

Barry Zalma Publications List

[**Caveat:** I have attempted to provide a complete list of publications. The list below is not a total list of all publications because I do not know of all publications having found in the past that some journals will publish articles submitted without advising the author of the publication. In addition many articles have been reprinted without providing me advice of the republication. I occasionally find articles on the internet where a website has republished articles I posted on my site. As extensive as this list is I cannot state that it is absolutely complete.]

Books:

1. *Insurance Fraud*, February 2010, ClaimSchool, Inc.
2. New Appleman Insurance Law Practice Guide, November 2007, Matthew Bender & Company, Inc., a member of the LexisNexis Group (Chapters 12 and 13).
3. *Insurance: Cases and Materials on Coverage, Claims, and Litigation*, Published November 2007 by Carolina Academic Press, <http://www.cap-press.com/books/1688>.
4. "California Claims Regulations," Published March 2007 by Carolina Academic Press, <http://www.cap-press.com/books/1689>.
5. "Construction Defects: Litigation and Claims," Published 2005 and updated quarterly, Specialty Technical Publishers, Vancouver, BC, <http://www.stpub.com>.
6. "Insurance Claims – A Comprehensive Guide" Published 2003 and updated 4 times a year, by Specialty Technical Publishers, Vancouver, BC, <http://www.stpub.com>.
7. "Mold: A Comprehensive Claims Guide" published 2004 and updated 4 times a year, by Specialty Technical Publishers of Vancouver, BC, Canada <http://www.stpub.com>.
8. "The Truth, The Whole Truth & Nothing But The Truth," published by ClaimSchool, Inc., Culver City California 2000.
9. "Liability Claims" published by ClaimSchool, Inc., 1998.
10. "Property Claims 2nd Edition," published by ClaimSchool, Inc., 1998.
11. "Property Claims – Investigation," published by ClaimSchool, Inc., 1998
12. "Property Claims — Weapons to Fight Fraud," published by ClaimSchool, Inc., 1998
13. "Insurance Fraud & Weapons to Fight Fraud," Published by ClaimSchool, Inc., 1993.
14. "Uncover the Truth" Published by ClaimSchool, Inc., 1996.
15. "Property Claims – The Basics" Published by ClaimSchool, Inc., 1994.
16. "Liability Claims – The Basics" Published by ClaimSchool, Inc., 1993.
17. "Bad Faith" Published by ClaimSchool, Inc. 1994.
18. "How Your Friends and Neighbors Are Screwing You" Published by ClaimSchool, Inc 1993.
19. "Heads I Win, Tails You Lose," Published by ClaimSchool, Inc. 1997, 1998, 2008.
20. "A Handbook for the First Party Property Adjuster" Published by ClaimSchool, Inc., 1991.
21. "The New & Revised 1993 Fair Claims Settlement Practices Regulations", Published by ClaimSchool, Inc., 1996.
22. "Liability Claims – Fraud", Published by ClaimSchool, Inc. 1996.
23. "Liability Claims – Evaluation & Settlement," Published by ClaimSchool, Inc. 1996.
24. "Liability Claims – Bad Faith," Published by ClaimSchool, Inc. 1996.
25. "Liability Claims – Basics," Published by ClaimSchool, Inc. 1996.

Columns

1. *Down to Cases*, a column in the Magazine, "American Agent and Broker" published

- monthly from July 2007 to the present.
2. Columns of “Heads I Win, Tails You Lose” stories in the *John Cooke Fraud Report* now only available on line from 1996.
 3. Columns of “Heads I Win, Tails You Lose” stories in the “Insurance Journal” and “Insurance West” Magazines.
 4. “*Zalma’s Insurance Fraud Letter*” published monthly since 1996 at <http://www.zalma.com>.
 5. “Zalma on Insurance” published at <http://www.zalma.com/zalmaoninsurance.htm> since 2003.
 6. Various articles published by the *Insurance Risk Management Institute* at <http://www.irmi.com/Expert/Topics/Industry/Claims.aspx>.
 7. Various articles on Expert Witnesses in *Quarterly Newsletter of the Forensic Expert Witness Association*, Summer, Fall and Winter 2004, 2005, 2006 and 2007.
 8. Various Expert Commentaries at the LexisNexis Insurance Law Center, starting in 2007 and continuing, <http://law.lexisnexis.com/practiceareas/Insurance>.

