







Discover the Spirit of Aloha with the IADC **2023 ANNUAL MEETING**

DOCKET

July 9 - 14 | Fairmont Orchid Waimea, Hawaii USA



Business development and social opportunities:

- Committee business meetings, networking coffee breaks, receptions, and other activities
- Afternoon activities (specific offerings with registration will become available in May)
- Mix and Mingles and After Dinner Gatherings
- Evening social events which include our Pau 'Ākoakoa Welcome Reception, Lights! Camera! Aloha! Theme Party, and Hawaiian Luau Closing Party

Unrivaled CLE programming (13.5 in-person CLE credits) which includes programs such as:

- Objection! The Game, The Strategy, The Win, The Cost Plan, Don't Guess Your Way to Victory
- Authentic Success in the International Realm: Distinguished Female Partners Forging New Trails Share Strategies, Successes, and Failures
- The Modern In-House Perspective on Outside Counsel: Case Management, Creativity, and Collaboration

For registration and meeting details, visit the Annual Meeting page on the IADC website.

2023 Issue Two

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President's Message

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Upcoming Events | engage and connect

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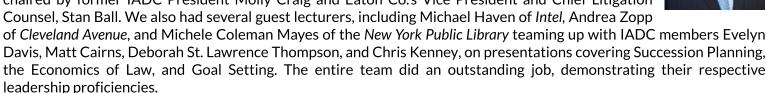




Leadership

"A leader sees greatness in other people. He nor she can be much of a leader if all she sees is herself." Maya Angelou

I recently had the privilege of attending the IADC's inaugural IADC Leadership Forum in Chicago chaired by former IADC President Molly Craig and Eaton Co.'s Vice President and Chief Litigation



While ambitious, the goal of our first Leadership Forum was to provide "insight" and "guidance" on leadership not only to young lawyers, but to any attendee, regardless of age, who wished to better understand how to navigate her or his affiliated organizations and to be a leader. Most of us accept that the pathway to leadership varies widely and that leadership styles are myriad--inspirational, transformational, charismatic, autocratic, bureaucratic--just to name a few. Yet, accepting this maxim generally does not make one's leadership journey less challenging. Our hope was to fertilize the ground upon which each attendee was currently staked in order to cultivate more satisfying achievement and leadership.

A highlight among an afternoon glittering with stellar presentations was the keynote remarks of Melanie Margolin, Chief Legal Officer for Thumbtack, Inc. Melanie presented three impactful, inspirational thoughts about the pathway to leadership. First, extend beyond your boundaries. This extension exposes us to contrasting views, analyses, and thought processes. It also expands our experiences. Melanie's insight makes one think about the foundational underpinnings of









President's Message (continued)

diversity, equity, inclusion, and belonging, and why DEIB has become a principal objective for today's businesses, professions, and society as a whole. Our differences make our collective body stronger, and learning and experiencing outside our comfort zone forges a better appreciation of our differing talents and life experiences.

Second, share your talents and be involved with intention--"Lean in. Find a mentor, be a mentor." Melanie made clear if you want to lead, then shift into gear and don't remain idle. Sharing your talents with others—while rewarding in and itself—is fundamental to leadership. By supporting and encouraging others you build your brand not to mention establish trust and credibility—hallmarks of leadership.

Third, celebrate the wins and "Point!" Point out the success of your colleagues and protégés. Point to them, call them out for recognition, and celebrate with them. Promoting the success of your teammates and of other individuals builds comradery and communion! A sense of community builds stronger bonds and recognition of accomplishments is not only appreciated, but it is often reciprocated turning the once disparate into a collective, a team.

Wise advice from a great leader!

This article begins with one of my favorite quotes on leadership by Maya Angelou who observed that "a leader sees greatness in other people." I like to couple Ms. Angelou's sagely insight with a quote from President Ronald Reagan: "The greatest leader is not necessarily the one who does the greatest things. [It's the person] that gets the people to do the greatest things." My hope is that the 2023 Leadership Forum will be the first of many, and that this year's attendees, future participants, and those of you who are on your own leadership journey will see the greatness of those around you and inspire them to do the greatest things.

