

2023

Issue Four



JOIN US IN THE CITY OF LIGHTS

This year's [International Corporate Counsel College](#) will take place in Paris, France on October 8 to 10 at Les Salons Hoche.

This will be an excellent opportunity for you to **engage** with the IADC, and to socially **connect** with your clients and colleagues.

Twenty-three speakers from around the world will join us to give their perspective on the latest legal issues affecting global companies.

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"CONNECTING ACROSS BORDERS, CONNECTING ACROSS BOUNDARIES"

PRESIDENT'S MESSAGE

As I write my first President's message for the Docket, I reflect on the outstanding Annual Meeting in Hawaii. We welcomed more than 800 attendees to a beautiful location, hosted wonderful events, and had the opportunity to connect with each other.

We are an international organization, approximately 2,500 members strong. At our core, we connect across geographical borders. We should strive also to connect across our own boundaries - those we have set ourselves and those that are perceived. The IADC seeks to offer a place in which all members can bring their own unique perspectives, views, and ideas. We are stronger collectively as an organization and individually as members when we do so. There are boundless ways to make connections in the IADC. I hope you will take advantage of these opportunities, a few of which are discussed here.

The Board has worked hard the past two years to support efforts that will achieve our "WIGs" (Wildly Important Goals):

1. Increase member satisfaction with business development opportunities; and
2. Increase member engagement.

The two concepts are closely related. When members are engaged, connections are formed, and those connections lead to increased opportunities to develop business - and ultimately referrals. The connections made lead to the additional benefit of lasting friendships.

Our new IADC initiative – IADConnects – kicks off this week in Houston. These informal gatherings will take place in several locations this year. They provide the opportunity for our members to engage informally. Our engagement efforts will continue with Regional Meetings, too. We will celebrate the service of our

Third-Year Board Members in Vienna, San Francisco, Chicago, and Boston. Also, the IADC will hold Regional Meetings around the globe that will provide engagement opportunities for our international members. First up – the Latin America Regional Meeting in beautiful Mexico City on November 15th. Be on the lookout for details.

The International Corporate Counsel College is ready to welcome us in Paris. Sylvie Gallage-Alwis and her Committee assembled an amazing program, with cutting-edge topics all members will want to hear. As of this writing, representatives from more than 30 different companies will attend.

The newly-formed Podcast Committee is already working hard to have members “join the conversation.” Listen to IADC Speaks to hear the interviews and stories this group is assembling. You will learn interesting tidbits and things about the interviewees, and you will be entertained by their life experiences.

Finally, I want to congratulate Immediate Past President, Mark Beebe, on his outstanding year leading the IADC and advancing the WIGs in so many ways. The Board is eager to build on that work. It will do so with the leadership and vision of our newly elected Board members: Vice President of International Heather Devine, and First-Year Board members Henry Morrisette, Chas Reynolds, and Deborah St. Lawrence Thompson. They, along with President-Elect Donna Lamontagne, join an IADC Board committed to making the IADC a place in which opportunities for connection are abundant.

I hope you will accept this invitation to attend one or more of our upcoming meetings and events (emailed to you weekly). I promise you will not be disappointed. I am honored to serve as President of the IADC and to have the opportunity to connect with so many of you! Hop in. Get active. And connect!

- Michele Y. Smith, *IADC President, 2023-2024*

INTERNATIONAL CORPORATE COUNSEL COLLEGE *(continued)*

Speakers include:

- David Badurina, *Hyundai Canada*
- John Beckett, *Hunter Douglas*
- Hakim Boularbah, *Loyens & Loeff*
- Brittany Boykin, *Brit Insurance*
- Jean-Daniel Bretzner, *Bredin Prat*
- Megan Cesare, *Airbnb*
- Olivier Chaduteau, *PwC Legal Business Solution*
- Pierre Chalançon, *Vorwerk*
- Arnaud Douville, *Bureau Veritas SA*
- Gaëlle Filhol, *Pinsent Masons*
- Bruno Fontaine, *Credit Agricole Investment Bank*
- Heidi B. Friedman, *Thompson Hine LLP*
- Sabrina Gilman, *Emerson*
- Jeremy Hannah, *General Electric*
- Zabrina Jenkins, *Starbucks*
- Alexandra Kerjean, *Airbnb*
- Kevin L'heveder, *Vertiv*
- Timothy LaTulippe, *iDiscovery Solutions*

