



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



PRINTABLE FULL SCHEDULE

- program schedule as of January 24 -

FRIDAY, FEBRUARY 18, 2022

3:30 – 5 p.m.

Board of Directors Meeting

SATURDAY, FEBRUARY 19, 2022

8:30 a.m. – 3 p.m.

Board of Directors Meeting

9 a.m. – 6:30 p.m.

Registration Desk

Have questions or need assistance? Visit IADC's Registration Desk during posted hours for answers and help.

4:30 – 5:30 p.m.

First Timers Introductions

The First Timers program is for all IADC members and their guests who have never attended a Midyear or Annual Meeting. At this introduction, you will learn more about the IADC and the Midyear Meeting. You will also meet other First Timers and their member Hosts, as well as the Board of Directors and Past Presidents in attendance, so throughout the meeting you will see familiar faces. *Resort casual attire. Thank you to our First Timers Chair Chas Reynolds.*

5:30 – 6 p.m.

First Timers Reception

Join other First Timers and their member Hosts at this reception prior to the Welcome Reception for all registered attendees. *Resort casual attire.*

6 – 7:30 p.m.

IADC APP-y Hour Welcome Reception

Join us as at the JW Marriott Camelback Inn for beverages and light hors d'oeuvres as we officially kick-off our Midyear Meeting! While connecting with friends and colleagues, stop by our tech tables for brief demos and tips on how to navigate and make the most of the Midyear Meeting app and online meeting platform, IADC's website and app, how to access IADC's podcast, IADC Speaks, and more. Come ready



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



to share your favorite app or, in advance of the meeting, email your favorite (and perhaps lesser-known app) with a sentence or two on why you love it to IADC's Director of Meetings, Rebecca Zurcher Foltz, at rzurcher@iadclaw.org and we'll share it with attendees! *Resort casual attire.*

7:45 – 10 p.m.

Second Timers Dine-Around (\$)

Second Timers will receive an emailed invitation prior to the meeting with a request to RSVP. All costs associated with dinner, as well as transportation to/from the restaurant, will be the attendee's responsibility. *Thank you to our Second Timers Chair Diane Averell.*

10 – 11:30 p.m.

After Dinner Gathering

SPONSORED BY BERKELEY RESEARCH GROUP, LLC Wrap up your evening with a nightcap and camaraderie at this After Dinner Gathering held exclusively for IADC attendees in the hotel's indoor/outdoor lobby bar. Beer, house wine, and non-alcoholic beverages are complimentary with your meeting name badge.

SUNDAY, FEBRUARY 20, 2022

ON-DEMAND RELEASE

Advanced Topics in Civil Written and Oral Discovery

Committee Co-Sponsors: Business Litigation, Class Actions and Multi-Party Litigation, Product Liability, Toxic and Hazardous Substances Litigation

This program will be released for viewing On Demand starting on February 20th and will be available until June 4th.

Discovery is often the most expensive phase of any lawsuit. Practitioners who know the rules and follow them have a substantial advantage over opposing counsel. They can obtain relevant information efficiently, while minimizing unnecessary expenses, because they know responses that are acceptable and objections that are subterfuge. Experienced practitioners also know how to handle opponents who make the process more onerous because they do not know or ignore the Federal Rules' requirements, such as by using form requests or "boilerplate" objections. An experienced practitioner can use his opponents discovery errors and violations to great advantage, particularly when before an experienced and receptive judge. The speakers, -- two Army veterans -- have identified a list of advanced topics in written and oral discovery under the FRCP as well as the case authority supporting the topics. The program is intended to provide a regular resource to practitioners in a primary battlefield – discovery. *Robert Redmond, McGuireWoods LLP, Richmond, Virginia USA; James Shelson, Phelps Dunbar, Jackson, Mississippi USA*



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



ON-DEMAND RELEASE

Arbitrating with Expertise: How to Develop, Market, and Find Skilled Counsel and Arbitrators for Specialty Arbitrations

Committee Co-Sponsors: Alternative Dispute Resolution, International Arbitration, Transportation

This program will be released for viewing On Demand starting on February 20th and will be available until June 4th.

Construction, Aviation, and International Arbitrations require specialized Arbitrators and Counsel. Arbitrators, counsel and inhouse counsel will advise on the skills and experience required to begin the art of Arbitrating, and will then focus on how to implement the various specialized institution rules (ICC, AAA and others). This will focus primarily on Aviation, International Arbitration, and Construction arbitrations (although the skill development will be applicable to all arbitrations) and will include discussion of the overlay of federal regulatory agencies (NTSB/FAA as examples), analysis of various institutional rules, pitfalls regarding statute of limitations/repose, and now to balance civil code and common law evidentiary production requirements.

Heather C. Devine, Alexander Holburn Beaudin + Lang LLP, Toronto, Ontario Canada; Christopher Kenney, Kenney & Sams, P.C., Boston, Massachusetts USA; Sitpah Selvaratnam, Tommy Thomas, Kuala Lumpur, Kuala Lumpur Malaysia; Mica N. Worthy, Cranfill Sumner LLP, Charlotte, North Carolina USA

ON-DEMAND RELEASE

Hit the Ground Running - The Importance of Early Internal Investigation of Product Claims

Committee Co-Sponsors: Product Liability

This program will be released for viewing On Demand starting on February 20th and will be available until June 4th.

This will be a roundtable discussion regarding the importance of jumping on the internal investigation when a product liability claim arises. The panel will have experiential discussions from what they have dealt with both from the in-house and outside counsel perspective. It will deal with pulling correspondence, testing, recalls, component manufacturers, placing them on notice, potential expert reviews and prior product testing, PAP's, etc.

Steven Meckler, Shumaker, Loop & Kendrick, LLP, Charlotte, North Carolina USA; Marisa B. Nye, Electrolux North America, Inc., Charlotte, North Carolina USA; Andrew M. Rink, JELD-WEN, Inc., Charlotte, North Carolina USA; Megan Stacy, Shumaker, Loop & Kendrick, LLP

ON-DEMAND RELEASE

Hot Topics in Consumer Class Actions

Committee Co-Sponsors: Business Litigation, Class Actions and Multi-Party Litigation, Employment Law, Transportation

This program will be released for viewing On Demand starting on February 20th and will be available until June 4th.



2022 MIDYEAR MEETING

FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



This past year has seen a deluge in consumer class action filings, as well as a number of key developments impacting the defense of these cases. This panel will cover key trends and developments over the past year, including (1) filing trends and dealing with multiple state filings, (2) deploying class waiver arbitration clauses directly or as a third party, (3) market actions and their interplay with class actions, (4) key developments in defending consumer fraud and equitable claims, (5) emerging *Daubert* trends, and (6) settlements.

