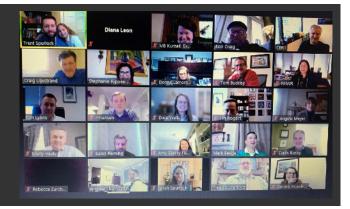


Click through for a few scenes from the 2021 Virtual Midyear Meeting.



The IADC has adapted to bring you virtual value and connection in as many ways as possible, and you've actively participated and engaged.

Thank you for your commitment and involvement.

2021 Virtual Midyear Meeting Recap

Approximately 410 total attendees from 24 countries and 45 US states and territories joined us for the 2021 Virtual Midyear Meeting in February. The meeting was successful with 19 CLE programs offered that covered extremely relevant topics. We had lots of great social and networking opportunities throughout. The Foundation of the IADC raised \$23,900 for projects it supports such as iCivics, the UN Chuka game, NFJE, and more.

Thank you to everyone who worked so hard on the Midyear Meeting. A special thanks goes out to Joe Cohen who led the CLE planning efforts on the CLE Steering Committee along with Chas Reynolds, the CLE Committee Chair. Another big thank you goes out to the Midyear Meeting Planning Team of Andrew and Sheri Chamberlin, Convention Chairs Chris and Patty Kenney, and Spencer and Kat Silverglate. We also want to thank our Midyear Meeting sponsors: Exponent, Baker Tilly US LLP, BRG, and MRC.

One What's Inside

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President's Message

INTERNATIONAL ASSOCIATION OF

Due to the COVID-19 pandemic, 2020 was a tough year for everyone. The IADC pivoted and turned its focus on Virtual Value, which we will continue to deliver going forward.

We have worked hard to provide you the best member benefits possible during this time. Due to your engagement and participation, the IADC remains strong.

As we look to the rest of 2021, I hope you know that we will continue to be flexible and responsive to member needs and abilities to access benefits. You are our number one priority.

We will continue to offer a broad schedule of virtual offerings to help connect us easily and efficiently. If you haven't had the chance to join us for a virtual offering yet, please be sure to do so. Some upcoming offerings include:

- Webinars: These are one hour presentations on a variety of substantive topics that are complimentary to you, your colleagues, and your clients.
- Committee monthly calls: Join your colleagues for brief monthly calls where you will discuss Committee business and developments in your area of law.
- Active Ally Series: The Diversity, Equity and Inclusion Committee sponsors these important programs to discuss how we can be effective allies to all members.
- Cooking and Conversations: These one hour cooking demonstrations and conversation are based on recipes from the IADC Foundation's cookbook. These informal social meet-ups are a great way to connect with fellow members.
- Regional Meetings: These are an excellent opportunity for you to get together with members in your area to network. These meetings are free for you and your guests.

Regarding our in-person events, the Board of Directors has been assessing each meeting opportunity carefully. If you did not get a chance to read the recent email we sent you outlining each of our 2021 meetings, you can do so here.

I look forward to seeing you either in-person or virtually soon.

Best, Andrew Chamberlin IADC President

NOMINATE YOUR COLLEAGUES

Take some time to think about any high-level colleagues you have that would be a good fit for the Association. To nominate those individuals for membership, fill out the brief online nomination form.







2021 Corporate Counsel College -A Program with Immediate Value

The two-day virtual program is set and will be presented in real time on April 15 and 16, 2021. During this program for senior in-house counsel and their trusted outside counsel, program offerings will include:

- Keynote Speaker Lori E. Lightfoot, Mayor of the City of Chicago
- Issues a Mask Won't Protect You From
- Hey Coach ... Where's Our Pandemic Playbook?
- How to Put Diversity to Work
- Litigation in a Post-Pandemic World
- The World Has Changed Let's Sort It Out
- Is the Tail Wagging the Dog? The Interplay Between Litigation and the Media
- A New Day Each Day: The Constantly Evolving Front Line Issues Related to Employment During the Age of COVID-19
- The Current and Ever Changing Environment Under the New Leadership in Washington, D.C.
- The Times, They Are A-Changin': Examining the Future of the In-House Outside Counsel Relationship

For full program details and to register, visit the Corporate Counsel College page on the IADC website.