- M. Elizabeth O'Neill, *Womble Bond Dickinson LLP*
- Svenia Roggenkamp, *Hilti Corporation*
- Steven F. Rosenhek, *Fasken Martineau DuMoulin LLP*
- James Sinclair, *Verisk Maplecroft*
- Christian Wiest, *Presiding Judge of the International Chamber of the Paris Commercial Court*

New registration process! Every attendee will register themselves. In-house counsel register themselves complimentary. Outside counsel register themselves for a fee, and are strongly encouraged to invite in-house counsel clients and guests to register and attend.

Program and registration information can be found on the 2023 International Corporate Counsel College page on the IADC website.

JOIN US IN PARIS

Brand new initiative!

IADCconnects

We are excited about the launch of **IADCconnects** -- an initiative where IADC members and their guests (colleagues, potential members, sponsor partners, significant others, etc.) are invited to gather casually for **colleagiality, networking, and fun**.

All members are invited to engage, and most importantly connect.

Our inaugural event will take place in Houston on Thursday, September 28. *Details can be found by clicking the image below.*



MEET ME IN MIAMI!

Save the date! Join the IADC Planning Team - President Michele Smith and Mitch Smith, Convention Chairs Sandy and Tom Wunderlich, and President-Elect Donna Lamontagne and Tom Patriarca - at the **JW Marriott Turnberry in Miami February 18-23 for IADC's 2024 Midyear Meeting**.

Program information and registration will be shared in October.





BUSINESS DEVELOPMENT OPPORTUNITIES

The following business development opportunities were afforded to members since the last issue of the *Docket* in July.

- In-Person Connection Events
 - 2023 Annual Meeting
 - 49th Annual Trial Academy
- 38 Monthly Substantive Law Committee Calls
 - 12 presentations on important topics and best practices
 - 141 member introductions
 - 3 joint meetings
- 4 published writing opportunities through our scholarly *Defense Counsel Journal* and Committee articles
- 4 feature articles placed by our PR firm, Jaffe
- 17 member successes shared

Membership with the IADC provides value in the form of connection opportunities, business development, and continuing legal education.

Your membership pays for itself many times over with these included benefits - *view them below.*



Renew your IADC membership for 2023-2024 and don't miss a day of benefits. You can pay [online](#) or by phone by calling the IADC office at +1.312.368.1494.

These new podcast episodes have dropped. Listen to them below, or wherever you listen to podcasts.

- [Ed Sledge Speaks With the Smiths](#)
 - IADC President Michele Smith interviews Ed Sledge about life, SEC football, his connection to the IADC, and the "SLEDGENDARY" 49th Annual Trial Academy.
- [The 2024 Convention Committee Speaks With the Smiths](#)
 - Recording in Miami's Little Havana neighborhood, IADC President Michele Smith and Mitch Smith talk with IADC's 2024 Planning Team. Get to know the Committee and about all that is planned for our meeting in Miami.
- [Meet the Podcast Committee](#)
 - The Podcast Committee is revamping and reinvigorating IADC Speaks. Meet our members who will be rotating hosts, and get a flavor for some of the topics we have planned.
- [Americans in Paris](#)
 - Host Cecilia Lahaye speaks with Sylvie Gallage-Alwis, Director of the IADC's 2023 International Corporate Counsel College. Get an inside look at how the programming fell into place (with a fun fact) and hear Sylvie's tips for making the most of your time in Paris.



UTILIZE THE "I" IN IADC

Be sure you are utilizing the "I" in IADC with our [brand-new interactive map of our non-US members](#). When you have a global legal issue or case, be sure to [Think IADC First](#).