Beverly Baughman; Amir Nassihi, Shook, Hardy & Bacon L.L.P., San Francisco, California USA; Andrew Trask; Jennifer White

ON-DEMAND RELEASE

Innovation at all Cost? Innovative Building Products and Building Fires: The Case of an Inappropriate Cladding and the Clash Between Product and Professional Liabilities

Committee Co-Sponsors: Construction Law and Litigation, Product Liability, Professional Liability

This program will be released for viewing On Demand starting on February 20th and will be available until June 4th.

Description coming soon.

Antoine Bigenwald, Casavant Bedard, Montreal, Quebec Canada; Jean-Simon Cl  roux, SNC-Lavalin inc., Montr  al, Quebec Canada; Rodney Freeman, Cooley LLP, London, England United Kingdom

ON-DEMAND RELEASE

Mistake of State Law: Is There a Bona Fide Defense to a Bona Fide Error?

Committee Co-Sponsors: Business Litigation, Class Actions and Multi-Party Litigation

This program will be released for viewing On Demand starting on February 20th and will be available until June 4th.

During this program the presenters will analyze the 9th Circuit's decision in *Kaiser v. Cascade Capital, LLC et al.* and discuss it in the context of the history and evolution (and often erosion) of the Bona Fide Error (BFE.) We will also discuss the potential ethical implications the ruling may have for in-house and outside counsel regarding the duty to provide vigorous and competent representation to their clients.
Avanti Bakane, Gordon & Rees, LLP, Chicago, Illinois USA; Mary M. Curtin, Gordon, Rees, Scully, Mansukhani, LLP, Phoenix, Arizona USA; Andrew M. Schwartz, Gordon, Rees, Scully, Mansukhani, LLP, Philadelphia, Pennsylvania USA

ON-DEMAND RELEASE

Not All Evidence Is Equal: What Sort of 'Evidentiary Proof' Will Satisfy Rule 23?

Committee Co-Sponsors: Appellate Practice, Business Litigation, Class Actions and Multi-Party Litigation, Drug, Device and Biotechnology, Employment Law, Medical Defense and Health Law, Transportation

This program will be released for viewing On Demand starting on February 20th and will be available until June 4th.



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



The Supreme Court held in *Comcast v. Behrend* that a party seeking class certification must satisfy the requirements of Fed. R. Civ. P. 23(b) through "evidentiary proof." But left unsaid by the Court was whether such "evidentiary proof" must actually be admissible under the Federal Rules of Evidence. Following *Comcast*, the circuit courts have split on whether evidence must be admissible to be considered at class certification, sometimes applying one standard for fact evidence and another for expert evidence. A panel of experienced class action practitioners will discuss the circuits' different approaches to this question and the arguments for and against requiring admissibility.

Joseph Cancila, Riley Safer Holmes & Cancila LLP, Chicago, Illinois USA; Thomas J. Hurney, Jr., Jackson Kelly PLLC, Charleston, West Virginia USA; Niall Paul; Marc E. Williams, Nelson Mullins, Huntington, West Virginia USA

ON-DEMAND RELEASE

Status of the Preemption Defense in Pharmaceutical Products Liability Cases

Committee Co-Sponsors: Drug, Device and Biotechnology, Product Liability

This program will be released for viewing On Demand starting on February 20th and will be available until June 4th.

For those who thought preemption in pharmaceutical litigation was resolved following *Wyeth v. Levine* and *Pliva v. Mensing*, there are new twists and turns to navigate. The PREP Act provides a new avenues for preemption for drugs used to treat COVID, but its reach has not yet been tested in courts and those alleging injuries due to. Are there other openings Plaintiffs may attempt to exploit to challenge warning labels on pharmaceuticals? Will increased off-label promotions of pharmaceuticals to treat rare or novel diseases result in preemption for gaps in warnings or will there be openings to sue branded or generic manufacturers?

Sharon L. Caffrey, Duane Morris LLP, Philadelphia, Pennsylvania USA; Andrew Kaplan, Crowell Morning, Washington, District of Columbia USA

6 – 7 a.m.

Morning Run

Get your blood pumping, get moving, and get to know fellow attendees at this IADC morning run. *The Morning Runs are complimentary and sign-ups are not required. Thank you to our Morning Run Chair Sherylle Francis.*

7 – 9 a.m.

Grab and Go CLE Breakfast

"Grab and Go" breakfasts are available outside the morning meeting rooms, making it easy for attendees to have breakfast without missing a minute of the great CLE programming.



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



7 – 9 a.m.

Meet and Greet Breakfast

Join fellow attendees for a hot breakfast (bacon is back!) to network, discuss ideas, or plan your day. Breakfast is available to all registered attendees. *Meeting name badge required for entry.*

7 a.m. – 4 p.m.

Registration Desk

Have questions or need assistance? Visit IADC's Registration Desk during posted hours for answers and help.

7:30 – 8:30 a.m.

Foundation President's Circle Breakfast

Foundation President's Circle donors (those who donated \$1,000 or more to the IADC Foundation in 2021) will receive an emailed invitation prior to the meeting with a request to RSVP.

7:30 – 8:30 a.m.

Managing Adverse Foreign Judgments in Local Litigation

Committee Co-Sponsors: Class Actions and Multi-Party Litigation, Drug, Device and Biotechnology, International, Product Liability

In recent years, plaintiffs' counsel have sought to make creative use of lengthy foreign bench decisions, with extensive factual findings, in companion litigation in other jurisdictions. At the same time, they will resist use of foreign decisions favorable to the defendant. Inside and outside experienced in multijurisdictional tort litigation will discuss tools for managing the potential impact of an adverse foreign judgment in local litigation.

Ben Aram, Kennedys Law LLP, London, England United Kingdom; Gord McKee, Blake, Cassels & Graydon LLP, Toronto, Ontario Canada; Robin Reinertson, Blake Cassels & Graydon LLP, Vancouver, British Columbia Canada

7:30 – 8:30 a.m.

Morning Walk

Get your blood pumping, get moving, and get to know fellow attendees at this IADC morning walk. *The Morning Walks are complimentary and sign-ups are not required.*

7:30 – 8:30 a.m.

Tug of War: Biden's Energy and Environmental Agenda in the Land of a Trump Judiciary

Committee Co-Sponsors: Environmental and Energy Law, Toxic and Hazardous Substances Litigation, Transportation



2022 MIDYEAR MEETING

FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



As a new administration attempts to implement a broad-based energy and environmental initiative, they will be met with resistance from Republican appointed federal judiciary. At the same time, industry executives will be attempting to implement short/mid/long term planning. This program will analyze the major cases shaping this battle and how it will affect businesses in this arena and their decision-making going forward. From the Green New Deal to the XL Pipeline, and everything in between, policy proposals will be shaped by the important Federal Court decisions of 2021. Former Supreme Court law clerks/outside counsel for Fortune 500 companies will discuss how they interpret the caselaw and how it affects the strategies/spending that they will attempt to implement. In-house counsel will discuss how these decisions affect their own decision-making process for ongoing projects in the energy/environmental field.

