



SINCE 1908

MARTIN & SEIBERT, L.C.
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MANAGING SHAREHOLDER: WALTER M. JONES, III
NUMBER OF SHAREHOLDERS: 5
NUMBER OF ASSOCIATES: 14
TOTAL NUMBER OF ATTORNEYS: 21
TOTAL NUMBER OF STAFF: 86

AREAS OF PRACTICE:
INSURANCE "BAD FAITH"
EMPLOYMENT LAW
CLASS ACTION DEFENSE
E-DISCOVERY
CONSUMER DEBT AND CREDITORS' RIGHTS DEFENSE
INSURANCE DEFENSE
INSURANCE COVERAGE
SUBROGATION

FIRM OVERVIEW

Martin & Seibert, L.C. is a premier law firm serving the Mid-Atlantic region of the United States. Formed in 1908, we have been counseling clients for almost 100 years. Unlike so many firms, we have not merged, changed names, or otherwise altered the foundation of our business in that time. We have continuously grown, however, and offer full-service legal representation in a wide range of practice areas. Our groups focus on industries first and then the legal issues affecting them. Our goal is to provide our clients with superior service and to achieve concrete results for their businesses. We feel that if we can do these two things, you will be a satisfied client.

WORKPLACE AND COMMUNITY EFFORTS

Our firm demonstrates a commitment to diversity, with more than 40% of our litigation group comprised of females. We actively promote *pro bono* work within the community and our attorneys chair many of the charitable organizations that we financially support. We are instrumental in bringing about change in the community and we see that our work dramatically impacts the lives of others. Our attorneys are leaders outside of the firm, donating many hours of charitable service.

TECHNICAL CAPABILITIES

The firm prides itself on innovation. We want to be known for our efficiencies from technological utilization. Our information technology department and e-discovery group design and deliver based upon our clients' current and future needs.

SELECTED PRACTICE GROUPS: INSURANCE "BAD FAITH"

Aggressive defense of bad faith claims has proved successful for the firm and its clients. Historically, West Virginia is known as a hostile jurisdiction having ranked at or near the top of most polls as the worst jurisdiction for civil litigation and tort reform. Despite this moniker, the firm has developed winning strategies to minimize exposure and to successfully defend insurers. Institutional attacks continue to escalate and the firm has again been successful in defending such claims. A thorough understanding of the industry and the processes under attack, coupled with the ability to present information in an understandable manner, is key to a successful defense. Our lawyers are recognized as experts in the field. In addition, many have served as expert witnesses on behalf of insurance carriers to explain industry practices and processes. Our attorneys are nationally recognized and routinely lecture to practitioners and insurance executives on "bad faith" law and emerging trends.

EMPLOYMENT AND AGENCY LAW

A proven track record of success speaks for itself with respect to employment and agency defense issues. Employers face challenges daily to employment practices and claims of hostile work environment with allegations that strike at the core of operations. We find perception to override reality and it is the goal of our lawyers to instill trust and respect to all parties in employment litigation. A keen understanding of employment practices, applicable statutes and the potential for enhanced damages allows us to provide practical day-to-day advice to employers of all sizes. State and federal statutes govern many aspects of the employment relationship and Martin & Seibert lawyers have been involved in landmark cases on these issues including Wage Payment and Collection Act interpretation and enforcement and application of the Fair Labor Standards Act. Agent litigation and claims of apparent authority are increasingly common.

CLASS ACTION DEFENSE

Institutional assaults by way of class action are on the rise and we have taken the lead in developing innovative strategies to minimize cost and exposure to clients. A thoughtful approach from the case management order to limited definitions of class members and development of settlement classes, if appropriate, eliminates many "weapons" plaintiffs routinely utilize to threaten business defendants.

Procedurally and substantively, Martin & Seibert's defense of class actions works in tandem with the operating guidelines of clients in order to achieve the best result possible without business interruption.

E-Discovery

Well before the Federal Rules of Civil Procedure mandated electronic discovery, Martin & Seibert was developing protocols for collection and management of electronic discovery. Working in partnership with clients' information technology departments, the firm's e-discovery team develops processes for the collection, identification, recording and electronic production of data. The firm has been involved in national class actions as technical counsel working behind the scenes to collect and produce data in discovery responses. This innovative design eliminates duplication of effort while increasing productivity and accuracy. Using leading edge technology, the firm recently assembled one of the largest collections of data that has ever been produced. Recognizing the increasing demand for data proficiency, Martin & Seibert has developed an e-discovery team. Comprised of data managers, IT professionals and litigators, the e-discovery team can work with clients in all stages of discovery to collect, manage and produce data to comply with local, state and federal rules. Cost-management is crucial to the e-discovery process and the firm's expertise has

repeatedly returned a significant cost savings to clients who otherwise would have to employ additional personnel to respond to discovery requests.

CONSUMER DEBT AND CREDITORS' RIGHTS DEFENSE

Credit card and other personal debt continue to rise dramatically and creditors must be prepared to pursue appropriate collection efforts in compliance with the Fair Debt Collection Practices Act. Martin & Seibert, L.C. has developed a department of trained attorneys, collectors and support staff to pursue collection of consumer and commercial debt and subrogation recoveries. Recognized as having one of the premier collection groups in the country, our technology again places us at the forefront of this challenging area of the law. Complementing the collections department is our team of attorneys handling the defense of creditors' rights issues. Whether from a state agency or an individual, defense of business practices is instrumental in achieving a successful result. We see challenges to collection and other business practices under a variety of theories ranging from Consumer Credit and Protection statutes to Fair Debt Collection Practices and similar legislation. Damages that are often statutorily enhanced can transform simple cases into those of extraordinary exposure. Technical defense of these claims is essential and our team has been successful in litigating these issues on a regional basis in state and federal venues.

MARTIN AND SEIBERT, L. C.

Approaching 100 Years of Service!

*"Bridging the gap between yesterday's
reliable legal services and
today's cutting-edge technology"*

Martin & Seibert, L.C. knows and understands the business of our clients. We are committed to their success. We are proud of the partnerships that we have established.

We would be proud to serve your needs.

Learn more at www.martinandseibert.com

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For over twenty-seven years, Walter Jones has actively litigated commercial claims, coverage and extra-contractual claims within the insurance industry, state and national class actions, and major felonies. He is the managing shareholder of Martin & Seibert, LC, with its main office in Martinsburg, West Virginia. Located in the Eastern Panhandle of the State, its location provides easy access to Maryland, Virginia and the District of Columbia. Although experienced in litigation before all administrative agencies and state and federal courts, and having over 20 published decisions, he has focused his practice on risk and litigation management. He has aggressively worked to prepare clients against abusive discovery practices, and has promoted the adoption of Best Practices in the management of discovery production. In addition to his work in enhancing the technological capabilities of his firm, he has worked closely with clients in the development of discovery management groups to control litigation costs.

He is admitted to practice before all state and federal courts in West Virginia, the District of Columbia and the Supreme Court of the United States.