Articles & Other Publications

1. “*Rescission in California – Confirmation of the Right to Rescind as a Matter of Law*” published by “*Covered Events*” a publication of the Defense Research Institute, April, 2005.
2. “*Belated Payment of Claim Does not Avoid Punitive Damages*” and “*Insurance and the Law of Unintended Consequences*” published 2 March 2005 in *Mondaq’s Article Service*, <http://www.mondaq.com>.
3. “*Insurers Entitled to Damages from Brokers for Fraudulent Insurance Application*”, published by “*Covered Events*” a publication of the Defense Research Institute, January, 2005.
4. “*A Heads I Win, Tails You Lose Story: The Public Adjuster*” published by the *FraudReport.com*, 02/21/2000.
5. “*The Construction of Medical Records and Their Evaluation,*” *Claims People*, July 1998.
6. “*Don’t Drive Off a Cliff, It May Not Be Covered*” published in *FYI: Georgia Views and News* January 2000.
7. “*Am I In Trouble?*” published in *FYI: Georgia Views and News* November 1999.
8. “*One Way Off Welfare*” published in *FYI: Georgia Views and News*, December 1999.
9. “*A Right to Recover Diminution of Value After Repair of a Damaged Vehicle*”, published in *FYI: Georgia Views and News* 10/31/02.
10. “*Hidden Danger of Reporting Fraud*” published at <http://www.canadianclaims.com/Articles/4.htm>, 9/21/01.
11. “*Miscarriage Manipulation for Money*” published in *FYI: Georgia Views and News*, September 2001.
12. “*The Fight Against Fraud*”, Published by the *Lake Washington CPCU Chapter*, August 2001 and *FDN Fraud Report*, August 2001 at fraudreport.com.
13. “*Unintended Consequences*” published May/June 2000 in *Property/Casualty*.
14. “*Attempts to Control the Public Adjuster*,” a three part series in *D M & A*, starting May 2001.
15. “*Help, I’ve Fallen and Broken my Glasses*”, published in *FYI: Georgia Views and News*,

- May 2001.
16. “*Why do We Bother*”, Published May 2001 by *FraudReport.com* and *insurancefraud.com*”
 17. “*Civil Remedies Available to Insurers*” published by *Fraud Report.com* in June 2001.
 18. “*Arizona Supreme Court Gets It Right and Reverses Pepper v. Federal*” published Fall 2004 in the *Committee News of the ABA Property Insurance Law Committee*.
 19. “*A Federal Weapon Against Insurance Fraud*” published July/August 2004 in *Property/Casualty Insurance*.
 20. “*Grounds for Denying Claims*”, Published by *Claims*, September 2004.
 21. “*Are Insurance Adjusters Professional*” published at <http://www.insurancefraud.com> on 07/31/01.
 22. “*How Agents and Brokers Can Take A Big Bite Out of Insurance Fraud*”, Published by *Grange Insurance Group’s “Daybreak”* Third Quarter 2001; Also in *Professional Insurance Agents Proaction*, September/October 2002.
 23. “*Fight Against Fraud – Is the Fight Against Insurance Fraud Being Lost?*” *The Investigator*, May-June 2002.
 24. “*Asbestos: ¿Jucios Basados en Fraude? Were Asbestos Suits Based on Fraud?*”, *Mercado Asegurador*, November, 2004.
 25. Various Articles at *JurisPro.com* at <http://www.jurispro.com/expertdetail.asp?expID=494988006&code=2&sString=zalma&sWhere=BYNAME>.
 26. “*A Dangerous Trend? Conflicting Burdens of Proof in Insurance Fraud Litigation*” *For the Defense*, Vol 45, No. 10, October 2003.
 27. “*Insidious Mold Fraud*”, *The White Paper*, Vol 17, No. 5, September/October 2003.
 28. “*Mold and the Ballard/Allison Case*” Spring 2003, *Property Insurance Law Committee Newsletter, ABA, Tort and Insurance Practice Section*.
 29. “*The Records Condition of First Party Property Policies, A Little Used Fraud Fighting Tool*”, published February 25, 2004 in the *Life, Health and Disability News*, http://www.imakenews.com/committees/e_article000231900.cfm?x=a2djdpw,a12dbtsp.
 30. “*Legal Perspective*” published in *Insurance Advocate* January 2004.
 31. “*Training Fraud Investigators*,” *Claims Magazine*, March 2004.
 32. “*Why Insurance Fraud Succeeds*,” published in *The Informant* a publication of the Illinois Chapter of the International Association of Special Investigation Units, January 2004, “*Claims*” Magazine, March 2003.
 33. “*Increased Jail Time for Staged Accident Perpetrators Provides New Deterrent to Insurance Fraud*”, “*Insurance Advocate*” December 2003.
 34. “*The IME – An Ethical Quagmire*”, *SIU Awareness*, September 2003; Also printed October 2003 in “*A Report on Claims from David Morse & Associates.*”
 35. “*An Effective Tool to Avoid Charges of Bad Faith*”, *Verdict*, 4th Quarter 2003.
 36. “*Qui Tam Actions – Taking the Profit Out of Fraud*”, *Property/Casualty Insurance*, November/December 2003.
 37. “*Thieves’ Compensation*”, published November 24, 2003 in “*Insurance Advocate.*”
 38. “*The Absolute Pollution Exclusion*” and “*How to Present a Fire Claim – Help for Victims of the California Fire Storms*”, November 7, 2003, *The VuPoint Newsletter*, Vol R, No 23.
 39. “*Genuine Dispute Doctrine*” published February 2003, in “*Covered Events*” a publication of the Defense Research Institute; also in *PISA NEWS, the Journal of the Professional Investigators and Security Association*, May 2003.