This interactive map is accessible to members only and features all of our non-US members. Zoom in on the map or use the "Filter by Country" feature at the top in order to locate a non-US member.



Strategic Partner CPR Hosts Mediation Skills Training Program

Our strategic partner [CPR](#) is hosting three sessions on mediation skills training on September 27, October 20, and November 2. This three-part virtual training is designed to equip counsel with the knowledge needed to help their clients effectively use mediation to reach settlement, saving them time and resources they would have needed to litigate or arbitrate their dispute. For program information and to register, [click here](#).

COMMITTEE NEWSLETTERS

California Supreme Court Finds Employers Have No Liability for Take-Home Exposure to COVID

By Michael L. Fox and Anshul Agrawal

Toxic and Hazardous Substances Litigation Committee

Gregory v. Chohan: Clarifying the Standard of Review for Legal Sufficiency Challenges to Noneconomic Damages Awards or Muddying the Waters?

By Michele Smith and Julia Matheny

Trial Techniques and Tactics Committee

The Basics of FDA Enforcement Actions

By James Fraser and Krupa Patel

Drug, Device and Biotechnology Committee

Drafting Employment Separation Agreements: A Refresher

By Malissa Wilson

Employment Law Committee

RECENT RESOURCES

For past Webinar presentations and recordings, *Defense Counsel Journal* articles, Active Ally discussions, the Diversity Roadmap resource website, and more, visit the "Resource Library" section at www.iadclaw.org.

ANNUAL MEETING RECAP

The Annual Meeting took place at the Fairmont Orchid in Waimea, Hawaii July 9 to 14. The meeting was successful with extremely relevant CLE offerings, lots of great business networking opportunities, along with fun for the whole family.

Thank you to everyone who worked so hard. A special thanks goes out to Heather Devine who led the CLE planning efforts of the CLE Steering Committee along with Deborah St. Lawrence Thompson, the CLE Committee Chair. Another big thank you goes out to the Annual Meeting Planning Team of Mark and Anne Beebe, Convention Chairs Chris and Anne Lam, and Michele and Mitch Smith. We also want to thank our Annual Meeting sponsors: Core Connection Level One S-E-A; Core Connection Level Two MRC; Core Connection Level Three Exponent; Event Sponsors Berkeley Research Group, LLC, Baker Tilly, ESI, and YOUNG & Associates.



TRIAL ACADEMY RECAP

Stanford University provided the back drop for the “SLEDGENDARY” 49th Annual Trial Academy. It was a week filled with meaningful programs, terrific demonstrations, and outstanding advocacy for the at capacity student class.

Thank you to Director Ed Sledge for his unwavering commitment and for his leadership in planning and executing the “crown jewel” of the IADC. Thank you to Director-Elect Warren Butler for handling all the behind the scenes details that made the Academy run smoothly, and to the amazing faculty members who dubbed themselves “The SLEDGENDS” in his honor: Liz Brotten, Sharon Caffrey, Shayna Cook, Bob Christie, Chris Drewry, Zandra Foley, Jamie Hood, Gord McKee, Lee Mickus, Todd Presnell, Jason Rose, Bobby Shannon, Amy Stewart, and Phillip Sykes.

Through these presentations, students were taught how to get a case ready for trial, how to “win” at trial, how to be exceptional, and how exercising civility in our profession is important. They were shown how to try a case with an iPad, taught about the benefits of using technology at trial, and watched demonstrations of *voir dire* exercises as they learned about respecting *voir dire*.

Finally, a thank you to our Trial Academy sponsors: Core Connection Level One S-E-A, Core Connection Level Two MRC, Core Connection Level Three Exponent, and Event Sponsors Baker Tilly, InCourt Technologies, and LIT SOFTWARE. The 2023 Trial Academy was LEGENDARY indeed!



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NEW MEMBERS

*Please welcome
our newest
members to
the IADC, and if
you need a legal
resource in
their area,
Think IADC First and
give them a call!*

NOMINATE

If you know anyone
who would be an
excellent member,
nominate them
for IADC
membership.