The registration package rate is \$99 USD for outside counsel who can bring as many in-house counsel guests as they want. In-house counsel can register complimentary.

Match Program

In-house counsel and insurance executives who would like to be hosted by outside counsel can request to be paired up with an IADC member. Similarly, outside counsel looking for an in-house counsel to sponsor can be matched up with one if their own clients are unavailable to attend. Outside counsel can go ahead and proceed to register while they are finding a guest or waiting to be matched. Please contact Amy O'Maley McGuire at aomaley@iadclaw.org if you are interested in this match program.

Thank you to our sponsor Baylor Law Executive LL.M. in Litigation Management





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HOW TO MAXIMIZE REFERRAL OPPORTUNITIES

Membership in the IADC provides you *so* many benefits - from timely continuing legal education to networking opportunities to access to a worldwide network of excellent lawyers.

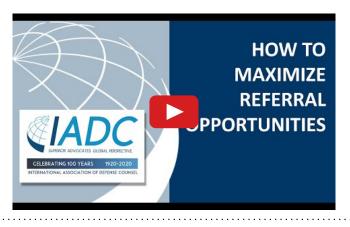
In order to grow your professional circle and obtain business referrals, we encourage you to actively participate, get involved, and invest yourself into the Association.

Here are EIGHT tips you can incorporate in order to maximize your opportunity for referrals:



For more details, listen to the 10 minute video below where we explain how to incorporate these tips.

For more information on Think IADC First, click here.



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Social Justice Pro Bono Award

As part of the IADC's strong commitment to promoting social justice and pro bono legal services, the Board of Directors has approved an annual IADC Social Justice Pro Bono Award.

The Award recognizes persons who have championed social justice within the legal profession and who have delivered substantial pro bono legal services.

Nominations are being accepted from now through and ending on May 24.

For more details and to submit a nomination, click here.

Member Spotlight

The IADC's Member Spotlight program is designed to introduce and focus attention on members. **Fill out the brief Member Spotlight Form to be featured next!**





Resources

what you may have missed

Committee Newsletters

Vermont Supreme Court Issues Important Decision on the Enforceability of Arbitration Clauses in Consumer Agreements and the Standards for Vacating Arbitration Decisions By: Walter Judge

Business Litigation Committee

The Proposed Amendment to Federal Rule of Evidence 702 - Will it Work? By: Daniel Higginbotham *Product Liability Committee*

Addendum to Insurance Policies without Limits: Surespan Structures Ltd. v. Lloyd's Underwriters By: Harmon C. Hayden Insurance and Reinsurance Committee

Get The 'Jab' or Lose Your Job: How to Create an Enforceable COVID-19 Vaccination Policy (CVP) for Your Canadian Workplace By: Heather C. Devine Transportation Committee

Supreme Court of Canada Expands Duty of Honest Contractual Performance By: Steven Rosenhek and David Ziegler *Business Litigation Committee and International Committee*

If You Want to Stay Friends with Your IT Supplier, Use the Contract! By: Anna Cook and Robert Graham Cyber Security, Data Privacy and Technology Committee

The Intersection of Religious Rights and Environmental Claims By: Jim Shelson *Toxic and Hazardous Substances Litigation Committee*

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Resources

what you may have missed

Committee Newsletters

New Year, New Claims Methodology By: William S. Thomas Construction Law and Litigation Committee

Expert Testimony Required to Establish the "Empty Chair" Defense in Medical Negligence Cases in Maryland By: Erik W. Legg

Medical Defense and Health Law Committee

Too Big to Certify? Class Actions in Canada By: Harmon C. Hayden *Product Liability Committee*

Drawing Lines Between Insurance Misrepresentations & Fraudulent Omissions By: Harmon C. Hayden Insurance and Reinsurance Committee