James Burnham, Jones Day, Washington, District of Columbia; Barbara Harding, Jones Day, Washington, District of Columbia USA; Shirlethia Franklin; Daniel E. Krauth, Zimmer Kunz, PLLC, Pittsburgh, Pennsylvania USA

8:45 – 10:15 a.m.

Opening Session

We encourage you to attend this general session where IADC President Spencer Silverglate will give a State of the Association address and valuable meeting highlights and information will be shared. The Opening Session is not available for CLE credit.

10:15 – 11:30 a.m.

Foundation Forum: Jerry Blackwell

SPONSORED BY THE FOUNDATION OF THE IADC Jerry W. Blackwell is the founding partner of Blackwell Burke P.A, one of the oldest and largest Black-owned law firms in the country. After becoming a partner in a national law firm in 1992, Mr. Blackwell started his own law firm in 2000 with the goal of promoting equal opportunities and providing a better work environment for lawyers of color and women in a largely non-diverse legal profession. He serves as national and trial counsel for Fortune 500 companies and has represented them in 47 states as well as outside the U.S. He has a number of recognitions, including being named multiple times a BTI Client Service All-Star (based on anonymous Fortune 500 client voting) and twice an MVP, *Best Lawyers in America* since 2010, Minnesota Attorney of the Year five times, Minnesota *Super Lawyer* since 2003, one of the Top 100 Trial Lawyers in America by *Benchmark Litigation*, recognitions from the National (Black) Bar Association, one of Minnesota Lawyers' "Power 30 in Business Litigation," this year's sole recipient of the *National Law Journal's* "Winning Litigator" award, in addition to other public service recognition awards. Mr. Blackwell is a founder of the Minnesota Association of Black Lawyers (MABL). Blackwell Burke P.A. for five years in a row has been named the Minnesota Firm of the Year by *Benchmark Litigation*, a respected guide to the world's leading litigation firms and lawyers.



2022 MIDYEAR MEETING

FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



Most recently, Mr. Blackwell served as a lead Special Assistant Attorney General in the successful prosecution of former Minneapolis police officer Derek Chauvin for the murder of George Floyd. In 2020, in tandem with the Clayton Jackson McGhie Memorial Committee of Duluth, Mr. Blackwell was instrumental in securing the first posthumous pardon in Minnesota history for Max Mason, a Black traveling circus worker wrongfully convicted of raping a White woman in 1920. Three of his Black circus co-workers were lynched by a mob of 10,000 whites in Duluth, MN, for the fictitious rape. In conjunction with the District of Minnesota Federal Court, the Office of the Governor, and many other community organizations, he helped to form the Collaborative Legal Community Coalition, a coalition that has created a host of programs and initiatives designed to reach the entire state with public education around legacies of racial injustice and educating students on the importance of the rule of law.

When not dressed in a suit and lawyering, Mr. Blackwell can be found at his hobby farm gardening, tending to animals, and repairing things. The farm is devoted to teaching life lessons to students through outdoor educational experiences, and for several years Mr. Blackwell has taught a 16-week beekeeping class free of charge to those interested in learning. Mr. Blackwell and his bee yard are featured in the 2019 children's book, "Bee Love (Can Be Hard)," a fictional account that features the farm.

However, if the bees are not therapy enough, Mr. Blackwell turns to meditation. He has practiced meditation for years, but during the COVID pandemic he began to teach live, virtual sessions weekly to all interested Blackwell Burke P.A. employees, friends, and family members.

Noon – 1:30 p.m.

Solos Luncheon (\$)

Solo attendees (members attending the meeting without a spouse/guest) will receive an emailed invitation prior to the meeting with a request to RSVP. All costs associated with lunch, as well as transportation to/from the restaurant, will be the attendee's responsibility. *Thank you to our Solos Initiatives Chair JT Wilson.*

1 – 5 p.m.

Desert Botanical Garden Tour (\$)

The [Desert Botanical Garden](#) is home to more than 10,000 plants from deserts around the world, including more than half of the world's total number of cacti species. During the walking tour, attendees will have the opportunity to discover the secrets of the desert. The garden is a natural environment located on 145 acres within the beauty of Papago Park and is home to jackrabbits, squirrels, desert tortoises, and other animals. For bird watchers, there are dozens of species of native and migratory birds, from darting jewels like hummingbirds to the desert hawks. Desert succulents found throughout the garden include agave, barrel, prickly pear, aloe vera, ocotillo, and saguaro, to name a few. The



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



registration fee is \$90.00 USD per person and includes roundtrip transportation, entrance fees, and a professional guide.

1:30 – 3:30 p.m.

Pickleball Mixer (\$)

Sign-up for informal and fun play at IADC's first pickleball event! One of the fastest growing sports in America, [pickleball](#) is a mix between tennis, racquetball, and ping pong. Players use special paddles and a whiffle ball, and games take place on tennis courts with specific pickleball lines. The registration fee is \$45.00 USD per person and includes court fees, equipment, and refreshments. ***Due to the limited number of pickleball courts, we ask that you register for either Sunday's Pickleball Mixer or Monday's Pickleball Mixer but not both so more attendees may have the chance to participate.** *Thank you to our Pickleball Chairs Dominic Campodonico and Matt Stitham.*

3 – 4 p.m.

Speed-Networking Event for IADC Members

Networking can be one of the most powerful and productive activities an individual can do to enhance both their professional and personal relationships. And speed-networking, taking its cue from speed-dating, has emerged as a popular variation on the traditional business networking event. Structured and fast-paced, speed-networking allows participants to interact with others in a series of brief one-on-one exchanges in a round robin type format. IADC members: Expand your IADC relationships and connections and be sure to register for this event! This event is complimentary, but registration is required to participate. Open to IADC members only.

5:30 – 6:30 p.m.

45 and Under Mix and Mingle (\$)

Join other 45-year-old and under members and their spouses/guests at the hotel's indoor/outdoor lobby bar before going out for the evening at this cash bar reception. *Thank you to our 45 and Under Chair Daniel Higginbotham.*

5:30 – 6:30 p.m.

Foundation President's Circle Reception

Foundation President's Circle donors (members who donated \$1,000 or more to the IADC Foundation in 2021) will receive an emailed invitation prior to the meeting with a request to RSVP.