Mark R. Beebe **IADC** President







BUSINESS DEVELOPMENT OPPORTUNITY UPDATES



Since the last issue of the *Docket* and through April, the following BDO opportunities were afforded to IADC members:

- In-Person Connection Events
 - Networking opportunities for IADC members in Las Vegas with sister associations
 - Regional Meetings in Portland, OR; Brussels; London; Providence, RI; Columbia, SC; and Chicago
 - Midyear Meeting in Austin, TX
 - Leadership Forum and Corporate Counsel College in Chicago
- 55 Monthly Substantive Committee Meetings, featuring:
 - 26 presentations on important topics and best practices
 - 41 member introductions
 - 6 joint Committee meetings
 - 1 social activity
- 6 published Member Spotlights
- 8 published writing opportunities through our scholarly *Defense Counsel Journal* and Committee articles
- 5 members featured in articles placed by our PR firm, Jaffe
- 18 member successes shared
- In the last three months, approximately 26% of IADC members have given a referral or received a referral. The cumulative value of the referrals reported was approximately \$5 million.









2023 Professional Liability Roundtable

May 18, Cornell University, ILR School, NYC Conference Center, New York, NY USA

This full-day program includes insurance focused morning programs with two afternoon program track options: professional liability and medical liability. Some highlights include:

- Insurance Coverage Against Cyberattacks: Emerging Products, Trends, Developments, and Strategies
- Cautionary Tales from Recent Malpractice Cases
- Telehealth or Teletrouble?: Liability Challenges in Remote Healthcare

This program is open to all, including non-members. Details and registration can be found on the IADC website.

49th Annual Trial Academy

August 5-11, Stanford Law School, Palo Alto, CA USA

As the "Crown Jewel" of the IADC, the Trial Academy is one of the oldest and most respected programs for developing defense trial advocacy skills. Perfect for those

looking to learn and practice the fundamentals and for those seeking to refine their techniques and tactics and take their trial skills to the next level.

This year's class is filling quickly! If you have been waiting, enroll your students now to secure their spot.



SAVE THE DATE

International Corporate Counsel College

This year's International Corporate Counsel College will be held October 9 and 10 at Les Salons Hoche in Paris. France.

Registration and full program details will be available by June.

Visit the IADC website now for hotel recommendations.











MEMBER SPOTLIGHT

The IADC's Member Spotlight program is designed to introduce and focus attention on members. Fill out the <u>Member Spotlight Form</u> to be featured next.

Meet members William Toles (member since 2017), Sean Griffin (member since 2022), Al Vance (member since 2011), Jonathan Yarbrough (member since 2021), Tammy Meyer (member since 2005), and Andy Gendron (member since 2018).

Click images below to enlarge.























Networking in Las Vegas. Thank you to those who attended lunch at Alexxa's in Las Vegas prior to the DRI conferences – it was a wonderful opportunity for members to get together socially.

Portland, OR Regional Meeting. Thank you to Regional Meeting Host Leta Gorman and attendees of the Portland Regional Meeting - members and guests enjoyed dinner together and a presentation from Wilhelm Dingler on Henderson v. Thompson.

2023 Midyear Meeting. The Midyear Meeting took place at the Fairmont Austin in Austin, Texas. The meeting was successful with extremely relevant CLE offerings and lots of great business networking opportunities. A special thanks goes out to Chris Drewry 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 Midyear Meeting Planning Team of Mark and Anne Beebe, Convention Chairs Chris and Anne Lam, and Michele and Mitch Smith.

DRI/IADC/FDCC Insurance Roundtable. The IADC joined DRI and FDCC for the Insurance Roundtable on March 8 in Chicago. The event brought insurance executives together for learning and robust conversation about the topics affecting them the most. Thank you to IADC Chair Tom Lysaught, DRI Chair Lane Finch, and the entire committee for its work on this excellent offering.

Brussels, Belgium Regional Meeting. Thirty-five members and guests gathered together for the IADC European Regional Meeting in Brussels. Attendees benefited from multiple panel presentations, and were able to socialize and network with each other over the two-day event. The event was in honor of IADC Vice President of International Paul Lefebyre.









