



IADC DOCKET

SUPERIOR ADVOCATES. GLOBAL PERSPECTIVE.



Craig A. Thompson
IADC President

President's Message

"In any moment of decision, the best thing you can do is the right thing. The worst thing you can do is nothing."

— **Theodore Roosevelt**

This issue of the IADC *Docket* will be my last as president of our wonderful organization.

The above quote by President Roosevelt summarizes our approach to leadership this year: attempting to do the right thing: moment by moment; decision by decision.

Your board has worked diligently to ensure the continued vitality and solvency of the IADC. Your Committee Chairs have continued the organization's tradition of outstanding programming and successful networking. Your Foundation has expanded our efforts to make our communities better, and encouraged us to do all we can for the greater good. Your IADC staff has exceeded all expectations of excellent

President's Message is continued on page 11.

Election Information

The IADC circulated the 2019-2020 Election Information at the end of May. At the upcoming Annual Meeting, we will be electing new members to the IADC Board of Directors. Open positions that will be filled include President-Elect, Vice President of Corporate, Treasurer-Elect, and three at-large Board members. *Information can be found [here](#).*

We encourage your participation in this process. You can offer comments on any or all positions that are open.

We look forward to seeing you at The Omni Grove Park Inn, but if you are unable to attend and give your comments in person, please consider sending comments to Nominating Committee Chair Tripp Haston with copy to Mary Beth Kurzak, Executive Director. All comments are confidential and relayed only to Committee members.

For helpful suggestions on how to prepare your comments, [click here](#).

TABLE OF CONTENTS

International Corporate Counsel College	3
Annual Meeting - Join Us!	4
Corporate Counsel College Recap	4
Professional Liability Roundtable Summary	5
Regional Meeting Recaps	6
Committee Chair Corner Articles	7
Diversity and Inclusion Award Winner	8
New Members	9
Sponsors	10
IADC Successes	12
Member Resources	13
IADC In the News	14
Lawyers for Civil Justice Update	15
Benefits of Membership	16
Upcoming Events	16

IADC BOARD OF DIRECTORS

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Mary Beth Kurzak
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Docket Editor

Ashley Hatfield
Director of Communications
ahatfield@iadclaw.org



International Corporate Counsel College **REGISTRATION AND BROCHURE NOW AVAILABLE**

October 24 - 25, 2019

Swiss Re Centre for Global Dialogue
Rüschlikon, Switzerland

The International Corporate Counsel College brings together in-house counsel and their law firm counterparts for two days of education and discussion on the latest legal issues affecting global companies. This distinctive meeting format creates an intimate environment, providing the opportunity for in-house counsel and their trusted advisors to gain knowledge together and spend time with others who face similar issues.

This year's theme is "Law=Change: Navigating Unsteady Waters with the Rule of Law" and programming will highlight topics such as risk management, global compliance programs, GDPR, legal privilege, in-house legal set-up, smart contracts, and international disputes.

Registration is now open! Register online or by filling out the registration form and fax it to the IADC office at 1.312.368.1854. Click here to view the program brochure. The 2019 International Corporate Counsel College will take place October 24 and 25 at Swiss Re Centre for Global Dialogue in Rüschlikon, Switzerland.

For up-to-date conference information, visit the International Corporate Counsel College page on the IADC website.



Join us in Asheville, North Carolina at the 2019 Annual Meeting!

We have great programming planned, fun social events, and time allotted to enjoy the area.

To register and for all details on the 2019 Annual Meeting, please visit the Annual Meeting page on the IADC website.

Corporate Counsel College Recap



The 2019 Corporate Counsel College was held April 11 and 12 in Chicago at The Ritz-Carlton. Attendees enjoyed the intimate and interactive atmosphere and dynamic learning for the in-house and outside counsel legal team. The programming featured exceptional panelists and included keynote speaker, St. John's University Professor John Q. Barrett. Thank you to Corporate Counsel College Dean Joe O'Neil and the College Advisory Board for all of their hard work to put together this excellent conference. Thank you to our sponsors Baker Tilly, Exponent, and Lighthouse for helping make this conference possible.

PROFESSIONAL LIABILITY ROUNDTABLE SUMMARY



The Professional Liability Roundtable is a half-day program that is unique for the IADC, combining an outstanding educational opportunity with the kind of intimate networking and interaction between industry professionals and outside counsel that only the IADC can provide.