A Matter of Trust: North Dakota's Asbestos Bankruptcy Trust Transparency Act's Disclosure Requirements Survive Constitutional Challenge By: Elizabeth M. Sorenson Brotten

Civil Justice Response Committee and Toxic and Hazardous Substances Litigation Committee

U.S. Federal Leasing Mandates By: David W. Kash *Transportation Committee*

A Claim Too Far: Supreme Court of Canada Refuses to Recognize New Tort Duty for Pure Economic Loss Claims Against Manufacturers

By: Peter J. Pliszka and Michael Parrish *Product Liability Committee*



Resources | what you may have missed

Webinars

Preserving the Appellate Record at Trial: Balancing Trial Advocacy and Strategy with Preserving the Appellate Record

Presented by - Appellate Practice Committee, Business Litigation Committee, and Product Liability Committee

Moderator: Adam P. O'Brien, Wells, Anderson & Race, LLC Presenters: L. Michael Brooks, Wells, Anderson & Race, LLC; Jack Reiter, GrayRobinson, P.A.

PDF of Presentation | Webinar Recording | Password: 7ML?s.j3

Legal Challenges Regarding Event Data Recorder Evidence Presented by - Transportation Committee

Presenters: David A. Chapman, Lewis Thomason, P.C.; James Norris, Parham Engineering Consultants, Inc.; Adam Rust, Lewis Thomason, P.C.

PDF of Presentation | Webinar Recording | Password: +*i0oi*h

The Empowerment Collaborative

The IADC's Diversity, Equity and Inclusion Committee launched its initiative, The Empowerment Collaborative (TEC) at the end of 2020.

The TEC's goal is to further enhance equity in the legal profession by enhancing the development of skills, professionalism, and camaraderie of IADC's women and help facilitate their continued personal and professional success inside and outside the IADC. The TEC will sponsor programming, networking events, and collaborations with male IADC members.

Stay tuned for upcoming offerings - visit The Empowerment Collaborative page on the IADC website for more details.



Resources

what you may have missed

Defense Counsel Journal - Volume 88, Number 1

President's Page By Andrew S. Chamberlin

Editor's Page By Christopher B. Parkerson

Advanced Topics in Oral Civil Discovery By Robert F. Redmond, Jr.

Online Article | PDF to Print

Genomics in the Courtroom: The Current Landscape of DNA Technology in Criminal and Civil Litigation By Scott Elder and Anderson Kemp

Online Article | PDF to Print

Carve-Outs and Injunctive Relief in Arbitration Cases By Mitchell L. Lathrop

Online Article | PDF to Print

Diversity, Equity, and Inclusion Resources Page

To view the Diversity, Equity, and Inclusion Resources page, which has resources added regularly, visit the Resource section of the IADC website. You will also be able to find approved recordings from our ongoing Active Ally Diversity, Equity and Inclusion discussion series on this resource page.

Strategic Partnerships - CPR

Our strategic partner International Institute for Conflict Prevention and Resolution has many upcoming virtual events. To view their offerings, click here.



Resources |

what you may have missed

Amicus Curiae Briefs

IADC US Supreme Court Amicus Brief -- TransUnion LLC v Ramirez (2/8/2021)

The IADC filed an amicus brief, joined by the National Association of Manufacturers, Auto Innovators, and American Tort Reform Association.

The plaintiff here was atypical of the class, which was largely uninjured. Ramirez alleged actual harm as he claimed to have been denied credit at a car dealership when the credit report from TransUnion said he matched a name on the Office of Foreign Assets Control (OFAC) list of Specially Designated Nationals (SDNs) with whom business in the United States is prohibited. Ramirez's lawyers pursued the matter as a class action, seeking to represent all 8,185 people to whom TransUnion sent a letter between January-July 2011 informing them that their name was a "potential match" to the name of an SDN. More than 75% of the class had no third-party inquiries that could have resulted in anyone beside the class members themselves seeing the potential match alert. Ramirez offered no evidence that any of these absent class members suffered any injury at all, let alone one like his. Yet, the trial focused on Ramirez's idiosyncratic injury, and the jury awarded significant damages to the entire class.