5:30 – 6:30 p.m.

Member Mix and Mingle (\$)

Meet up with friends and fellow attendees in the hotel's indoor/outdoor lobby bar before going out for the evening at this cash bar reception.

10 – 11:30 p.m.

After Dinner Gathering

SPONSORED BY BERKELEY RESEARCH GROUP, LLC Wrap up your evening with a nightcap and camaraderie at this After Dinner Gathering held exclusively for IADC attendees in the hotel's indoor/outdoor lobby bar. Beer, house wine, and non-alcoholic beverages are complimentary with your meeting name badge.

MONDAY, FEBRUARY 21, 2022

6 – 7 a.m.

Morning Run

Get your blood pumping, get moving, and get to know fellow attendees at this IADC morning run. *The Morning Runs are complimentary and sign-ups are not required. Thank you to our Morning Run Chair Sherylle Francis.*

7 – 9 a.m.

Grab and Go CLE Breakfast

"Grab and Go" breakfasts are available outside the morning meeting rooms, making it easy for attendees to have breakfast without missing a minute of the great CLE programming.

7 – 9 a.m.

Meet and Greet Breakfast

Join fellow attendees for a hot breakfast (bacon is back!) to network, discuss ideas, or plan your day. Breakfast is available to all registered attendees. *Meeting name badges required for entry.*

7 a.m. – 3 p.m.

Registration Desk

Have questions or need assistance? Visit IADC's Registration Desk during posted hours for answers and help.

7:15 – 8:45 a.m.

Foundation Board Meeting

7:30 – 8:30 a.m.

"No Concrete Harm, No Standing" - Considerations in Challenging Class Members' Article III Standing After *TransUnion*

Committee Co-Sponsors: Appellate Practice, Business Litigation, Class Actions and Multi-Party Litigation, Drug, Device and Biotechnology, Employment Law, Medical Defense and Health Law



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



In *TransUnion LLC v. Ramirez*, 594 U.S. ____, 141 S.Ct. 2190 (2021), a majority of the Court squarely held that each class member must have independent Article III standing in order to recover individual damages. The opinion left open, however, the “distinct question whether every class member must demonstrate standing before a court certifies a class.” And Justice Thomas, writing in dissent, noted that absent class members lacking Article III standing could nonetheless attempt to seek relief in more favorable state forums. This presentation will focus on the *TransUnion* decision and the considerations inherent in determining when and how to challenge putative class members' Article III standing.

Timothy E. Congrove, Shook, Hardy & Bacon, L.L.P., Kansas City, Missouri USA; Sarah T. Eibling, Nelson Mullins Riley & Scarborough LLP, Columbia, South Carolina USA; Jeffrey A. Holmstrand, Grove, Holmstrand & Delk, PLLC, Wheeling, West Virginia USA; Heather M. Howard, King & Spaulding LLP, Atlanta, Georgia USA

7:30 – 8:30 a.m.

Morning Walk

Get your blood pumping, get moving, and get to know fellow attendees at this IADC morning walk. *The Morning Walks are complimentary and sign-ups are not required.*

7:30 – 8:30 a.m.

Unusual Trademarks

Committee Co-Sponsors: Intellectual Property

Trademarks can be much more than logos. Our panel will discuss various types of things that can be protected by trademarks or trade dress such as product configurations, (Sunbeam Mixmaster or Coke bottle), colors (UPS brown or Louboutin red soles), buildings (TransAmerica), scents (Chanel No. 5), sounds (NBC tone or Intel tone) or store decor. Our panel will address why trademark protection is important for products we see, hear, and smell in our everyday lives. The panel will also discuss enforcement actions and issues that can arise in those actions.

Neville H. Boschert, Jones Walker LLP, Jackson, Mississippi USA; Paul W. Kruse, Spencer Fane Bone McAllester, Nashville, Tennessee USA; Jennifer So, American Honda Motor Co., Inc., Torrance, California USA

8:45 – 10:15 a.m.

Blockchain and the Practice of Law: How Cryptocurrency Will Impact the Legal Profession and Our Clients

Committee Co-Sponsors: Construction Law and Litigation

The public's interest in cryptocurrency and blockchain technology is skyrocketing. This technology is about much more than Bitcoin or digital money—it will soon transform the healthcare, insurance, entertainment, construction, medical, and legal industries. The impact on these industries and society broadly could be as revolutionary as the Internet. What is blockchain technology and why do we, as



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



lawyers, need to understand it now? Blockchain is a digital ledger that tracks agreements and documents, and allows parties located on opposite sides of the world to instantly transfer funds and execute agreements without third-party authentication. Blockchain technology allows parties to create, verify, and audit “smart” contracts in real-time, instantaneously triggering payments as defined within these digital agreements. It allows instant verification of digital record and will affect corporate filings, intellectual property rights, land deeds, supply chains, medical records, public records, and will transform law firms and the practice of law. Smart contracts built using blockchain technology will allow parties to track materials and the supply chain, verify records, and see payments the moment they occur. Blockchain allows property or medical records to be maintained with complete accuracy and verified instantaneously. Enforcement of IP rights will be transformed, as blockchain will prevent copyright infringement and enforce mitigation by providing a time-stamped copy of the work. Our panel will review the basics of blockchain for novices and explain how blockchain is much more than a digital currency. We will look at how governments throughout the world are approaching the regulation of crypto, how clients will use blockchain in the coming years, and how smart contracts and blockchain technology may clash with existing laws.

Nathan Cole, Kenney & Sams, P.C., Boston, Massachusetts USA; Karyl Fowler, Transmute Industries, Austin, Texas USA; Kristen Johns, Mechanical Licensing Collective, Nashville, Tennessee USA; Alexandra Simotta, SIX Payment Services, Vienna, Austria

10:30 a.m. – Noon

The Law Firm of the Future – What Will “Return To Work” Look Like?

Committee Co-Sponsors: Construction Law and Litigation, Corporate Counsel, Cyber Security, Data Privacy and Technology, Diversity, Equity and Inclusion, Employment Law, In-House and Law Firm Management, Professional Liability

A forced remote work environment caused by COVID-19 revealed a host of issues which can arise when lawyers practice outside of a traditional office. COVID-19 brought a wave of new federal, state, and local coronavirus laws and regulations, which wreaked lasting, perhaps permanent, changes on the office landscape, as firms now face testing and vaccine mandate quandaries, return to work challenges, and decisions about allowing continued remote work. A panel of expert attorneys and in-house counsel will bring their diverse skill sets and backgrounds to a lively discussion examining the complex issues of morale, productivity, and professionalism that arise as we migrate back to the office as well as whether we will or ought to. The panel will also provide answers and suggested best practices for addressing the challenges raised by employees who will continue to telecommute, and whether that decision is driven by the firm, the employee, or client demand. Issues to be addressed also include protecting privileged communications, meeting professional obligations, avoiding malpractice, and the ethical implications of practicing in foreign jurisdictions. Finally, the panel will examine the disproportionate impact of these issues on employees from diverse populations and marginalized groups.