RECENT EVENT RECAPS



London Regional Meeting and Joint BIICL Conference. The IADC, in conjunction with BIICL (British Institute of International and Comparative Law), hosted a successful

European Regional Meeting in London, with approximately 70 attendees joining President Mark Beebe and President-Elect Michele Smith. There were two exceptional panels, including the "Latest Civil Justice Developments in the UK and EU" led by IADC members lanika Tzankova and Sylvie Gallage-Alwis and moderated by Tripp Haston. The second panel, "Aspects of the EU's Recently Announced Product Liability Directive" featured IADC



members Roddy Bourke and Rod Freeman. The evening concluded with a memorable dinner at the Athenaeum Club.

Providence, RI Regional Meeting. Approximately 30 members and guests gathered in Providence for our Northeast Regional Meeting hosted by Brooks Magratten which honored Fourth Year Board Member and IADC Secretary-Treasurer Donna Lamontagne. Attendees toured the Rhode Island Supreme Court, heard from IADC member and featured speaker Brian O'Connell on risk shifting, and enjoyed a networking reception and dinner.

Columbia, SC Regional Meeting. Our Southeast Regional Meeting, hosted by Cal Watson, honored Third Year Board Member Jim Rogers. Attendees gathered for a networking reception and enjoyed the featured presentation "Good Things Come in Threes: A View From Three Courts."

2023 IADC Leadership Forum. More than 40 attendees gathered for the first Leadership Forum chaired by Stan Ball and Molly Craig. Rising stars benefited from programming and discussion on succession planning, career agility, defining success, and financial areas every lawyer should know about. Participants networked with others and self-reflected during a leadership goal setting workshop. Thank you to the Planning Committee for a successful program!









RECENT EVENT RECAPS



Chicago, IL Regional Meeting. Local members and attendees of the Corporate Counsel College and Leadership Forum gathered together for the Midwest Regional Meeting in Chicago. Thank you to Host Michael Airdo and all of the sponsoring firms in making this a great event for

people to socialize and reunite with each other.

Corporate Counsel College. The Corporate Counsel College returned to Chicago with overwhelming success. We welcomed more than 170 attendees who were able to meet and connect with each other, while learning about significant issues important to outside and in-house counsel. A special thank you to College Dean Craig Thompson and his Advisory Board for putting together the programming for the two day conference.



- DIVERSITY ROADMAP a resource guide for law firms, corporations, and insurance companies which encourages greater diversity, equity, inclusion, and belonging



more than 125 practical resources

- how-to videos - real life experiences
- best practices used by law firms, corporations, and insurance companies of all sizes and types

WWW.IADCLAW.ORG/RESOURCES/RESOURCE-LIBRARY/DIVERSITY-ROADMAP/



Chris Lam talks about how engagement in the Association has amplified the professional benefits he has received.







Committee Newsletters

I Spy with My Little Eve... but Should I? The 10 Dos and Don'ts of Monitoring Your Competition

By Heather C. Devine and Michael Furyk

Transportation Committee

The Role of Coverage Counsel in Resolving Risk - Trucking Edition

By William A. Bulfer and Nicole E. Wilinski

Insurance and Reinsurance Committee

The First PRC Court Case Recognizing an English Commercial Judgment

By Gao Wenjie

International Committee

Voir Dire Suggestions for an Employment Trial

By Alfred Perkins

Employment Law Committee

European Works Councils: Comprehensive Reform and Preliminary Injunctions are Planned!

By Gerlind Wisskirchen and Benjamin Münnich

International Committee

Air Pollution in Europe: France, Condemned to be Sentenced?

By Sylvie Gallage-Alwis and Jordan Leblanc

Toxic and Hazardous Substances Litigation Committee









Committee Newsletters

New Disclosure Requirement in Federal Rule 7.1 May Make it Easier to Quickly Determine if a Case is Removable

By Steve Shapiro

Business Litigation Committee

Lawyer 2.0: The future of the Industry

By Tarek Nakkach

International Committee

Defense Counsel Journal - Volume 90, Number 1

President's Page By Mark R. Beebe

Editor's Page By Marsha M. Piccone

Diversity, Inclusion and Veterans in the Law

By Robert F. Redmond, Jr.