This year's well-attended event was held on May 30 at New York University School of Law. In addition to the regular professional liability programming, this year we added a medical liability track option. Both tracks provided the audiences with outstanding programming throughout the afternoon. Attendees also enjoyed a networking reception following the programming.

Thank you to PLR Program Chair Cal Watson of Sowell Gray Robinson Stepp & Laffitte, MLR Program Chair Doug Vaughn of Deutsch Kerrigan, LLP, and their Planning Committees for their hard work in putting together the program. Additionally, thank you to the moderators and panelists for their expert contributions and to event sponsor Minnesota Lawyers Mutual for their continued support.



**THINK
IADC
FIRST**

IADC members are the best of the best! If an opportunity arises to refer business, please **Think IADC First.**

NOMINATE

If you'd like to
nominate someone for
IADC membership,
click here.

In Memoriam

We offer our sympathy to the family
and friends of this IADC member.

*John Costello
Rapid City, South Dakota USA*

Regional Meeting Recaps

Midwest Regional Meeting - Chicago, Illinois USA - April 10, 2019

Attendees included Corporate Counsel College registrants and their guests, as well as many local members. This was a great opportunity for all attendees and members in the area to connect before the Corporate Counsel College. Thank you to Host Chuck Cole of Lewis Brisbois Bisgaard & Smith LLP.

Southwest Regional Meeting - Houston, Texas USA - April 18, 2019

Our Texas members had a wonderful evening together in Houston! The event kicked off with a CLE program on "The Implications of Retaining Public Relations Firms on Attorney-Client Privilege" by IADC member Alex Hagan. Attendees then enjoyed a cocktail hour followed by a group dinner at a nearby steakhouse. Thank you to Host Joe Cohen of Porter Hedges LLP.

Singapore Corporate Counsel Symposium and Asian Regional Meeting - Singapore - May 9-10, 2019

Hosted by Tan Chuan Thye SC of Rajah & Tann Singapore LLP, the Singapore Corporate Counsel Symposium was held in collaboration with the Singapore Corporate Counsel Association on May 9. Panelists discussed the most pertinent issues surrounding the top of every corporate counsel's agenda. The Symposium was followed by the Regional Meeting hosted by Benjamin Gaw of Drew & Napier LLC. More than fifty members and guests attended a full day of programming.

European Regional Meeting - Istanbul, Turkey - May 31, 2019

Istanbul marked our second European Regional Meeting this year! Thank you to our host Döne Yalçın of CMS Turkey for all her hard work in putting together a fantastic event for our twenty-five members and guests from Europe and beyond. Attendees met for a full day of programming and camaraderie with additional planned excursions to explore the city of Istanbul.

Canadian Regional Meeting - Toronto, Ontario Canada - June 4, 2019

The IADC wrapped up its year of Regional Meetings with one last stop in Toronto! The bustling Canadian city welcomed more than forty IADC members and guests for an afternoon of outstanding programming followed by a reception and group dinner. Thank you to our Hosts Grant Worden of Torys LLP and Susan Gunter of Dutton Brock LLP.



Recent *Committee Chair Corner* Articles

The homepage of our website features the *Committee Chair Corner*.

Every two weeks, a new column is posted from a different Committee Chair. The columns address topics that are important to the Committee and also discuss what the Committee is doing within the Association. This gives great insight into what each of the 25+ Committees has to offer the membership.

Click any of the photos below to read the Chair's *Committee Chair Corner* article.

If you would like to join any of the IADC Substantive Law Committees, please email Maria Juarez, Registrar, at mjuarez@iadclaw.org.



Sandy
Wunderlich
*Intellectual
Property
Committee*



Bill Ruskin
*Toxic and
Hazardous
Substances
Litigation
Committee*



Jessie Zeigler
*Product
Liability
Committee*



Mark Hansen
*Medical
Defense and
Health Law
Committee*

IADC Announces Diverse Attorney Pipeline Program as Inaugural Winner of Diversity and Inclusion Award

We are pleased to announce that the IADC Diversity and Inclusion Committee is presenting its first award at this year's Annual Meeting. The recipient is the Diverse Attorney Pipeline Program (DAPP). DAPP, a non-profit organization founded to advance opportunities for women of color and the creator of DAPP Direct, the first and only national job placement fair for women of color law students.