The IADC amicus brief focused on the Rule 23(a)(3) requirement that the plaintiff must be "typical" of the absent class members, including with respect to the injury alleged. Had the lower courts properly examined typicality at the certification stage, it would have been obvious that Ramirez's experience was atypical.

The brief points out that the lack of any rigorous or evidence-based analysis of typicality has become a problem in class litigation, particularly as creative plaintiffs' counsel seek to turn product defects and other statutory claims into class actions based on a single or even handful of named plaintiffs who were injured by the alleged defect or violation. Class actions should not be so divorced from real world impacts or actual injuries.

To read the amicus brief filed, click here.



Resources

what you may have missed

Amicus Curiae Briefs

TN Supreme Court Holds District Attorneys General Lack Standing Under DDLA in Opioid Lawsuit (12/17/2020)

On December 17, 2020, pharmaceutical companies gained a rare victory in the defense of opioid litigation. In Effler et al v. Purdue Pharma, L.P. et al, the Tennessee Supreme Court held that seven Tennessee District Attorneys General ("D.A.s") lacked standing under the Tennessee Drug Dealer Liability Act ("DDLA") to sue pharmaceutical companies who manufactured opioid medications. The initial lawsuit was filed in 2017 against several pharmaceutical companies, Teva Pharmaceuticals USA, Endo Pharmaceuticals, Inc., Endo Health Solutions. Inc., Mallinckrodt, LLC, Purdue Pharma, L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, Inc. The Complaint alleged that the pharmaceutical company defendants are illegal drug dealers under the Tennessee Drug Dealer Liability Act, a statute that is based upon a model act adopted by states across the country. The Court held that the District Attorneys General, who sought to sue on behalf of cities and counties who were not parties to the litigation, lacked standing to sue under a straightforward reading of the statute. The Court also held that the DDLA can apply to pharmaceutical companies based upon allegations that the companies knowingly participated in the illegal drug market, allowing claims by two Baby Doe Plaintiffs (but not the D.A.s) to proceed. The IADC filed an amicus brief in support of the positions of the pharmaceutical company defendants, as did the Pharmaceutical Research and Manufacturers of America and the American Tort Reform Association. The Court's decision not only impacts the Effler case, but also two other cases pending in Tennessee which collective cover jurisdictions in nearly half of the state. As a result, the pharmaceutical companies have moved to dismiss claims by other D.A.s in a case that was set to go to trial in which the D.A. plaintiffs are seeking \$2.4 billion in damages. Some of the pharmaceutical company defendants were represented by IADC members.

To read the amicus brief filed, click here.



Welcome |

new members of the IADC

Tammy B. Webb Shook, Hardy & Bacon L.L.P. San Francisco, California United States

Laura M. Trenaman Hunton Andrews Kurth LLP Houston, Texas United States

Edward H. Thompson Bowman and Brooke LLP Orlando, Florida United States

Charles Price Eaton Cleveland, Ohio United States

Arnold F. D'Angelo, Jr. Zurich North America Schaumburg, Illinois United States

Dan Winkler Westfield Group Westfield Center, Ohio United States Angela Taylor Liberty Mutual Insurance Philadelphia, Pennsylvania United States

Oluwafunmito "Funto" P. Seton Sysco Corporation Houston, Texas United States

Jerry J. Sallings Wright, Lindsey & Jennings LLP Little Rock, Arkansas United States

Vincent Rochette Norton Rose Canada Montreal, Quebec Canada

Robyn King Richards Kasowitz Benson Torres LLP Atlanta, Georgia United States

Chanda M. Feldkamp

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Kelly Law Partners, LLC Denver, Colorado United States

Bevan Brooksbank Borden Ladner Gervais LLP Toronto, Ontario Canada

Michael A. Montgomery Eckert Seamans Cherin & Mellott LLC Richmond, Virginia United States

Ronald J. White Illinois Farm Bureau Bloomington, Illinois United States

Matthew Hoffman Gibson Dunn & Crutcher LLP Los Angeles, California United States

Donna M. Welch Kirkland & Ellis, LLP Chicago, Illinois United States

Whether you have been a member for a short or a long period of time, you may not know everything your membership affords. View our Welcome Membership Packet to learn about some of the key ways you can utilize the benefits of your membership.