Online Article | PDF to Print

The Department of Justice's Cyber-Fraud Initiative and Its Impact on the False Claims Act

By Kimberly Bessiere Martin and Peter J. Pizzi

Online Article | PDF to Print







Webinars

Smile, Your Medical Care Provider is on Camera! Guidance for Medical Care Providers When it Comes to Patients and Visitors Seeking to Record Patient Care and Treatment

Presented by - Medical Defense and Health Law Committee

Presenters: Megan D. Hargraves, Mitchell Williams Law Firm; Benjamin D. Jackson, Mitchell Williams Law Firm; Shayla Robinson, Jefferson Regional Medical Center

PDF of Presentation | Webinar Recording | Password can be found here

The Current State of EV Chargers - Competing Philosophies, Regulations, and Challenges

Presented by - Transportation Committee

Presenters: Ashish Arora, Exponent; H. Grant Law, Shook, Hardy & Bacon L.L.P.

PDF of Presentation | Webinar Recording | Password can be found here

IADC Foundation: Spotlight on iCivics *Presenter: Emma Humphries, iCivics*

PDF of Presentation | Webinar Recording | Password can be found here

Advanced Trial Techniques from IADC Trial Academy Emeritus Faculty

Presented by - Trial Techniques and Tactics Committee

Presenters: Carol P. Michel, Weinberg Wheeler Hudgins Gunn & Dial; Marc E. Williams, Nelson Mullins Riley & Scarborough, LLP

PDF of Presentation | Webinar Recording | Password can be found here







Webinars

How to Regain Control of a Witness Who Has Lost It

Presented by - Appellate Practice Committee, Business Litigation Committee, Class Actions and Multi-Party Litigation Committee, Intellectual Property Committee, Product Liability Committee, and Trial Techniques and Tactics Committee

Presenters: Jennifer R. Annis, GableGotwals; Mark Calzaretta, Magna Legal Services; Sandra J. Wunderlich, Tucker Ellis LLP

Webinar Recording | Password can be found here

Climate Change Litigation Across the Globe

Presented by - Environmental and Energy Law Committee

Moderator: Daniel E. Krauth, Zimmer Kunz, PLLC

Presenters: Mark L. Clark, Parsons McEntire McCleary, PLLC; Daniela Karollus-Bruner, CMS Reich-Rohrwig Hainz

Rechtsanwalte GmbH; Manuel Moctezuma, Moctezuma Castro S.C.

PDF of Presentation | Webinar Recording | Password can be found here

New Opportunity for Committees!

The IADC is offering a new opportunity to a Committee to plan a specialty roundtable program.

If your Committee has an idea that would benefit the IADC and its members,

please submit a proposal online on the IADC website here.







Amicus Curiae Briefs

IADC Files Amicus Brief in the Supreme Court of Louisiana on the Issue of Negligent Infliction of Emotional Distress Claims in Louisiana - *Brittany Lynn Spencer v. Valero Refining Meraux*, *LLC* (3/13/2023)

The Louisiana Supreme Court is hearing the appeal of a decision from the Fourth Circuit Court of Appeals which greatly expands the scope of who may be awarded emotional distress damages in the absence of any physical injury, illness, or other physical consequences. In *Spencer*, the Fourth Circuit Court of Appeals allowed a plaintiff to recover for pure emotional distress when she had only heard an explosion and observed emergency vehicles traveling to the facility where the fire occurred. In doing so, the Fourth Circuit Court of Appeals opened the door to exposing defendants to infinite and unpredictable liability claims for negligent infliction of emotional distress.

The IADC filed an amicus brief urging the Court that the limited approach to recovery for negligent infliction of emotional distress advocated by industry amici, which is consistent with the Louisiana Supreme Court's historical practice of placing stringent criteria on the recovery of emotional distress damages. In its brief, the IADC asserted that this limited approach would further provide the Louisiana courts with the clear framework for determining as a matter of law, for instance on summary judgment, whether a defendant owes the plaintiff an independent duty sufficient to support a negligent infliction of emotional distress claim. The IADC further asserted in its amicus brief that allowing the Fourth Circuit Court of Appeals' decision to stand leaves industries with little to no predictability regarding the scope of the duty to protect against emotional distress. The IADC further argued that the Louisiana Supreme Court's guidance is needed, and that negligent infliction of emotional distress claims should be limited to those situations where defendant undertakes a special duty implicating the plaintiff's emotional wellbeing.

