



2024

Issue Three

JOIN US IN 2024 FOR THESE

UPCOMING & ADC EVENTS



September 12
2024 Product Liability Roundtable *new!
J&J World Headquarters, Corporate
Conference Center
New Brunswick, New Jersey USA

September 26 - 27

2024 International Corporate
Counsel College
The Ritz-Carlton, Istanbul
Istanbul, Turkey



This September, join the IADC for two exciting conferences designed with you in mind.

On September 12, we will hold our **2024 Product Liability Roundtable**. This new full-day specialty roundtable creates a forum for in-house and outside counsel to learn together and discuss developments in the product liability arena.

On September 26 - 27, we

head to Istanbul for our **2024** International Corporate Counsel College. Programming will focus on the latest European legal issues.

Program details and registration for both will open soon.

What's Inside

PRESIDENT'S MESSAGE

RESOURCES | what you may have missed

NEW MEMBERS | welcome new members of the IADC

<u>IADC SUCCESSES</u> | your accolades and accomplishments

EVENTS |

upcoming connection opportunities



"If everyone is moving forward together, success takes care of itself." - Henry Ford

PRESIDENT'S MESSAGE

It is hard to believe we are drawing close to another "passing of the gavel." The last twelve months have

indeed flown by! I am filled with gratitude for the encouragement, support, engagement, and involvement so many of you have demonstrated. It HAS felt like we

have been moving together. I hope you will come to the Annual Meeting in Vancouver July 6-11 to celebrate the successes of our members, to renew friendships, and to get engaged in the planning for the coming year. There is much about which to be excited as we look to the future!

In the last four months alone, members have been given the opportunity to receive excellent substantive content, and to engage and connect in venues around the world. Those opportunities have included:

- · The Midyear Meeting in Miami, Florida;
- · Regional Meetings in Vienna, London, Chicago, San Francisco, Hong Kong, Toronto, and Boston;
- · The Corporate Counsel College and Corporate Counsel Training Academy in Chicago, Illinois;
- Five thoughtful Webinar presentations and 76 Substantive Law Committee meetings providing content and connection;
- · The Professional Liability Roundtable in Chicago, Illinois;
- · IADConnects events in Baltimore, Cleveland, Saint Louis, Nashville, Birmingham, Philadelphia, Morristown, Los Angeles, New Orleans, Denver, Taipei, Tokyo, Nairobi, London, and Seoul!



The IADC will continue to offer a broad schedule of opportunities for members to get together to make meaningful personal and professional connections,

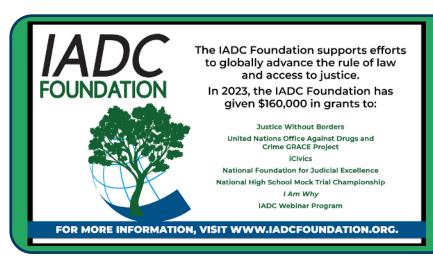


and it will continue to offer the high quality continuing legal education for which it is known. I encourage you to take advantage of all the benefits IADC membership affords. Take the time to read the weekly emails on Tuesdays and Thursdays; and take advantage of the offerings!

It has been an honor and privilege to serve you as President of the IADC. It will remain one of the highlights of my professional career. It will also remain one of the highlights of my personal life in having the opportunity to meet so many of you, and to create such lasting memories. Thank you.

I look forward to seeing you in Vancouver!

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





Watch the video above to meet NFJE, one of the IADC Foundation's grantees.



2024 Annual Meeting

July 6 - 11, Fairmont Hotel Vancouver, Vancouver, British Columbia Canada

The Annual Meeting is just a few short weeks away, and we can't wait to see many of you in-person for this quintessential IADC experience in a city-meets-nature location that includes **business development opportunities**, **countless social events**, and **23 robust programs** -- perfect for you, your guests, and even your family.



We invite you to come connect in-person with 300+ attendees and their guests and families from 16 countries around the world.

Details and registration can be found on the <u>IADC website</u>.

ELECTION REMINDER

The IADC circulated information at the beginning of June regarding the upcoming Board of Directors election. Please contribute and share your voice by submitting remarks via email or signing up to speak with the Nominating Committee in-person at the Annual Meeting.

For all details, view the 2024-2025 Election Information document.