"We are thrilled to launch the IADC Diversity and Inclusion Award to help raise awareness of the value of and need for a diverse and inclusive legal profession," said IADC President and Venable LLP partner Craig A. Thompson. "We congratulate the DAPP as the inaugural recipient of the award as an organization that has helped talented and highly qualified women of color get hired, retained, and promoted at large law firms across the country."

The IADC Diversity and Inclusion Award recognizes an individual, group, organization, company or country that has championed diversity and inclusion within the legal profession. The recipient also has taken purposeful, tangible actions that have yielded positive outcomes in helping to achieve diversity and inclusion in the legal profession and/or has significantly advanced understanding of the need for diversity and inclusion in the profession.

"The IADC recognizes that diversity and inclusion is a core tenet and central to our organization," said Bonnie Mayfield, Chair of the IADC's Diversity and Inclusion Committee and of the Employment Law Committee. "This award is designed to identify and honor those persons or entities who have championed diversity and inclusion in the legal profession through meaningful and tangible actions. We believe what gets recognized gets repeated."

Mayfield, who is a product liability and labor and employment defense lawyer at Dykema Gossett PLLC, stressed that the legal profession is not where it needs to be in terms of increasing diversity and inclusion, and that recent studies on diversity in the profession confirm that that African American/Black equity partners are rare and may even be declining. "DAPP is precisely the type of organization that the IADC wants to recognize and celebrate through this award for its tangible contributions to helping diverse individuals succeed in the legal profession," Mayfield added.

Founded in 2014, DAPP is a non-profit corporation that addresses the continued and systemic decline of women of color lawyers in law firms and across other coveted positions in the legal profession. Through its scholars program and national job placement program, DAPP Direct, DAPP works to expand opportunities for women of color law students to succeed in law school and secure paid summer positions at law firms and corporations following their first year of law school. DAPP Direct pairs law firms with women of color in-house counsel who interview on their behalves and place talented, first-year women of color law students in paid law firm internships across the nation. The DAPP Scholars Program, run in Chicago, Illinois, provides scholars with placement assistance, academic support, coaching, counseling, book stipends, tutoring, seminars and workshops, tailored professional development, mentorship, and more. DAPP was started by two African-American female attorneys who graduated from law school during the height of the recession, and through their leadership positions in minority bar associations and diversity organizations, witnessed the barricades to, and rapid decline of, women of color in big law.

In honor of the award, the Foundation of the IADC will be giving a \$5,000 grant to DAPP to support its work. To learn more about DAPP and to contribute to support its efforts, please visit <https://dapprogram.org/>.

WELCOME NEW MEMBERS

Ellen A. Brinkman

Briggs and Morgan, PA
Minneapolis, MN USA

Jason Britt

Textron Specialized Vehicles
Augusta, GA USA

Elizabeth Sorenson Brotten

Foley & Mansfield, PLLP
Minneapolis, MN USA

J. Pablo Caceres

Butler Weihmuller Katz Craig LLP
Tampa, FL USA

James R. Coltharp, Jr.

Whitlow, Roberts, Houston &
Straub, PLLC
Paducah, KY USA

Laura M. Kidd Cordova

Crowell & Moring
Washington, DC USA

Robert Cox

Glassman, Wyatt, Tuttle & Cox, P.C.
Memphis, TN USA

Lucy R. Dollens

Quarles & Brady LLP
Indianapolis, IN USA

Michael W. Eady

Thompson, Coe, Cousins & Irons,
LLP
Austin, TX USA

Joel D. Eagle

Thompson Hine LLP
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Laura J. Eakes

Walker & Eakes LLC
Anchorage, AK USA

June J. Essis

Weber Gallagher Simpson
Stapleton Fires & Newby, LLP
Philadelphia, PA USA

Heather Russell Fine

Marshall, Dennehey, Warner,
Coleman & Goggin
Philadelphia, PA USA

Sherylle A.O. Francis

Ackerman LLP
Fort Lauderdale, FL USA

William P. Geraghty

Shook, Hardy & Bacon L.L.P.
Miami, FL USA

Edward P. Gibbons

Walker Wilcox Matousek LLP
Chicago, IL USA

Lars E. Gulbrandsen

Quarles & Brady LLP
Milwaukee, WI USA

Amy Guldner

Tokio Marine Claims Services
Pasadena, CA USA

Rochelle Gumapac

White and Williams LLP
Wilmington, DE USA

John S. Guttmann

Beveridge & Diamond
Washington, DC USA

Duarte G. Henriques

BCH Lawyers
Lisbon, Portugal

Michaela Herron

Mason Hayes & Curran
Dublin, Ireland

Kelly Hodges

Hodges Walsh & Burke, LLP
White Plains, NY USA

William J. Hubbard

Thompson Hine LLP
Cleveland, OH USA

Shannon R. Joseph

Morningstar Law Group
Raleigh, NC USA

Edwina V. Kessler

Catri, Holton, Kessler, & Kessler,
P.A.
Fort Lauderdale, FL USA

Nathan D. Leming

Baker Sterchi Cowden & Rice LLC.
Saint Louis, MO USA

Click on a new member's name to view their firm or LinkedIn profile.

