties. This is intended to facilitate and expedite settlement of the claim, since many times a supplement demand is not sent.

In all forums, the original liability decision is binding unto the parties. The sole issue for the arbitrator to consider in the new filing is the supplemental damages.

When the Filing Company files for additional damages, the Responder has 7 days to submit a response.

> Note: Evidence to support or dispute supplement damages are **viewable** by the parties.

The **due date** is found by pulling up the case from the Worklist.

The **"S"** Badge indicates a supplement has been filed in this case.

To enter a response, select **Enter Response** from the blue ellipsis to the right.

From the **Coverage Response** Workflow Step, Responders can change previously entered information by selecting the appropriate radio button.

When responding to supplement damages, liability is not at issue. The only issue in dispute is damages. To dispute damages, complete the **Supplement Response** workflow step.

Select the **Dispute** Tab and follow the steps outlined earlier in this guide under **Damage Disputes.**