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Jadex Inc.
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USA

FRCP Updates

The IADC has a long history of working with our friends at the [Lawyers for Civil Justice](#) (“LCJ”). Recently, the public comment process opened for two important proposals for FRCP amendments: a new Rule 16.1 for multidistrict litigation, and changes to Rules 16 and 26(f) concerning privilege logs. This step in the rulemaking process is important because it offers us a meaningful opportunity to address proposed rules which will affect litigation for years to come.

See below for more information on how to get involved.

Why is this important?

The Advisory Committee on Civil Rules is asking for input about its proposed MDL rule and privilege log rule amendments. This is an important step in the rulemaking process because it provides you a meaningful opportunity to weigh in on these proposals—which will affect litigation for years to come—by sharing your experience, insight, and suggestions for improving the drafts before they become rules. LCJ and its members have worked diligently for several years to advance these ideas, and now it's time for everyone who supports these reforms to urge their improvement and adoption. Our opponents are organizing to defeat them. The proposed amendments are available here:

https://www.uscourts.gov/sites/default/files/2023_preliminary_draft_final_0.pdf

How can I engage?

There are two ways for you to engage: (1) write a comment letter and (2) participate in one of the three scheduled public hearings. Written comment letters may be submitted anytime between now and February 16, 2024 (the sooner, the better) at this link:

<https://www.regulations.gov/docket/USC-RULES-CV-2023-0003/document.>

The public hearings will take place on the following dates:

- October 16, 2023 (in Washington, DC)
- January 16, 2024 (video conference)
- February 6, 2024 (video conference)

Be sure to reserve your spot to testify by contacting the Secretary of the Committee on Rules of Practice and Procedure by email at RulesCommittee_Secretary@ao.uscourts.gov, at least 30 days before the hearing—they are almost certain to be oversubscribed. And please notify LCJ about which hearing you plan to participate in so we can invite you to our organized prep sessions.



Year in Review

Please enjoy the slideshow which includes great moments from the past leadership year under the direction of Mark Beebe.

YOUR ACCOLADES, WINS, AND ACCOMPLISHMENTS

[Mica Nguyen Worthy](#), partner at Cranfill Sumner LLP, was named Chair of the firm's Aviation Law Practice Group. | [more](#)

[Sean C. Griffin](#) joined Robinson & Cole LLP as a partner in the firm's Business Litigation Group in the Washington, District of Columbia office. | [more](#)

[Thomas C. Riney](#), Senior Counsel at the Underwood Law Firm in Amarillo, Texas, obtained a unanimous defense verdict after a four-day jury trial in a lawsuit against the owner of a strip shopping center for alleged breach of a restrictive covenants. | [more](#)

[Floyd Cottrell](#), partner at Rawle & Henderson LLP in Hackensack, New Jersey, authored an article titled "Swift action critical in truck accident defense for *Commercial Carrier Journal* on behalf of the IADC. | [more](#)

[Eric G. Lasker](#), partner at Hollingsworth LLP, co-authored an article on the amendments to Federal Rule of Evidence 702 for *Law360*. | [more](#)

[Heidi B. Friedman](#), partner at Thompson Hine LLP, founder of its firmwide women's program, and co-chair of the firm's ESG collaborative, authored an article for *Bloomberg Law* on how the *Barbie* movie is portraying today's female lawyer. | [more](#)

IADC SUCCESSES

[W. M. Bains Fleming, III](#), partner at Norman, Wood, Kendrick & Turner, and [Stephen W. Still, Jr.](#), Chief Strategy Partner and General Counsel at Starnes Davis Florie LLP, were elected as 2023-2026 officers of the Alabama Defense Lawyers Association. | [more](#)

IADC member [Danielle M. Waltz](#), partner at Dinsmore & Shohl LLP, and [Christopher F. Hoskins](#) authored an article titled "Best Practices: Contractor Beware - do not let notice provisions doom your next project" for *Modern Contractor Solutions* on behalf of the IADC. | [more](#)