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



Thomas M. Buckley, Goldberg Segalla LLP, Raleigh, North Carolina USA; Lorraine Ocheltree, Duane Morris LLP, San Francisco, California USA; Regina Petty, Fisher & Phillips LLP, San Diego, California USA; Funto Seton, Sysco, Houston, Texas USA; Daniel Zureich, Lawyers Mutual Liability Insurance, Cary, North Carolina USA

12:30 – 2 p.m.

Membership Committee Meeting

12:30 – 5 p.m.

Open Scramble Golf Tournament (\$) - Shotgun Start

SPONSORED BY EXPONENT Camelback Golf Club features 36 holes across two 18-hole championship courses, the Jason Straka–designed 18-hole, 7,221-yard, par 72 Ambiente Course and 6,903-yard, par 72 Padre Course. Set amidst rolling fairways and the Camelback foothills, natural beauty, native plants, and grasses combine for a challenging round that can be as punishing as it is rewarding. The registration fee is \$289.00 USD per person and includes green fees, carts, boxed lunch, bottled waters, prizes, transportation, and tournament costs. *Thank you to our Golf Tournament Chair Tom Forestier.*

1:30 – 3:30 p.m.

Pickleball Mixer (\$)

Sign-up for informal and fun play at IADC’s first pickleball event! One of the fastest growing sports in America, [pickleball](#) is a mix between tennis, racquetball, and ping pong. Players use special paddles and a whiffle ball, and games take place on tennis courts with specific pickleball lines. The registration fee is \$45.00 USD per person and includes court fees, equipment, and refreshments. ***Due to the limited number of pickleball courts, we ask that you register for either Sunday’s Pickleball Mixer or Monday’s Pickleball Mixer but not both so more attendees may have the chance to participate.** *Thank you to our Pickleball Chairs Dominic Campodonico and Matt Stitham.*

1:30 – 4:30 p.m.

Sporting Clays Activity (\$)

Often called “golf with a shotgun,” sporting clays is a fun and rapidly growing sport. Targets are launched in many different directions, some in the air and some rolling on the ground. Stations include elevated platforms and scissor-lift stands. There are three different sporting clays courses geared toward shooters of different abilities. Participants will learn basic gun safety, how to load, unload, and handle the gun, the object of the sport, and training. The registration fee is \$195.00 USD per person and includes ear and eye protection, 25 targets per person, basic instruction with a safety officer, and roundtrip transportation.



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



1:30 – 4:30 p.m.

The Empowerment Collaborative Outing: Heard Museum Tour

Join other members of IADC's [The Empowerment Collaborative](#)* for a tour of the [Heard Museum](#), the world's preeminent museum of American Indian art, emphasizing its intersection with broader artistic and cultural themes. Since its founding in 1929, the museum has grown to become recognized internationally for the quality of its collections, world-class exhibitions, and educational programming. Dedicated to the advancement of American Indian art, the Heard successfully presents the stories of American Indian people from a first-person perspective, as well as exhibitions that showcase the beauty and vitality of traditional and contemporary art. The registration fee is \$75.00 USD per person and includes roundtrip transportation, entrance fees, and a professional guide. **The Empowerment Collaborative is a Diversity, Equity and Inclusion Committee initiative supporting the continued professional advancement of IADC's women members. TEC welcomes all (women and men) IADC members who care.*

5:30 – 6:30 p.m.

First and Second Timers Reception with Past and Current Board Members and Sponsors

Invited guests will receive an emailed invitation prior to the meeting with a request to RSVP.

6:30 – 10 p.m.

Heroes and Outlaws Theme Party

The Wild West had its fair share of heroes and outlaws, from legendary outlaws like Jesse James, Billy The Kid, Belle Starr, and Butch Cassidy to heroic lawmen like Wyatt Earp, Doc Holliday, "Stagecoach Mary" Fields, and Bat Masterson. Come dressed as one of the West's legendary heroes or outlaws or put a different spin on your costume by dressing as one of your favorite "good guy or gal" or "bad guy or gal" from TV, cinema, or literature. For instance:

Heroes/Good Guys and Gals Inspiration:

- Know how to crack a whip and love an excuse not to shave? No one pulls off a five o'clock shadow like Indiana Jones, and you, of course.
- Ever aimed a can of Raid at a large insect and imagined you were battling something much worse? I'm sure that's exactly how Ellen Ripley felt fighting that alien.
- How cool would it be if the simple act of putting on a pair of glasses made you completely unrecognizable...to everyone?! It's the next best thing to being invisible! And then, what if you could also fly? Superman was so lucky.

Outlaws/Bad Guys and Gals Inspiration:

- Love dogs but secretly thought a dalmatian coat sounded stylish? If only Cruella de Vil knew about faux fur.
- Feel like your son just doesn't appreciate how hard you work? You might consider starting a support group with Darth Vader.

- Ever wish you had a flying broom when stuck in traffic? The Wicked Witch of the West, while plenty angry, never suffered from road rage.

If costumes aren't your thing though, don't worry, comfortable and casual resort wear is suggested. Just come dressed to have fun!

TUESDAY, FEBRUARY 22, 2022

6 – 7 a.m.

Morning Run

Get your blood pumping, get moving, and get to know fellow attendees at this IADC morning run. *The Morning Runs are complimentary and sign-ups are not required. Thank you to our Morning Run Chair Sherylle Francis.*

7 – 9 a.m.

Grab and Go CLE Breakfast

"Grab and Go" breakfasts are available outside the morning meeting rooms, making it easy for attendees to have breakfast without missing a minute of the great CLE programming.

7 – 9 a.m.

Meet and Greet Breakfast

Join fellow attendees for a hot breakfast (bacon is back!) to network, discuss ideas, or plan your day. Breakfast is available to all registered attendees. *Meeting name badges required for entry.*

7 a.m. – 3 p.m.

Registration Desk

Have questions or need assistance? Visit IADC's Registration Desk during posted hours for answers and help.

7:30 – 8:30 a.m.

How to Regain Control of a Witness Who Has Lost It

Committee Co-Sponsors: Appellate Practice, Business Litigation, Class Actions and Multi-Party Litigation, Intellectual Property, Product Liability, Trial Techniques and Tactics

Too often we prepare a witness for trial or deposition, only to see them begin to lose their way—or even fall apart—once in the witness chair. This program will use vignettes presented in a theatrical style, drawn from real life examples, to show the ways a witness loses it, and present strategies for helping the witness regain control and to cure stumbles without doing further damage.