40. “How to Avoid Legal Pitfalls When Denying Fraudulent Insurance Claims” published by the *White-Collar Crime Fighter*, March 2003.
41. “The Ethical Dilemma Caused by Fighting Fraud” Published May 2004 in *Crackdown!*
42. “A Mold Primer” published by *Claims* May 2004.
43. “Claim Denied” published in *Fraud International* 2004.
44. “Indemnizando a Los Ladrones (Una Historia de “Cara, yo Gano; Cruz, tú Pierdes”), *Mercado Asegurador*, 2004.
45. “When Doctors, Lawyers and Patients Turn Crooked”, published in the *White-Collar Crime Fighter*, September 2003.
46. “Liability Tort Claims” published September 2003, *Claims*.
47. “The Use of an Expert” from *Covered Events*, June 19, 2003.
48. “How to Detect Insurance Fraud When It’s Hidden by Other Crimes”, published in the *White-Collar Crime Fighter*, January 2003.
49. “Pertinent Papers” published by the *Los Angeles Daily Journal*, August 1998.
50. “Immune System” published by the *Los Angeles Daily Journal*, April 1998.
51. “False Front” published by the *Los Angeles Daily Journal*, July 2001
52. “Building Growth” published by published by the *Los Angeles Daily Journal*, March 2002.
53. “Moho, Hongos Y Seguros” published in the January/February 2004 issue of *Mercado Asegurador*.
54. “Examination Under Oath – A Duty Owed by the Insured to the Insurer” in the July 2002 issue of “For The Defense” the Magazine of the Defense Research Institute
55. “California Requires Insurers to Train ‘Integral Anti-Fraud Personnel’ or Else!” published June 2005 in “Crackdown!” A Supplement to A National Underwriter Publication.
56. *The California Fair Claims Practices Regulations – A Computer Based Training Program for insurer claims personnel – September 2005*, Published by ClaimSchool, Inc.
57. *Rescission*, Published 2004 – delivered September 21, 2005 – by the University of West Los Angeles School of Law, *UWLA Law Review*, Volume 37, 2004.
58. *The Intriguing Aspects of Auto Fraud*, February 2006, “Crackdown!” a supplement to *Claims Magazine*.
59. *California Adds Training Requirement For All Workers' Compensation Insurers*, February 23, 2006, at Adjuster.com.
60. *The Right to Subrogation And Salvage*, March 2006, at Adjuster.com and Zalma.com and April 4, 2006 at “Covered Events” a publication of the Defense Research Institute.
61. *Representing Insureds in a Catastrophe*, Spring 2006, Volume 41, Number 3, *Tort Trial & Insurance Practice Law Journal*.
62. *La Conmocion de la Silicosis: Fraude como Metodo para Financiar el Retiro [The Silicosis Commotion: Fraud As a Method for Funding Retirement]* – “*Mercado Asegurador*, no 319, Septiembre 2006 – Republica Argentina.
63. Uncommon Wisdom About the Lawyer As An Insurance Claims Expert, November 2006, “Covered Events” Volume 1, Issue 13, a Publication of the Defense Research Institute.
64. “Think Before Suing”, *Focus*, *Los Angeles Daily Journal*, January 26, 2007.
65. “Mold is Not Gold”, *VUpoint Newsletter*, Vol. 8, No. 4, Issue # 178, February 23, 2007 & “*Claims*” Magazine, March 2007.
66. “What Is Insurance Fraud?” and “Phillip Morris v. Williams - A Boon to Insurers” March 2007, “Covered Events” Number 2 a Publication of the Defense Research Institute.
67. “*Phillip Morris v. Williams: A Boon to Insurers*”, May 2007, “*Risk Management*