BUSINESS DEVELOPMENT OPPORTUNITIES

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

- In-Person Connection Events
 - IADConnects in Nashville, Birmingham, Saint Louis, Cleveland, Taipei, Tokyo, Baltimore,
 Philadelphia, Morristown, Nairobi, London, New Orleans, Los Angeles, and Denver
 - Regional Meetings in Hong Kong, San Francisco, Toronto, and Boston
 - 2024 Professional Liability Roundtable
- 42 Monthly Substantive Law Committee Calls
 - 14 presentations on important topics and best practices
 - 26 member introductions
 - 3 joint meetings
- 6 published writing opportunities through our Committee articles
- · 2 feature articles placed by our PR firm, Jaffe
- 12 member successes shared



CIVIL JUSTICE UPDATES

IADC continues its efforts to partner with our sister organizations and LCJ to stand for the Rule of Law. Our members are pleased to be supporting LCJ on a new initiative to help restore public trust in the courts. As a defense bar, we strive to encourage the public servants in our judicial system. Too often these days there are negative attacks on the people who serve rather than substantive commentary on the content of decisions. The proposed agenda for this new Committee includes developing guidelines for commenting on judicial outcomes and advocating for adequate resources for the judiciary. IADC is looking forward to working together to advance these goals.

As an organization, we also continue to support the ongoing effort to amend Rules 16 and 26 related to Privilege Logs. The goal of the proposed amendments is to get away from expensive and rarely helpful "document-by-document" privilege logs that were not actually required by the Rules. We are pleased to report the Rules Committee voted on April 9 to advance the proposed Rule 16/26 amendments.

Other civil justice updates:

- Louisiana's Governor signed SB 16 amending Code of Evidence Article 702 to mirror the new federal rule. Act No. 88 takes effect on August 1. <u>Click here</u> for the new LA law.
- In 2023, the IADC took the lead in recommending that the Florida Supreme Court amend Florida Rule of Civil Procedure 1.280 to make discovery proportional to the needs of the case like FRCP 26(b)(1). The Florida Supreme Court recently issued its long-awaited amendments to the Florida Rules of Civil Procedure. In a major victory to the defense bar, the Court adopted the



federal proportionality approach that the IADC and other defense and business/civil justice groups recommended. See <u>IADC's original comment</u> and the Florida Supreme Court's order <u>here</u>. The IADC is spearheading another letter to the Court in response to invited comments due August 6.

· US Chamber ILR releases new report on nuclear verdicts. See the report <u>here</u>.

Our Rule 702 successes continue as well. We are entering a phase where we would like to assemble teams to educate State courts on the recent amendments and favorable case law.

If you are interested in this effort, please reach out to President-Elect <u>Donna Lamontagne</u> or Rule 702 Committee Chair <u>Eric Lasker</u>.



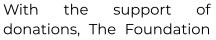
IADC Foundation Support in the Wild

The <u>IADC</u> <u>Foundation</u> supports a variety of organizations and projects through grants, and expanded its reach this past year with giving.

One grantee the Foundation has had a long-standing relationship with is the National High School Mock Trial Championship which allows thousands of high school students to gain skills and confidence as well as a respect and understanding of the rule of law.

IADC member Kendall Harrison and his wife Jessica traveled with their mock trial team to Delaware for five days in early May to the National Championships and got to see first-hand how the IADC Foundation's support helps to make the Championship work.





of the IADC can continue to develop new projects and initiatives to advance the legal system as well as continue to support its current partnerships.

To support the IADC Foundation and its efforts, consider making a donation.

To read about other grants the IADC Foundation provides, click here.





Hong Kong Regional Meeting. On May 8, the IADC celebrated its return to Hong Kong at the Asian Regional Meeting. Hosted by Edmund Wan (King & Wood Mallesons) and Jonathan Crompton (Reynolds Porter Chamberlain), more than 40 attendees enjoyed a stimulating afternoon of panel discussion on the topics of cross border disputes and emerging arbitration issues from top tier speakers including Anton Maurer (Anton Maurer International Services Legal Rechtsanwaltsgesellschaft MbH), Robert Rhoda (Dentons Hong Kong), Mariel Dimsey (CMS Hasche Sigle), Aisha Abdallah (Anjarwalla & Khanna LLP), Jane Wang (King & Wood Mallesons), Edmund Wan,



Liu Xiangwen (Zhonglun), Jonathan Crompton, and Lok Vi Ming SC (LVM Chambers). The keynote presentation was presented by special guest, Hong Kong Bar President Victor Dawes SC, who updated the audience on the current interplay between the legal systems of the People's Republic of China and Hong Kong, and Hong Kong's commitment to its legal system and the Rule of Law. The day concluded with a fantastic dinner at Hong Kong mainstay Lei Garden.