[William S. Thomas](#), co-founder and principal at Gausnell, O'Keefe & Thomas, LLC, authored an article titled "Viewpoint: Artificial Intelligence - the arrival of AI brings caution for use" for *Modern Contractor Solutions* on behalf of the IADC. | [more](#)

[Jonathan Crompton](#), partner at Reynolds Porter Chamberlain, LLP's Hong Kong office, was named to *Legal 500* 2023 Arbitration Private Practice Powerlist: Hong Kong, and made the shortlist of finalists for the *Asian Legal Business* Hong Kong Law Awards in the category of Dispute Resolution Lawyer of the Year. | [more](#)

[Danielle M. Waltz](#), a skilled construction law litigator and champion for West Virginia's economic success, joined Dinsmore & Shohl LLP as Equity Partner in their Charleston office. | [more](#)

[Elizabeth "Liz" Sorenson Brotten](#), managing partner at Foley & Mansfield's Minneapolis office, was elected to serve as the 2023-2024 Vice President of the Minnesota Defense Lawyers Association. | [more](#)

[James Sullivan, K.C.](#), partner at Blake, Cassels & Graydon LLP, was appointed by the Canadian Department of Justice to the Judicial Advisory Committee of British Columbia. | [more](#)

[Malissa Wilson](#), partner at Forman Watkins & Krutz LLP, facilitated the firm's Diversity Pipeline Program, helping underrepresented students pursue law careers. | [more](#)

IADC member [Lara Lickhalter](#) and [Justin Dobek](#), of Wilson Elser LLP, authored an article titled "Punitive damages amendment seeks to alter legal landscape" for *Chicago Daily Law Bulletin* on behalf of the IADC. | [more](#)

Numerous IADC members are being recognized as 2023 award recipients by DRI. | [more](#)

[Peter J. Pliszka](#), partner at Fasken Martineau DuMoulin LLP, was named Canadian Product Liability Attorney of the Year by *LMG Life Sciences* and achieved a class action victory for FCA US and FCA Canada Inc. | [more](#)

Submit your accolades,
pro bono stories, courtroom
wins, and successes to
[Diana Leon](#), Communications
and Professional
Development Coordinator.

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THURSDAY, SEPTEMBER 28

[IADCConnects in Houston, Texas USA](#)

SUNDAY, OCTOBER 8

[European Regional Meeting - Paris, France](#)

SUNDAY, OCTOBER 8 - TUESDAY, OCTOBER 10

[2023 International Corporate Counsel College - Paris, France](#)

WEDNESDAY, OCTOBER 25

[IADC Member Reception at the 2023 DRI Annual Meeting - San Antonio, Texas USA](#)

WEDNESDAY, NOVEMBER 15

[Latin America Regional Meeting - Mexico City, Mexico](#)

SUNDAY, FEBRUARY 18 - FRIDAY, FEBRUARY 23

[2024 Midyear Meeting - Miami, Florida USA](#)

WEDNESDAY, APRIL 10

[2024 Corporate Counsel Training Academy - Chicago, Illinois USA](#)

THURSDAY, APRIL 11 AND FRIDAY, APRIL 12

[2024 Corporate Counsel College - Chicago, Illinois USA](#)

THURSDAY, MAY 30

[2024 Professional Liability Roundtable - Chicago, Illinois USA](#)

SATURDAY, JULY 6 TO THURSDAY, JULY 11

[2024 Annual Meeting - Vancouver, British Columbia Canada](#)

UPCOMING EVENTS

View the
calendar of
events below for
a full listing,
program
information,
and registration.

CALENDAR OF EVENTS





The IADC Foundation has awarded \$130,000 in grants this year to worthy organizations that support the rule of law and access to justice. View the videos below to see your donations at work.



NEW LEVELS OF GIVING

Make a donation to the IADC Foundation and join a [special group of people](#) who have made a significant impact.

President's Circle of Fellows - \$1,000 in the current calendar year

Life Fellow - \$5,000 in lifetime giving

Sustaining Life Fellow - \$15,000 in lifetime giving



LEARN MORE ABOUT THE FOUNDATION AND GIVE YOUR SUPPORT