Sharon Donaldson Stuart, Christian & Small LLP, Birmingham, Alabama USA; Sandra J. Wunderlich, Tucker Ellis, St. Louis, Missouri USA



2022 MIDYEAR MEETING

FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



7:30 – 8:30 a.m.

Morning Walk

Get your blood pumping, get moving, and get to know fellow attendees at this IADC morning walk. *The Morning Walks are complimentary and sign-ups are not required.*

7:30 – 8:30 a.m.

Transportation Disasters: Managing Risks and Addressing Exposures to Clients When a Major Transportation Disaster Occurs

Committee Co-Sponsors: International, Insurance and Reinsurance, Transportation

Supply chain disruptions caused by transportation disasters can lead to claims by such diverse claimants as cargo owners, other ships prevented and delayed in reaching their destinations, subrogated insurers, government entities that remediated the situation and incurred lost revenue. Such disasters can occur in other modes of transportation as well, involving airplanes, trains, and even trucks involved in major crashes, leading to personal injury and death claims, and commercial claims. This program will include a panel discussion on anticipating the many potential exposures that may arise from a transportation disaster and how to address them including such issues as responding to government civil and criminal investigations; strategies and defenses against claims for damages brought by governments, private third-parties, subrogated insurers, and others; potentially liable parties; insurance coverage issues and employing crisis management measures to avoid reputational harm. A diverse panel of speakers from different industries will help our members to be better prepared to address and advise clients on any type of high-profile transportation disaster that occurs, whether it be international or domestic.

Heather C. Devine, Alexander Holburn Beaudin + Lang LLP, Toronto, Ontario Canada; Andrew Johnson; David Kash, Koeller, Nebeker, Carlson, & Haluck, LLP, Phoenix, Arizona USA; Jessalyn H. Zeigler, Bass, Berry & Sims PLC, Nashville, Tennessee USA

8:45 – 10:15 a.m.

Are We Still the Good Guys?: A Discussion of How to Combat a Jury's Desire to Award Punitive Damages

Committee Co-Sponsors: Drug, Device and Biotechnology, Product Liability, Trial Techniques and Tactics

SPONSORED BY IMS CONSULTING & EXPERT SERVICES Jurors' perception of the legal profession has evolved over the decades. Perry Mason wore the white hat and never lost a case. L.A. Law single handedly created the largest law school enrollment boom in the nations' history. However, the days of idealized practices and glowing perceptions may be long-gone. Modern day television contains an overwhelmingly negative depiction of the practice of law as well as corporate defendants, and recent world events have only strengthened and engrained jurors' preconceived opinions, impacting the way jurors interpret evidence and deliberate. The differences of opinions are more pronounced and more problematic for defendants facing punitive damages claims. In fact, as the portrayal of attorneys and large corporations has continued to become more negative over time, punitive damages awards have been



2022 MIDYEAR MEETING

FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



increasing. This presentation will first review the various factors affecting juror perceptions and then discuss the potential correlation with higher punitive damage awards as well as tips for how trial lawyers can effectively cater to the jury and minimize punitive damages.

Stanley Ball, Eaton Corporation, Cleveland, Ohio USA; Aref Jabbour, IMS Consulting & Expert Services, Oakland, California USA; Kathryn S. Lehman, King & Spalding LLP, Atlanta, Georgia USA; Mark Silver, Schenck, Price, Smith & King LLP, Florham Park, New Jersey USA

10:30 a.m. – Noon

Book Review: *The Night Watchman* by Louise Erdrich

***The Night Watchman* by Louise Erdrich**

- WINNER OF THE 2021 PULITZER PRIZE FOR FICTION
- NEW YORK TIMES BESTSELLER
- WASHINGTON POST, AMAZON, NPR, CBS SUNDAY MORNING, KIRKUS, CHICAGO PUBLIC LIBRARY, AND GOOD HOUSEKEEPING BEST BOOK OF 2020

Based on the extraordinary life of National Book Award-winning author [Louise Erdrich](#)'s grandfather who worked as a night watchman and carried the fight against Native dispossession from rural North Dakota all the way to Washington, D.C., this powerful novel explores themes of love and death with lightness and gravity and unfolds with the elegant prose, sly humor, and depth of feeling of a master craftsman. *Thank you to our Book Review Chair Brandee Kowalzyk for leading this discussion.* Brandee, an IADC member, is also a member of the Fond du Lac Band of the Minnesota Chippewa Tribe. Since 2017, she has served as a tribal appellate court judge for her Tribe, in which role she hears and decides appeals from the Tribe's Trial Court. In addition, Brandee attended undergrad near the Turtle Mountain Reservation, where the book is set, and has friends and relatives from that reservation. You will not want to miss this Book Review and the unique perspective Brandee will bring to the discussion!

10:30 a.m. – Noon

Retaining Diverse Talent - Practical Approaches When \$ Just Won't Cut It

Committee Co-Sponsors: Diversity, Equity and Inclusion

Richard Branson is quoted as saying "Train people well enough so they can leave, treat them well enough so they don't want to." There is more lateral movement among the younger generation of lawyers than ever before. This program will discuss strategies for businesses and law firms to retain and develop this new generation of lawyers other than simply offering them more money such as addressing their debt load, developing an inclusive environment, mentoring with meaning, life lessons such as financial planning, wealth building, with important lessons about the reasons employees leave and how we can create an environment that makes them want to stay.

Neftali Garro, BLP, San Jose, Costa Rica; Sylvia F. James, Winston & Strawn LLP, Washington, District of Columbia USA; Charles Price, Eaton Corporation, Cleveland, Ohio USA; Robin Shah, Skadden, Arps, Slate, Meagher & Flom LLP, New York, New York USA



2022 MIDYEAR MEETING

FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



Noon – 5 p.m.

Friends and Family Golf Event (\$) - Consecutive Tee Times

Spouses, friends, colleagues – any type of twosome is invited to play! Camelback Golf Club features 36 holes across two 18-hole championship courses, the Jason Straka–designed 18-hole, 7,221-yard, par 72 Ambiente Course and 6,903-yard, par 72 Padre Course. Set amidst rolling fairways and the Camelback foothills, natural beauty, native plants, and grasses combine for a challenging round that can be as punishing as it is rewarding. The registration fee is \$289.00 USD per person and includes green fees, carts, boxed lunch, bottled waters, prizes, transportation, and tournament costs. *Thank you to our Friends and Family Golf Event Chairs Jason and Sarah Rankin.*

1 – 4 p.m.