San Francisco Regional Meeting. The majestic Pacific Coast provided the backdrop for the Far West Regional Meeting held May 16 in San Francisco, honoring Third Year Board Member Dominic Campodonico. Attendees were treated to chamber of commerce weather and a variety of networking events extending beyond the meeting. Those included a trip to beautiful Sonoma Valley, with attendant wine tasting, a visit to the Golden Gate State Park, and a viewing of a special exhibit at The de Young Museum - which included a trip to the rooftop to enjoy the splendor of San Francisco. IADC members far and wide participated in the

meeting which allowed members from Portland, Oregon to visit with those from Boston, Massachusetts, Pittsburgh, Pennsylvania, and Vienna, Austria. The program allowed for an update on nuclear verdicts from GRSM partner Lindsey Romano and a presentation by Andrew Cary from Latitude on the complexity of finding the right attorney fit for a firm's needs or project and how good communication amongst the stakeholders facilitates a perfect match.



2024 Professional Liability Roundtable. Nearly 90 attendees connected and enjoyed the IADC Professional Liability Roundtable on May 30 at the Gleacher Center on the campus of the University of Chicago. Participants learned from excellent presentations on developing topics including attorney-client privilege, succession planning, genetic screening, and ADR trends. Special thanks to PLR programming chairs David Anderson (Professional Liability Program), Bill Bulfer (Insurance Program), and Heidi Mandt (Medical Liability Program) for assembling the great panels. Job well done! Thank you to our sponsors for their support – Core Connection Level One Sponsor <u>S-E-A</u> and Event Sponsors <u>Minnesota Lawyers Mutual Insurance</u> Company and J.S. Held LLC.

Toronto Regional Meeting. Thank you to Peter Pliszka for planning and hosting an incredible Canadian Regional Meeting in Toronto! IADC members and guests enjoyed outstanding panel presentations on Canadian opioid litigation and class actions, discussed the current developments in arbitration, and debated the merits and concerns of Al. Approximately 35 attendees were provided the opportunity to visit at a networking reception and to enjoy an optional dinner in a beautiful, historic venue that once served as a courthouse.





IADConnects. IADC members have been connecting all over the world at our IADConnects events, which are casual gatherings for collegiality, networking, and fun. Thank you to the event Hosts and attendees for these meaningful connection opportunities. Here is where we've been:

Nashville, TN Morristown, NJ

Saint Louis, MO Nairobi, Kenya

Birmingham, AL Lo

London, England

<u>Louisville, KY</u>

Los Angeles, CA

Cleveland. OH

New Orleans, LA

Taipei, Taiwan

Denver, CO

Tokyo, Japan

Baltimore, MD

Philadelphia, PA



COMMITTEE NEWSLETTERS

A Series: Tackling the Recent Wave of Challenges to Diversity,

Equity, Inclusion and Belonging Efforts

By Lucy R. Dollens and Kenneth E. Sharperson

Diversity, Equity, Inclusion and Belonging Committee

It's a Bird, It's a Plane! No... It's a Spy Balloon!

By Mica Nguyen Worthy

Transportation Committee

Ontario Court of Appeal Affirms the Need to Establish Actual Harm in Negligence Claims

By Jessica Lam and Imad Alame

Drug, Device and Biotechnology Committee

The Heat is On! How is the EU Regulation Wave Going to Shape Litigation Within and Outside Europe?

By Mark Clark, Peter Wende, and Döne Yalcin

Toxic and Hazardous Substances Litigation Committee

A Series (Part II): Tackling the Recent Wave of Challenges to Diversity, Equity, Inclusion and Belonging Efforts

By Lucy R. Dollens and Kenneth E. Sharperson

Diversity, Equity, Inclusion and Belonging Committee

The Italian Ultimate Beneficial Owners Registry

By Filippo Mazza and Alessandro Corbò

International Committee



Exercise Can Strengthen Your Cultural Competence to Improve Collaborative

RECENT

RESOURCES

Performance and Reduce Risk

By Robert G. Smith

Medical Defense and Health Law Committee



WEBINARS

Biomechanical Motions, Forces, and Leverage in Accident Analyses

Presented by - Transportation Committee

Moderator: David W. Kash, Koeller, Nebeker, Carlson, & Haluck, LLP

Presenter: Gary T. Yamaguchi, Ph.D., P.E., RIMKUS

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

Moving Forward: The Present and Future of Autonomous Vehicle Regulation

Presented by - Cyber Security, Data Privacy and Technology Committee and Transportation Committee Presenters: Laura C. Fey, Fey LLC; Sean C. Griffin, Robinson & Cole LLP

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

If You Are Still Expecting Reptiles, It's Time to Reframe

Presented by - Business Litigation Committee, Product Liability Committee, and Trial Techniques and Tactics Committee