WELCOME NEW MEMBERS

Stephanie E. Lewis

Jackson Lewis P.C.
Greenville, SC USA

William Linero, Jr.

Butler Weihmuller Katz Craig LLP
Tampa, FL USA

Kellen J. Mathews

Adams and Reese LLP
Baton Rouge, LA USA

Jason P. Mehta

Bradley Arant Boult Cummings
LLP
Tampa, FL USA

Christy M. Mennen

Nilan Johnson Lewis PA
Minneapolis, MN USA

Chié Nakahara

Nishimura & Asahi
Tokyo, Chiyoda Japan

Shannon Nessier

Hanson Bridgett LLP
San Francisco, CA USA

Jodi Dyan Oley

Eckert Seamans Cherin & Mellott
LLC
Philadelphia, PA USA

John T. Pion

Pion, Nerone, Girman, Winslow
& Smith, P.C.
Pittsburgh, PA USA

George Power

Johnson & Johnson Medical
Sydney, Australia

Diane Pradat Pumphrey

Wilkins Patterson Smith
Pumphrey & Stephenson, P.A.
Jackson, MS USA

Sherry A. Rozell

McAfee & Taft
Tulsa, OK USA

Gina M. Saelinger

Ulmer & Berne LLP
Cincinnati, OH USA

Charles Scott Schwager

Waste Management, Inc.
Houston, TX USA

Gabriel Sidere

CMS Cameron McKenna Nabarro
Olswang LLP S.C.P.
Bucharest, Romania

Bryan E. Stanton

Pierce Couch Hendrickson
Baysinger & Green LLP
Tulsa, OK USA

Walker S. Stewart

Hall, Bloch, Garland & Meyer, LLP
Macon, GA USA

Sabrina H. Strong

O'Melveny & Myers LLP
Los Angeles, CA USA

Carmen R. Toledo

King & Spalding LLP
Atlanta, GA USA

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MRC

SEA, Ltd.

Trial Behavior Consulting

Click on a new member's name to view their firm or LinkedIn profile.

President's Message continued...

service, and elevated us to even greater prominence in the defense bar and legal space. Your fellow members have demonstrated brilliance in and out of the courtroom, representing our organization with professionalism and tremendous grace.

This is the IADC!

Check out this issue of the *Docket* to get caught up on our recent accomplishments, and get a sense of what lies ahead. I am certain that you will see the value in your membership, and resolve to get more engaged. Each One, Reach One!

It has been an absolute pleasure and honor serving as your president, and my family looks forward to connecting with you in Asheville for the Annual Meeting and in the future!

One World. One Mission. One IADC.

IADC SUCCESSES

Stephanie M. Rippee and **Lanier Brown**, members at Watkins & Eager, PLLC, obtained a jury verdict in a fraudulent conveyance action in Sumter County, Alabama on March 20.

Anthony J. Fernandez, a partner at Quintairos, Prieto, Wood & Boyer, P.A., achieved a defense verdict in a jury trial for a board certified emergency medicine physician.

Döne Yalçın, a partner at CMS Turkey, was appointed to the Management Committee of CMS in Vienna.

Jennifer G. Cooper, a shareholder at Baker Donelson, was named the Chair of the firm's Product Liability and Mass Tort Group.

Scott D. Marrs, Regional Managing Partner - Texas for Akerman LLP, was appointed a Fellow of the Chartered Institute of Arbitrators, a leading professional membership organization representing the interests of alternative dispute resolution practitioners worldwide.

Matthew Moscon was named the new office managing partner for Stoel Rives' Salt Lake City office.

Todd Wooten, an attorney with Dover Dixon Horne, obtained

a summary judgment on behalf of a psychologist in a medical malpractice action.

J.T. Wilson III, a partner with Dinsmore & Shohl LLP, secured a favorable outcome for a railroad client in an alleged FELA negligence case.