Tennis Tournament (\$)

Test your tennis mettle against other attendees in our men’s and women’s round robin tennis tournaments. The registration fee is \$55.00 USD per person and includes court fees, tennis balls, refreshments, prizes, and tournament fees. All levels welcome! *Thank you to our Tennis Tournament Chair Beth Anne Lashuk.*

1 – 5 p.m.

Frank Lloyd Wright’s Taliesin West Tour (\$)

In 1937, Frank Lloyd Wright created a remarkable set of buildings at the foothills of the McDowell Mountains. Taliesin West, set amidst 600 acres of Sonoran beauty in North Scottsdale, was Wright’s personal winter residence and studio. It was also the home of the Taliesin Fellowship, a group of 23 young “disciples” who built the complex under Wright’s direction. Long regarded by architectural critics as a masterpiece, the U.S. government declared Taliesin West a national historic landmark in 1987. This guided tour gives an intimate and in-depth look at Taliesin West. In addition to the seminar theater, music pavilion, cabaret cinema, and Frank Lloyd Wright’s private office, this tour includes a visit to the designer’s private living room where you will sit in Wright-designed furniture and experience firsthand what it was like to be a personal guest. The registration fee is \$90.00 USD per person and includes roundtrip transportation, entrance fees, and a professional guide.

1:30 – 4 p.m.

45 and Under Outing (\$)

45-year-old and under attendees will receive an emailed invitation prior to the meeting with a request to RSVP. All costs associated with this TBD activity (transportation, entrance fees, food and beverages, etc.) will be the attendee’s responsibility. *Thank you to our 45 and Under Chair Daniel Higginbotham.*



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



5:30 – 6:30 p.m.

Member Mix and Mingle (\$)

Meet up with friends and fellow attendees in the hotel's indoor/outdoor lobby bar before going out for the evening at this cash bar reception.

6 – 10 p.m.

Dine-Around (\$)

The IADC invites attendees to dine together at some of the Scottsdale's best restaurants. A list of participating restaurants and sign-up sheets will be available onsite at the IADC Registration Desk. Spots will be filled on a first come, first served basis. All costs associated with dinner, as well as transportation to/from the restaurants, will be the attendee's responsibility. *Thank you to our Dine-Around Chairs Steve and Eve Bressler.*

10 – 11:30 p.m.

After Dinner Gathering

SPONSORED BY BERKELEY RESEARCH GROUP, LLC Wrap up your evening with a nightcap and camaraderie at this After Dinner Gathering held exclusively for IADC attendees in the hotel's indoor/outdoor lobby bar. Beer, house wine, and non-alcoholic beverages are complimentary with your meeting name badge.

WEDNESDAY, FEBRUARY 23, 2022

6 – 7 a.m.

Morning Run

Get your blood pumping, get moving, and get to know fellow attendees at this IADC morning run. *The Morning Runs are complimentary and sign-ups are not required. Thank you to our Morning Run Chair Sherylle Francis.*

7 – 9 a.m.

Grab and Go CLE Breakfast

"Grab and Go" breakfasts are available outside the morning meeting rooms, making it easy for attendees to have breakfast without missing a minute of the great CLE programming.

7 – 9 a.m.

Meet and Greet Breakfast

Join fellow attendees for a hot breakfast (bacon is back!) to network, discuss ideas, or plan your day. Breakfast is available to all registered attendees. *Meeting name badges required for entry.*



7 a.m. – 2 p.m.

Registration Desk

Have questions or need assistance? Visit IADC's Registration Desk during posted hours for answers and help.

7:30 – 8:30 a.m.

Insurance Coverage Against Cyberattacks: Emerging Products, Trends, Developments, and Strategies

Committee Co-Sponsors: Cyber Security, Data Privacy and Technology, In-House and Law Firm Management, Insurance and Reinsurance, Insurance Executives

Every business, government and individual who uses the internet is exposed to hackers who might steal their critical confidential information, and to cyberthieves who might hold all of their documents and information for ransom. The question is not if an internet user is exposed to risk, but rather, how good is the user's protection against these ubiquitous risks? Technological defenses are a critical, but incomplete, solution. All businesses, governments and individuals with internet access should investigate the potential insurance and other solutions that might provide some additional protection against these ever-present risks. This presentation will identify and describe emerging products, trends, developments and strategies regarding insurance and other protections against cyberattacks, highlighted by some recent stories of attacks, the damage they caused, and what we might learn from those events.

Alex J. Brown, Shapiro Sher Guinot & Sandler, Baltimore, Maryland USA; Dan Burke, Woodruff Sawyer, San Francisco, California USA; Monique Ferraro, Hartford Steam Boiler Inspection and Insurance, Hartford, Connecticut USA

7:30 – 8:30 a.m.

Morning Walk

Get your blood pumping, get moving, and get to know fellow attendees at this IADC morning walk. *The Morning Walks are complimentary and sign-ups are not required.*

7:30 – 8:30 a.m.

When the Attorney General Comes Knocking: Current Trends in State Attorneys General Civil Litigation

Committee Co-Sponsors: Appellate Practice, Business Litigation, Class Actions and Multi-Party Litigation, Drug, Device and Biotechnology, Employment Law, Environmental and Energy Law, Transportation

State Attorneys General have become increasingly aggressive in pursuing civil investigations and litigation across the United States. Whether acting individually in their own states or in cooperation with their counterparts from other states in multistate investigations and litigation, Attorneys General are regulating business practices through civil investigation and litigation like never before. Hear from



2022 MIDYEAR MEETING

FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



seasoned practitioners on how best to meet the unique challenges presented when opposing counsel is the Attorney General.

Amy Sherry Fischer, Foliart, Huff, Ottaway & Bottom, Oklahoma City, Oklahoma USA; John S. Guttman, Beveridge & Diamond, Washington, District of Columbia USA; M. Patrick McDowell, Brunini, Grantham, Grower & Hewes, PLLC, Franklin, Tennessee USA

8:45 – 10:15 a.m.

Timeout: Tracing the History of College Athletes' Fight for Compensation in the United States

Committee Co-Sponsors: Intellectual Property

This program will be released On Demand at the start of the Virtual Midyear Meeting (March 2nd) and will be available until June 4th.