Moderator: T. Thomas Singer, Hall & Evans, LLC

Presenters: Jonathan Franklin, Franklin Law Group, PA; Theodore O. Prosise, IMS Legal Strategies

Webinar Recording | Password can be found here



ACTIVE ALLY SERIES (DIVERSITY, EQUITY, INCLUSION, AND BELONGING COMMITTEE INITIATIVE)

Mentoring Diverse Attorneys: Developing Your Program From First Year to Partnership

Moderators: Paul M. Fires and Carolyn Hussman Speakers: Sherylle A.O. Francis, Sean C. Griffin, Joanne L. Zimolzak

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



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





These podcast episodes have dropped since our last issue. Listen here or wherever you listen to podcasts.

- Welcome to IADC's Professional Liability Roundtable
 - Host Nicole Fagan spoke with IADC's 2024 Professional Liability Roundtable Chairs David Anderson, Bill Bulfer, and Heidi Mandt about this year's program.
- Destination Hong Kong!
 - In this "Speaking With the Smiths" podcast episode, IADC President Michele Smith and Mitchell Smith spoke with IADC members Jonathan Crompton, Kurt Gerstner, and Edmund Wan after the conclusion of IADC's successful Hong Kong Regional Meeting. They recapped the truly global event, discussed the legal landscape in the city, and shared some of their favorite things about Hong Kong.
- · The Sandwich Generation
 - Host Rebecca Weinstein Bacon and guests Chris Berdy and Mitch Smith all part of "The Sandwich Generation" – candidly discuss and share their insights and the challenges related to raising young adults and caring for aging parents.
- #ThisIsVancouver
 - Host Robin Linley spoke with fellow members and local experts Robin Reinertson and Jim



Sullivan about all things Vancouver. This episode covers Vancouver recommendations for food, family-friendly activities, and fun. *episode recommendations document*

• <u>Destination Taipei!</u>

 In this "Speaking With The Smiths" podcast episode, IADC President Michele Smith and Mitchell Smith spoke with IADC member Edgar Chen after the conclusion of IADC's Taipei, Taiwan Regional Meeting in early May. They recapped the inaugural IADC visit, detailed some meeting highlights, and shared some of their favorite things about Taipei.

Destination Tokyo!

• In this "Speaking With The Smiths" podcast episode, IADC President Michele Smith and Mitchell Smith spoke with IADC members Yuri Sugano and Hiroyuki Tezuka after the conclusion of IADC's Tokyo IADConnects event in May. They recapped the successful gathering, discussed diversity advancements being made by their law firm, and shared some of their favorite things about Tokyo and Japan.

· Full Court Press: Trial Practices with Ed Sledge IV

• It is time to get ready for trial. How do you prepare? What do you do? In this "Trial Practices" series, hear from seasoned trial lawyers about how they prepare themselves and how they prepare for the courtroom. Host J.T. Wilson III spoke with Ed Sledge IV about his trial practice. Take a look behind the scenes as they covered Ed's "trial at a glance" summary document and 100-day checklist, discussed what keeps him anchored, and touched on how he transitions back to "regular life" after trial.

Jesse Beck

Hallett & Perrin Dallas, Texas USA

Kristen Farmer

RE/MAX, LLC Denver, Colorado USA

Jaime Palumbo

Corvus Insurance Leonardo, New Jersey USA

Amber Eklof

Gordon Rees Scully Mansukhani, LLP San Francisco, California USA

Olga Fernandez

BSV Association Steinhausen, Switzerland

Byron Shaw

McCarthy Tetrault LLP Toronto, Ontario Canada

Kamil Zawicki

Kubas Kos Galkowski Warsaw, Poland

Peter Biging

Goldberg Segalla New York, New York USA

Peter Carello

National Interstate Insurance Company Avon, Connecticut USA

Lauren Rutkowski

DeCaro Doran Siciliano Gallagher & DeBlasis, LLP Bowie, Maryland USA

Andrew Sherrod

Hirschler Fleischer Richmond, Virginia USA

Jennifer Van Zant

Brooks Pierce Greensboro, North Carolina USA

Raúl Chacón Jr.

MG+M Law Miami, Florida USA

Thomas Christensen

Huck Bouma Wheaton, Illinois USA

Martina Gavalec

CMS Reich-Rohrwig Hainz Bratislava, Slovakia

Theresa Noble Hill

Rhodes Hieronymus Jones Tucker & Gable Tulsa, Oklahoma USA

Kersten Holzhueter

Spencer Fane LLP Kansas City, Missouri USA

NEW MEMBERS

Please welcome
our newest
members to
the IADC, and if
you need a legal
resource in
their area,
Think IADC First and
reach out!