M.C. Sungaila, a partner at Haynes and Boone, LLP, was named one of the Top Women Lawyers in California by the *Daily Journal* for the 10th year in a row.

Michael Aylward, a senior partner at Morrison Mahoney LLP, was elected to a one-year term as President of the American College of Coverage Counsel.

Christopher C. Lam, managing partner of the Bradley Arant Boult Cummings LLP Charlotte office, was installed as president of the Mecklenburg County Bar for 2019-2020.

Michael W. Wagner, a partner at Jones Walker, secured a complete trial victory for an accused captain following a four day jury trial.

IADC RESOURCES

Here are the latest IADC resources since the last issue of the Docket:

WEBINARS

- Emerging Trends in Slack-Fill Litigation: April 4 (Presentation and Recording)
- Moving Diversity and Inclusion Forward: A Conversation with Justice Michael H. Tulloch and Judge Shira Scheindlin on Tips for Success From the Bench: April 17 (Presentation and Recording)
- How Personal Jurisdiction is Slowly Reshaping Toxic Tort Litigation: May 1 (Presentation and Recording)
- Product Liability: What Should Worry You in the EU?: May 15 (Presentation and Recording)

COMMITTEE NEWSLETTERS

From March 28 to June 14, IADC Committees published 11 newsletters. The following Committees published newsletters during this time: Corporate Counsel; Drug, Device and Biotechnology; Employment Law; Insurance and Reinsurance; Medical Defense and Health Law; Product Liability; and Trial Techniques and Tactics.

To view the newsletters, please click on the Committee to go to its Committee Business page where the newsletters are archived. If you would like to join a Substantive Law Committee, please email Maria Juarez, Registrar, at mjuarez@iadclaw.org.

DEFENSE COUNSEL JOURNAL

To access the current issue of the *Defense Counsel Journal*, click [here](#).

AMICUS CURIAE BRIEFS

The Amicus Committee filed a brief for *Monster Energy vs. Schechter*, a case pending in front of the California Supreme Court involving the enforceability of a confidentiality clause in a settlement agreement against a lawyer that signed it when the agreement said the lawyer's signature signified he was agreeing to "approved as to form and content." To read the amicus brief the IADC filed in the case, click [here](#).

IADC IN THE NEWS

Andrew Kopon Jr. was interviewed by *Chicago Lawyer* for the article "Playing defense: Special interrogatories, workers' comp exemptions and BIPA are three trends to watch in Pritzker's Illinois." (April 1)

Harmon C. Hayden authored the article "Follow the settlements...The Supreme Court ends the winding legal journey of a reinsurance contract that did not contain a 'follow-the-settlements' clause" for *Canadian Underwriter*. (April 14)

Constance Endelicato was interviewed by *Part B News* for the article "Professional liability expert weighs in on protecting your practice from opioid doc arrest fallout." (April 17)

Tom Buckley authored the article "Q is for Concrete: A summary of OSHA regulations governing concrete construction" for *Modern Contractor Solutions*. (April 2019)

The IADC was mentioned in the article "Monster Energy Says Confidentiality Agreement Binds Lawyer" in *Bloomberg Law* in relation to the amicus brief we filed. (May 7)

Chris Drewry authored the article "Learning Curves & Lost Productivity Claims" for *Modern Contractor Solutions*. (May 23)

Glenn Duhl authored the article "Gratuities in the Restaurant Industry - What's Going On?" for *Modern Restaurant Management*. (June 7)

The IADC is investing resources into a PR firm to help place IADC members as experts in articles. Articles are linked if we have permission to share them.

LAWYERS FOR CIVIL JUSTICE UPDATE

Did you know the IADC is one of the original founders of LCJ? Learn more about the newly appointed Expert Evidence Chair below.



"My goal is to engage the legal community in a productive discussion about how to ensure that proposed expert testimony receives sufficient scrutiny."

Quick Facts:

Organization: Taylor | Anderson, LLP

Interest Area: Liability Defense,
Discovery Involving Experts &
Corporate Knowledge

Key Accomplishments: Successfully
trying product liability cases in 10
states and using courtroom experience
to develop civil liability legislation

MEMBER SPOTLIGHT - LCJ EXPERT EVIDENCE COMMITTEE CO-CHAIR LEE MICKUS

What practice areas does your work most revolve around? I focus on product liability defense, and in particular trials, dispositive motions, and discovery involving experts and corporate knowledge.