In June 2021, the Supreme Court issued a landmark decision in college sports, *NCAA v. Alston*. In a 9-0 unanimous decision, the Court agreed with student athletes that the NCAA violated antitrust laws. This decision marked a major shift in the relationship between universities and student athletes who play for them. It was also the first decision to side with student athletes who had previously challenged restrictions on compensation under other theories, including violating their rights of publicity and false endorsement. Still other student athletes made a failed attempt to unionize and collectively bargain. This panel will trace the evolution of student athlete litigation in America, providing a backdrop for the historic 2021 decision. Our panel includes one of the counsel of record who represented an athletic conference before the Supreme Court in *Alston*; one who asserted right of publicity/false endorsement claims on behalf of a class of student athletes in *Marshall v. ESPN*; and one who both played college sports and coached before becoming an attorney, where she represents student athletes in similar cases. The panel will also give predictions about changes to expect in the year following *Alston*, including rule changes at the NCAA, state legislatures expanding their right of publicity to attract college athletes, and the rise of a cottage industry focused on managing student athletes' new-found right to exploit their name, image and likeness.

Erik Albright, Fox Rothschild LLP, Greensboro, North Carolina USA; Amy Stewart, Stewart Law Group PLLC., Dallas, Texas USA; Stephen J. Zralek, Bone McAllester Norton PLLC, Nashville, Tennessee USA

10:30 a.m. – Noon

Preventing Nuclear Verdicts – Science and Strategy

Committee Co-Sponsors: Transportation

SPONSORED BY COURTROOM SCIENCES INC.

This program will be released On Demand at the start of the Virtual Midyear Meeting (March 2nd) and will be available until June 4th.

The nuclear verdict remains one of the hottest discussions in civil litigation for both the plaintiff and defense bars. There are several factors contributing to these astronomical verdicts, including: 1) juror psychosocial factors; 2) growing litigation funding for plaintiff attorneys; 3) slow development of young



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



defense attorneys; 4) political influences; 5) growth of “Reptile” tactics; 6) distrust of corporations; 7) generational factors; and 8) deposition performance. This program will outline the influence of these factors on nuclear verdicts, with a strong emphasis on deposition performance, and provide practical solutions for avoiding nuclear fallout for defendants. In addition to the other factors, the program will focus on the impact (particularly, the economic impact) of deposition performance on case outcomes. Strong, effective depositions decrease a client’s financial exposure and costs, while weak, ineffective depositions result in higher payouts on claims during settlement negotiations (i.e., a nuclear settlement). To prevent fatigue-based witness errors at deposition, defense attorneys have preached for decades “I make my witness take a break every hour during deposition.” The goal of this presentation is to illustrate to IADC members that the “take a break every hour” philosophy long held by most attorneys is a gross strategic and neuropsychological mistake that leaves the witness highly vulnerable to cognitive fatigue, which risks devastating outcomes. In this presentation, Dr. Bill Kanasky, Senior Vice President of Litigation Psychology at Courtroom Sciences, Inc. and John Nunnally, Partner at Ragsdale Liggett PLLC, will explain the science behind cognitive fatigue, the factors that exacerbate cognitive fatigue, and how to prevent cognitive fatigue from resulting in poor testimony that unnecessarily harms the defense’s case, both strategically and economically.

William Kanasky, Courtroom Sciences, Irving, Texas USA; John Nunnally, Ragsdale Liggett, Raleigh, North Carolina USA

12:15 – 2:15 p.m.

CLE Committee Meeting

12:30 – 2 p.m.

Audit Committee Meeting

1:30 – 4:30 p.m.

Desert Hike Activity (\$)

Perched in the Sonoran Desert, Scottsdale, Arizona provides a one-of-a-kind setting that is meant to be explored up-close and from within. Both moderate and advanced trails introduce this exotic terrain to adults of varying abilities. Professional guides will lead the hike while entertaining and educating participants with anecdotes and observations along the way. The registration fee is \$150.00 USD per person and includes roundtrip transportation, entrance fees, professional guides, high energy snacks, and bottled waters. Closed-toe shoes are required. NOTE YOUR PREFERENCE OF “MODERATE” OR “ADVANCED” TRAILS WHEN REGISTERING. The group will be divided based on ability.

6:30 – 7:30 p.m.

2022 Convention Committee and Committee Chairs Reception

Invited guests will receive an emailed invitation prior to the meeting with a request to RSVP.



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



7:30 – 10 p.m.

Denim and Diamonds Closing Party

As our meeting comes to an end, join us at this outside-the-box party you will not want to miss! With engagement in mind, we'll showcase interactive experiences, food and drink stations (featuring some of our very own member recipes from IADC's Foundation Cookbook), open seating made for mingling, and great music. Come dressed in the denim that makes you feel fabulous or just downright comfortable. From well-worn jeans and cowboy boots to denim blinged-out with rhinestones and sequins, anything goes as we celebrate the IADC relationships made, and maintained, this week!

VIRTUAL MIDYEAR MEETING SCHEDULE

WEDNESDAY, MARCH 2, 2022

**All On Demand programs are available to both in-person and virtual attendees on March 2nd. Please see the programs listed under Sunday, February 20 and Wednesday, February 23 to view those On Demand videos.*

11:00 a.m. - 12:00 p.m. US CST

Europe, Middle East, and Africa (EMEA) International Get Together

Gather with our international European, Middle Eastern, and African members! With our Virtual Midyear Meeting option, we have the ability for more of our international membership to get involved and spend time with each other. **This event is not limited to international European, Middle Eastern, and African members, but we certainly encourage those who are from this region to attend.**

7:00 - 8:00 p.m. US CST

Asia and Australia International Get Together

Gather with our international Asian and Australian members! With our Virtual Midyear Meeting option, we have the ability for more of our international membership to get involved and spend time with each other. **This event is not limited to international Asian and Australian members, but we certainly encourage those who are from this region to attend.**

THURSDAY, MARCH 3, 2022

2:30 - 3:30 p.m. US CST

Latin American International Get Together



2022 MIDYEAR MEETING FEBRUARY 19 - 24

JW MARRIOTT CAMELBACK INN | SCOTTSDALE, ARIZONA USA

VIRTUAL MIDYEAR MEETING: MARCH 2 - 4



Gather with our international Latin American members! With our Virtual Midyear Meeting option, we have the ability for more of our international membership to get involved and spend time with each other. **This event is not limited to international Latin American members, but we certainly encourage those who are from this region to attend.**

5:30 - 6:30 p.m. US CST

All Member Yappy Hour

Grab your four-legged friends and get ready to pawty at this BYOT virtual event! (Bring.Your.Own.Treats.) A furry guest is not a requirement to attend though and all are welcome to join this event to meet The Pets of the IADC!

FRIDAY, MARCH 4, 2022

12:00 - 12:30 p.m. US CST

2022 Annual Meeting - Berlin, Germany Overview

Planning to attend IADC's Annual Meeting in Berlin, Germany this summer? Then you won't want to miss this presentation on Berlin, given by IADC's 2022 Planning Team, that will include helpful tips and an overview of what's being planned for attendees.