Welcome |

new members of the IADC

Scott D. Stephenson Litchfield Cavo LLP Chicago, Illinois United States

Teresa Milano Woodruff Sawyer Boston, Massachusetts United States

Heather Marie Johnson Siemens Energy, Inc. Iselin, New Jersey United States

Brandon Cox Greenberg Traurig, LLP Atlanta, Georgia United States

Sherrie Armstrong Davis Crowell & Moring Washington, District of Columbia United States

Renee Ziolkowski Sanchez Daniels & Hoffman LLP Chicago, Illinois United States Marc Dautlich Bristows LLP London, England

William Childs 3M Company Saint Paul, Minnesota United States

Carolyn Husmann Sinars Slowikowski Tomaska Saint Louis, Missouri United States

Ethan E. Trull Nixon Peabody LLP Chicago, Illinois United States

Andrew T. Mortl Glynn & Finley, LLP Walnut Creek, California United States

Mark H. Hayes Robinson & McElwee PLLC Charleston, West Virginia United States Janett Fahrenholz Volkswagen AG Wolfsburg, Germany

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John Peterson Polsinelli, P.C. Nashville, Tennessee United States

Joshua K. Payne Spotswood Sansom & Sansbury LLC Birmingham, Alabama United States

Robert McDade QBE North America Plymouth Meeting, Pennsylvania United States

Catharine E. Gillespie Corteva Agriscience Wilmington, Delaware United States

Oscar J. Cabanas Wicker, Smith, O'Hara, McCoy & Ford, P.A. Coral Gables, Florida United States

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Welcome |

new members of the IADC

Shannon S. Frankel

Young Moore and Henderson, P.A. Raleigh, North Carolina United States

S. Christopher Collier

Hawkins Parnell & Young LLP Atlanta, Georgia United States

Louis-Philippe Cartier

Gasco Goodhue St-Germain, SENCRL/LLP Montreal, Quebec Canada

Harry M. Byrne

Duane Morris LLP Philadelphia, Pennsylvania United States

John Stewart Baker

Burr & Forman LLP Jacksonville, Florida United States

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Upcoming Events | engage and connect

MEETING

WEBINAR REGIONAL MEETING CLE EVENT

Below is a list of upcoming Association events that will take place in the next few months. For up-to-date information on all upcoming events, please visit the events calendar on the IADC website at www.iadclaw.org/events/.

Through May 14, 2021 2021 Virtual Midyear Meeting: On Demand Details and Registration

April 7, 2021 Continuing an IADC Conversation About Becoming an Active Ally with a Focus on Latina Allyship Zoom Details

April 11, 2021

Cooking and Conversation with Ivan and Stephanie Rodriguez (Environmental and Energy Law Committee) Details and Registration

> April 15 - 16, 2021 2021 Corporate Counsel College Details and Registration

April 16, 2021 Deadline for 2022 Midyear Meeting Major CLE Program Proposals Details

April 21, 2021 Have We Reached the Tipping Point? Emerging Issues in Data Breach Litigation Details and Registration

April 25, 2021 Cooking and Conversation with Sarah Spurlock (Cyber Security, Data Privacy and Technology Committee) and Trent Spurlock Details and Registration

April 29, 2021 Northeast Virtual Regional Meeting - New Hope, PA Details and Registration



Whitelist no-reply@zoom.us
 Misplace the email with your
custom Zoom link? Find your custom
links on your IADC website profile.

Click image to enlarge for tips on receiving your Zoom meeting links.

