

## **CURRICULUM VITAE**

**BRIAN JAMES COSGRAVE**

**DIRECTOR - ADJUSTABILITY**



## **BIOGRAPHY**

From a chance glance at a national newspaper, Brian was drawn to insurance claims which proved to be an excellent decision, the people, the challenges and the satisfaction of work well done has been a tremendous motivation in a very interesting industry.

In his formative years he was employed by a specialist local authority Insurer and general liability loss adjuster where he gained significant widespread exposure to a wide range of general liability and personal injury claims, including fatalities, paraplegic and disease claims such as mesothelioma and industrial deafness.

Since 1995, Brian has specialised in the investigation and claims handling of professional indemnity claims, with the emphasis on construction and engineering failures.

As a Loss Adjuster, Brian's main role is the investigation of the background facts leading to the notification, determination of causation, consideration of policy coverage and legal liability and management of the claim to a resolution, be that by way of a defence, investigation and agreeing the quantum associated with first and third-party losses and subrogating where appropriate. He regularly drafts Pre-Action Protocol compliant claims and responses and attends meetings with Claimants and their legal representatives for this purpose. He has been involved in the investigation and handling of claims for many conventional and unusual claims in the industrial, commercial, educational, residential, historic building conservation, pharmaceutical, sports and civil engineering sectors, largely within both the UK and Republic of Ireland.

Brian is the joint founder of Adjustability, an independent firm of specialist loss adjusters that has traded since 2000 and which specialises in the investigation and handling of construction and engineering professional indemnity claims. He handles claims including:

- Construction and Technology professionals, including engineers (all disciplines), architects and project managers;
- Design and Build contractors;
- Environmental professionals;



- Surveyors (all disciplines) and Valuers.
- Management agents;
- Interior Designers;
- Insurance brokers;
- Loss Adjusters

As the Founding Director of Adjustability, he maintains close contact with all claims and instructions to ensure the quality of service provided by the firm to Clients is to a high standard

**Employment:**

2000 – Present - Director, Adjustability

1999 – 2000 - Senior Adjuster, Cunningham Lindsay

1991 – 1999 - Supervising Adjuster, ITT Macalisters

1987 – 1991 - Claims Inspector, Municipal Mutual Insurance Company

**SELECTION OF CLAIMS/DISPUTES**

Below is a very small example broad summary of the types of cases Brian has investigated and handled recently. Further details are available upon request.

1. Multi Storey Residential Block - Cladding: Twenty-Three storey building. Cladding non-compliant with Building Regulations. Issues included fire safety. Claim £7.5 m.
2. Jetty; A failure of bridge sections supported of concrete piled foundations. Negotiation of the contractors delay claim, procurement and management of the remedial works and resolution of the third party consequential loss claim. Claim £5m.
3. Factory/Warehouse; Subsidence of the superstructure. Investigation to determine causation. Liaison with expert Geotechnical Engineer and developing a scheme of remedial works that allowed the tenant to remain in occupation, significantly reducing the potential claim for disruption/consequential loss. Use of an innovative computer controlled grouting system to stabilise the ground beneath the building. Pursuing subrogated claim against sub-consultants. Claim £1.2m.
4. University; Failure of cladding system to the building façade due to an adhesive failure. Investigation into cause, liaison with adhesives expert and overseeing remedial works while ensuring minimal disruption to the education facility. Claim £1 m.
5. Flood relief scheme; Loss of tunnel boring machine during excavation of a tunnel as part of a flood relief scheme. Investigation. Claim £3 m.
6. Car Park; Failure of car park surface at supermarket due to inadequate groundwork design. Investigation, overseeing remedial works and resolution of first and third-party claims. Claim £1.5 m.



7. Residential apartment blocks; Settlement of timber frame structure. Investigation and implementation of remedial scheme. Claim £1 m.
8. River Wall; Loading of surrounding areas caused movement of river wall. Investigation of claim, agreement of remedial works and negotiation of first party loss. Claim £150k
9. Listed Barn; Loading caused spreading of cruck frame. Various strengthening works were under designed. Claim defended on the basis of causational arguments. Claim £150k.
10. Car Park and Retail Store; Suspect initial ground investigation subsequently caused a change to piling design with substantial delay for disruption to the works. Claim £2m.
11. Building Collapse; Adjacent works on the boundary of this factory caused collapse and a claim for loss of business and building reconstruction. Claim £500k.
12. Car Showroom; Steelwork design failure causing significant delay to project. Substantial claim for consequential loss from the dealership and the car manufacturer. Claim £2 m.
13. Solicitors negligence; Liaising with home purchaser and NHBC to ensure a potential claim that lay against solicitors undertaking the original conveyancing was mitigated. Claim £250k.