What would you say are some of your key accomplishments within those areas? I have tried product liability cases successfully to verdict in more than ten states across the country, and I have especially enjoyed drawing on this courtroom experience to develop legislation affecting civil liability issues such as punitive damages, seat belt evidence admissibility, and product liability.

What inspired you to get involved with Lawyers for Civil Justice? I came to LCJ to pursue my interest in reforms that make a meaningful impact on how courts address civil litigation and how parties are affected. LCJ has taken a major role in shaping revisions to the Federal Rules of Civil Procedure.

What specific LCJ efforts have you been most involved in, and what role have you played? Most recently I worked on several of LCJ's comments on proposed amendments to Rule 30(b)(6), and I testified before the Advisory Committee during the Phoenix hearing on those issues. Prior to that, I worked with the Discovery Committee on the Rule 26 and Rule 37 amendments and testified at the Dallas Advisory Committee hearing on those proposals.

What was it like to testify in front of the Federal Rules of Civil Procedure Advisory Committee regarding proposed amendments to Rule 30(b)(6)? Testifying in Phoenix was a career highlight for me. The committee members were deeply engaged in the issues and genuinely interested in hearing from experienced practitioners about how the proposed amendments would change the discovery process and potentially create new efficiencies or new problems.

What future accomplishments do you hope to achieve in your new role with the LCJ Expert Evidence Committee? My goal is to engage the legal community in a productive discussion about how to ensure that proposed expert testimony receives sufficient scrutiny. The integrity of the trial system depends on filtering out dubious opinion testimony to prevent distracting and misleading a jury.

Do you have a favorite rule? I'd say Rule 1 with its aspiration for "the just, speedy, and inexpensive determination of every action" is my overall favorite, although I would like to see it taken more to heart. Rule 1 ought to set the tone for how all aspects of litigation are conducted and the mindset parties and judges should bring to court.

Upcoming Events

July 7 - 12, 2019

Annual Meeting

*The Omni Grove Park Inn
Asheville, North Carolina USA*

July 27 - August 2, 2019

47th Annual Trial Academy

*Stanford Law School
Palo Alto, California USA*

October 24 - 25, 2019

International Corporate Counsel College

*Swiss Re Centre for Global Dialogue
Rüschlikon, Switzerland*

February 22 - 27, 2020

Midyear Meeting

*The Inn at Spanish Bay
Pebble Beach, California USA*

April 16 - 17, 2020

Corporate Counsel College

*The Ritz-Carlton
Chicago, Illinois USA*

*For information about Regional Meetings,
Webinars, or these events, visit our
Upcoming Events page.*



BENEFITS OF MEMBERSHIP

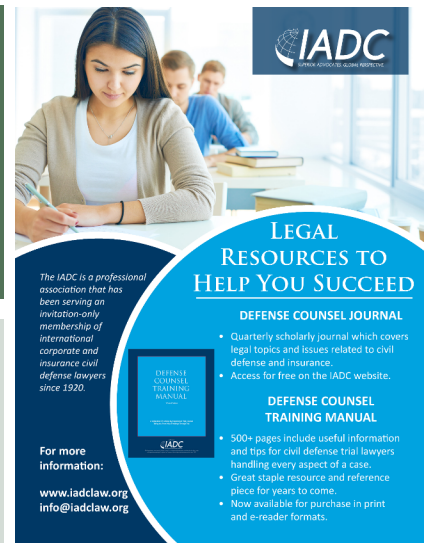
To learn about some of the key ways you can utilize the benefits included in your membership, view our Welcome Membership Packet.

IADC Merchandise Available!

Visit our IADC store for branded items that are available for purchase that will help show your association pride. From t-shirts to luggage tags to mouse pads, we've got lots of options!

https://www.zazzle.com/iadc_store

GET SOCIAL

LEGAL RESOURCES TO HELP YOU SUCCEED

DEFENSE COUNSEL JOURNAL

- Quarterly scholarly journal which covers legal topics and issues related to civil defense and insurance.
- Access for free on the IADC website.

DEFENSE COUNSEL TRAINING MANUAL

- 500+ pages include useful information and tips for civil defense trial lawyers handling every aspect of a case.
- Great staple resource and reference piece for years to come.
- Now available for purchase in print and e-reader formats.

The IADC is a professional association that has been serving an invitation-only membership of international corporate and insurance civil defense lawyers since 1920.

For more information:
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