2021 | Issue One



IADC Successes

your accolades, courtroom wins, and pro bono accomplishments

Carl Anthony Maio, a retired partner with Fox Rothschild LLP, was named the 2020 recipient of the Arthur B. Walsh, Jr. Pro Bono Publico Award from Bucks County Bar Association.

Alexandra Simotta, Head of Legal Austria and Slovenia, Six Payment Services (Europe) S.A., joined the PAYONE team in February 2021.

Ragsdale Liggett partner John M. Nunnally was named to the 2021 edition of North Carolina Super Lawyers and was included in Business North Carolina magazine's 2021 Legal Elite Edition. Bob Latham, a partner with Jackson Walker LLP, was re-elected to World Rugby's Executive and Regulations Committees.

William S. Thomas, co-founder and principal at Gausnell, O'Keefe & Thomas, LLC, authored an article for *Modern Contractor Solutions'* January 2021 issue.

Mark Silver joined Schenck, Price, Smith & King LLP's growing roster of high-profile attorneys as partner.

Deborah St. Lawrence Thompson was appointed as Chair of the Diversity, Equity & Inclusion Committee at Nelson Mullins Riley & Scarborough LLP.

In December 2020, John Unice of bit-x-bit became CEO after joining in February 2020 as General Counsel and Executive Vice President.

To submit an accolade, courtroom win, or pro bono accomplishment, email Ashley Hatfield, Director of Communications, at ahatfield@iadclaw.org.

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IADC Successes

your accolades, courtroom wins, and pro bono accomplishments

Christopher C. Lam, managing partner of Bradley Arant Boult Cumming's Charlotte office, was elected as a Fellow of the American Bar Foundation (ABF).

Michelle Hernandez was elected as a member of Modrall Sperling's Executive Committee.

Christopher S. Drewry, a partner at Drewry Simmons Vornehm, LLP, authored an article on behalf of the IADC for *Modern Contractor Solutions*' February 2021 issue. Sherry Knutson was named co-chair of the Tucker Ellis Health & Life Sciences Group.

Diane V. D'Aiutolo was selected to serve as the next managing partner for Tydings & Rosenberg LLP.

Johner T. Wilson III, a labor and employment partner at Dinsmore & Shohl LLP in Chicago, authored an article on behalf of the IADC for *Thomson Reuters Westlaw Today*.

Tony Dongwook Kang, a partner at Korea's Bae, Kim & Lee LLC, was named one of "Asia's Top 15 Litigators" by *Asian Legal Business*. Elizabeth Sorenson Brotten, a partner at Foley & Mansfield, PLLP in Minneapolis, authored an article on behalf of the IADC for *Thomson Reuters*.

To submit an accolade, courtroom win, or pro bono accomplishment, email Ashley Hatfield, Director of Communications, at ahatfield@iadclaw.org.

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IADC Successes

your accolades, courtroom wins, and pro bono accomplishments

M.C. Sungaila, shareholder at Buchalter, released a companion journal to accompany her successful book series *Mother's Thoughts for the Day*.

To submit an accolade, courtroom win, or pro bono accomplishment, email Ashley Hatfield, Director of Communications, at ahatfield@iadclaw.org.

Get The Most Out of Your Membership

Click image below to view larger.







SUPPORT THE IADC FOUNDATION

The Foundation of the IADC works to support the rule of law and access for all to a fair and just legal system through education and research, strategic partnerships, and relevant projects.

Your contributions and support help such projects as:

iCivics | The United Nations Education for Justice campaign | National Foundation for Judicial Excellence | IADC Webinars

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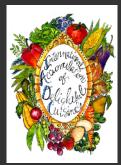
Berkeley Research Group, LLC

Exponent

MRC

IADC Foundation Cookbook

The IADC Foundation cookbook, International Accumulation of Delightful Cuisine, is filled with 200 recipes from members around the world, and sales benefit the Foundation's



efforts to support the rule of law globally.

Purchase a cookbook now.