- Magazine.
68. "Intentional Acts" June 2007 issue, "Covered Events" Volume 1, Issue 5.
 69. "When Agents or Applicants Lie to Insurers" published in "Insurance Agents & Brokers Risk Management Newsletter, Volume 4, Issue 1, 2007, published by Scottsdale Insurance Company.
 70. "IMAGINATIVE Attempt to Sue an Expert Fails", Summer – 2007 Newsletter, Forensic Expert Witness Association.
 71. "*Nunca Asegure Actos Intencionales/Never Insure Intentional Acts*", September 2007, Mercado Asegurador.
 72. *Surprise: Insurance is Not a Service In California*, "Covered Events" Volume 1 Issue 24, January 2008.
 73. *A Good or a Service?*, Los Angeles Daily Journal, Focus & Forum, January 16, 2008.
 74. *State Legislature Needs to Step Up, Combat Insurance Fraud*, Los Angeles Daily Journal, Focus & Forum, March 13, 2008.
 75. *A Regulatory Approach to Fraud After a Catastrophe*, The Regulator, a publication of the Insurance Regulatory Examiners Association, March 2008.
 76. *Time to Put A Stake Through the Heart of the Tort of Bad Faith*, Expert Commentary, Lexis/Nexis Insurance Law Center, May 2008.
 77. *Trust but Verify*, WECE eNewsletter, May 2008.
 78. *EXPERTS Whether in U.S. or Britain Must Follow Rules*, Spring – 2009 Newsletter, Forensic Expert Witness Association.
 79. *Insurance Fraud*, May 2009, "Insurance Chronicle, The Icfai University Press", Andhra Pradesh, India.
 80. *USE of Experts in Insurance Disputes*, Fall 2009 Newsletter, Forensic Expert Witness Association.
 81. *Rescission Is Not "Post Loss Underwriting"*, LexisNexis Mealey's Litigation Report, Insurance Bad Faith, Volume 23, Issue # 19, February 11, 2010.

Computer Based Training Programs published by ClaimSchool on Line.

1. Understanding & Investigating Third Party Liability Claims.
2. Adjusting First Party Property Claims
3. The DIC Policy
4. Advanced Property Claims Handling
5. How Experts Avoid Bad Faith
6. The Ethical Dilemma of Fighting Fraud
7. CA SIU Sharing of Information
8. CA Fair Claims Settlement Practices
9. Integral Anti-Fraud Training For Property & Casualty
10. CA Annual Training For Property & Casualty
11. CA Annual Training for Life & Disability
12. CA New Hire Anti-Fraud Training -Life & Disability Company
13. California Fair Claims Settlement Practices
14. Life & Disability Insurance & Fraud.

Training Programs Published by A.D. Banker Company

1. *Heads I Win, Tails You Lose: Insurance Fraud in America*

2. *Investigating the Claim*
3. *Identifying Insurance Fraud*

Blog Posting

1. LexisNexis Insurance Law Center.
2. InsuranceCampus.org

Zalma on Insurance

1. Multiple articles on insurance issues at <http://www.zalma.com/zalmaoninsurance.htm> including archived copies of issues of *Zalma's Insurance Fraud Letter*.

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