For more information on IADC's amicus curiae program, click here.











Active Ally Series (Diversity, Equity, Inclusion and **Belonging Committee initiative)**

Inside Access to the Emmy-Nominated Movie CURED, **LGBTQ History You Do Not Want To Miss**

Moderator: Mary Catherine Way

Speakers: Rev. Magora Kennedy, Patrick Sammon, Bennett

Singer

Becoming an Active Ally for Mental Wellness

Moderators: Melanie Margolin, Sherylle Francis Speakers: Misty Gaither, James Edward Murray

To view these recordings, please visit the <u>Diversity</u>, <u>Equity</u>, Inclusion, and Belonging Resources page.

In Memoriam

We offer sympathy to the family and friends of these IADC members.

Monte P. Clithero, Springfield, Missouri USA member since 1991

George B. McGugin, Nashville, Tennessee USA member since 1974: IADC President 1988-1989

James M. Simpson, Little Rock, Arkansas USA member since 1988

NOMINATE

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

To submit an accolade, courtroom success, or pro bono story, email <u>Diana</u> <u>Leon</u>, Communications and Professional Development Coordinator.









New Members

new members of the IADC

Dennis Cotter

Amundsen Davis LLC Chicago, Illinois **United States**

Edward Dumoulin

Goldman Ismail Tomaselli Brennan & Baum LLP Chicago, Illinois United States

James Ferrick

Greensfelder, Hemker & Gale, P.C. Saint Louis, Missouri United States

Marc A. Nardone

Bradley Arant Boult Cummings LLP Washington, District of Columbia United States

Sam Acker

Bradley Arant Boult Cummings LLP Dallas, Texas **United States**

Jeffrey J. Parker

Sheppard Mullin Los Angeles, California United States

Todd A. Roberts

Ropers Majeski Menlo Park, California **United States**

Carmen H. Thomas

Nelson Mullins Riley & Scarborough LLP Columbia, South Carolina United States

John Hempfling

Whole Foods Austin, Texas **United States**

Tyler Pratt

Pavlov Media. Inc. Champaign, Illinois **United States**

Brian Nally

Reminger Cleveland, Ohio **United States**

Jesse Elison

Bennett International Group McDonough, Georgia **United States**

Richard Clarke

Kobre & Kim LLP Dubai, United Arab **Emirates**

Richard Worf

Robinson, Bradshaw & Hinson, P.A. Charlotte, North Carolina **United States**

Philip Hirshberg

Morrison Mahoney LLP Boston, Massachusetts United States

Stephanie Carfley

McNees Wallace & Nurick LLC

Lancaster, Pennsylvania United States

Joshua D. Taggatz

Reinhart Boerner Van Deuren Madison, Wisconsin United States











new members of the IADC

Abdul Kallon

Perkins Coie Seattle, Washington **United States**

Jacob Esparza

Spencer Fane LLP Houston, Texas **United States**

Taylor Poncz

Drew Eckl & Farnham, LLP Atlanta, Georgia United States

Selena Kim

Gowling WLG (Canada) LLP Toronto, Ontario Canada

Robert Fairless

Amgen Rotkreuz, Switzerland

Regina Cavaliere

Henry Schein Inc. Melville, New York **United States**

Jeff Young

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Jennifer F. Robinson

Centene Corporation Saint Louis, Missouri United States

Jennifer Venable

Capitol Broadcasting Company Raleigh, North Carolina **United States**

Natasha Khachatourians

Betts, Patterson & Mines, P.S. Seattle, Washington **United States**

Katherine Wang

Campbell Conroy & O'Neil. P.C. Berwyn, Pennsylvania **United States**

Lisa Oliver White

Murphy & Riley, P.C. Boston, Massachusetts United States

Sarah J. Armstrong

Fasken Martineau **DuMoulin LLP** Toronto, Ontario Canada









Upcoming Events engage and connect









For up-to-date information on all our upcoming events and to register, please visit the Calendar of Events page on the IADC website at www.iadclaw.org/events/.

Focusing on Mental Health and Wellness (Active Ally), May 11, 1:00 - 2:00 p.m. CDT

2023 Eastern Regional Meeting - Pittsburgh, PA

May 16, 3:30 - 9:00 p.m., Pittsburgh, Pennsylvania United States

2023 Professional Liability Roundtable

May 18, 8:30 a.m. - 6:00 p.m., Cornell University, ILR School, NYC Conference Center, New York, New York United States

2023 Asian Regional Meeting - Tokyo, Japan

May 23, 11:45 a.m. - 8:30 p.m., Tokyo, Japan

2023 Southern Regional Meeting - Birmingham, AL

June 6, Birmingham, Alabama United States

Risk and/or Opportunity? What are the Liabilities and Ligiation Risks? (Webinar), June 14, 12:00 - 1:00 p.m. CDT

Litigating Claims of Nitrosamines and Trace Contaminants in Pharmaceutical Products (Webinar), June 28, 12:00 - 1:00 p.m. CDT

2023 Annual Meeting

July 9-14, Fairmont Orchid, Waimea, Hawaii United States

49th Annual Trial Academy

August 5-11, Stanford Law School, Palo Alto, California United States

2023 International Corporate Counsel College

October 9-10, Les Salons Hoche, Paris, France









IADC Successes your accolades, wins, and accomplishments

<u>David T. Schaefer</u>, partner at Dinsmore & Shohl LLP, was named 2022 Defense Trial Lawyer of the Year by the *Kentucky Trial Court Review*. | more

<u>Danielle M. Waltz</u> of Jackson Kelly PLLC, authored an article for *Modern Contractor Solutions* on contract knowledge on behalf of the IADC. | <u>more</u>

Lucy Dollens, of Quarles & Brady LLP, and Richard K. Shoultz, of Lewis Wagner LLP, were named to the 2023 Defense Trial Counsel of Indiana Board of Directors. | more

Michael W. Drumke, partner at Swanson, Martin & Bell, LLP, was named 2023 "Lawyer of the Year" by Best Lawyers in America for Mass Tort Litigation/Class Actions – Defendants, Chicago. | more

Edwin Stuardi, member at Helmsing, Leach, Herlong, Newman & Rouse, P.C., obtained a defense verdict for a local hospital. | more

J. Nathan Cole was elected as a Shareholder of Kenney & Sams, P.C. | more

Stephen J. Shapiro, partner at Schnader Harrison Segal & Lewis LLP, authored an article for Law360 on amended federal procedure rules on behalf of the IADC. | more

Scott H. Sirich, partner at Plunkett Cooney, PC, was named to the 2023 class of Go To Lawyers for construction law by Michigan Lawyers Weekly. | more

William Thomas, principal at Gausnell, O'Keefe & Thomas, LLC, authored an article for Modern Contractor Solutions on the dos and don'ts of project data retention on behalf of the IADC. | more







IADC Successes your accolades, wins, and accomplishments

Margaret Fonshell Ward, partner at Downs Ward Bender Herzog & Kintigh, P.A., received a defense verdict in a bench trial spread over two months against a custom home builder. | more

Bob Craig, managing director and associate general counsel for Berkeley Research Group, LLC, was featured by Vanguard Law highlighting his 50-year legal career providing expertise and experts. | more

Elizabeth H. Overmann joined Ragsdale Liggett PLLC as a partner in the civil litigation group in their Raleigh office. | more

Thomas M. Buckley, a partner at Goldberg Segalla, obtained a defense verdict in North Carolina in a wrongful death action involving a motor vehicle accident. | more

Adam M. Shienvold, of Eckert Seamans Cherin & Mellott, LLC, was named to Central Penn Business Journal's 2023 Power List. | more David J. Rosenberg, Of Counsel at Weber Gallagher Simpson Stapleton Fires & Newby LLP, was named to the Legal Intelligencer's 2023 Professional Excellence Awards list. | more

R. Matt Cairns, Associate General Counsel at Textron, received Textron's 2023 Legal Enterprise Diversity and Inclusion Advocate Award. | more

Christopher D'Angelo, partner at Montgomery McCracken Walker & Rhoads LLP, authored an article for *Modern Contractor Solutions* on drone usage in constrcution on behalf of the IADC. | more

Maureen A. Mahoney, Associate General Counsel at Hackensack Meridian Health, was named to the 2023 *NJBIZ* Leaders in Law list. | more









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