NOMINATE

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





Laura Kogan

Benesch Friedlander Coplan & Aronoff LLP Cleveland, Ohio USA

Michael Nolan

Husch Blackwell LLP Saint Louis, Missouri USA

Judith Perritano

Pierce Davis & Perritano LLP Boston, Massachusetts USA

R. Matt Price

Diamond Pet Foods Jefferson City, Missouri USA

Christopher Seusing

Wood, Smith,
Henning & Berman,
LLP
Fairfield,
Connecticut USA

Cheryl Vollweiler

Skarzynski Marick & Black LLP New York, New York USA

Todd Wolfe

Arrive Logistics Austin, Texas USA

Cassandra Hooks

Niagara Bottling Diamond Bar, California USA

Charles E. Jones

Moss & Barnett P.A. Minneapolis, Minnesota USA

Song Jung

Bryan Cave Leighton Paisner LLP Washington, District of Columbia USA

Sae Youn Kim

Kim & Chang Seoul, Korea

Jacob Moreno

Qualitas Insurance Company Fort Worth, Texas USA

Ben Prevost

Jack Cooper Investments Kennesaw, Georgia USA

Laura Eschleman

The DeMartini Firm, PC Mableton, Georgia USA

Anthony A. Froio

Robins Kaplan LLP Boston, Massachusetts USA

Jared Kemper

Interplastic Corporation Saint Paul, Minnesota USA

Kyle Robertson

U-Haul International Phoenix, Arizona USA

YOUR ACCOLADES, WINS, AND ACCOMPLISHMENTS

Matthew Brown and Christopher Drewry obtained summary judgment for a British metal and mineral trader's United States affiliate in a complex international commercial dispute. | more

Sean C. Griffin, partner at Robinson & Cole LLP, has been certified as an Artificial Intelligence Governance Professional by the International Association of Privacy Professionals. | more

Paul Lefebvre, partner at Jansen Lefebvre, obtained judgment rejection from Belgian Supreme Court. | more



Peter Pliszka, partner at Fasken Martineau DuMoulin LLP, successfully defeated an appeal by representative plaintiffs in an appeal from a motion judge's decision refusing to certify a proposed pharmaceutical product liability class action. | more

William S. Thomas, co-owner at Gausnell, O'Keefe & Thomas, LLC, authored an article "Liability - big impacts: foreseeability of collisions imposes responsibilities to address risks" on behalf of the IADC for Modern Contractor Solutions' May issue. | more

Christopher C. Lam, partner at Bradley Arant Boult Cummings LLP, obtained summary judgment for a leading HVAC manufacturer in a wrongful death case in Las Vegas. | more

IADC SUCCESSES

Grace V.B. Garcia was elected as Managing Partner of Morrison Mahoney LLP. | more

J. Calhoun Watson, Managing Member of Robinson Gray Stepp & Laffitte, LLC, has been appointed to the board of directors of Meritas. | more

Charles H. Cole, partner at Lewis Brisbois Bisgaard & Smith LLP, was recently recognized by the digital magazine CIO TODAY as the "Most Esteemed Leadership in Healthcare Litigation" for 2024. | more



<u>Duarte G. Henriques</u>, founding member of Victoria Associates, secured a client's acquittal in a multi-million Euro fraud case. | more

Adam M. Shienvold, a member with Eckert Seamans Cherin & Mellott, LLC, was named Product Liability Chair for the firm. | more

R. Matt Cairns, Senior Associate General Counsel at Textron, received DRI's Sheryl J. Willert Pioneer Diversity Award. This award is given to an outstanding individual who demonstrates efforts towards diversity and inclusiveness in the legal profession. | more

Submit your accolades, pro bono stories, courtroom wins, and successes to Diana Leon, Communications and Operations Manager.

IN MEMORIAM

We offer sympathy to the family and friends of:

Herbert Palmberger Düsseldorf, Germany *Member since 2018*



WEDNESDAY, JUNE 19

Exposing the Cracks: Litigation Case Studies and Environmental

Issues in Plastic Construction Materials (Webinar)

WEDNESDAY, JUNE 26

IADConnects in Seoul, Korea

THURSDAY, JUNE 27

IADConnects in Charlotte, NC

FRIDAY, JULY 5

2024 Canada Regional Meeting - Vancouver, BC

SATURDAY, JULY 6 - THURSDAY, JULY 11

2024 Annual Meeting

FRIDAY, AUGUST 2 - FRIDAY, AUGUST 9

50th Annual Trial Academy

MONDAY, AUGUST 5

Deadline for 2025 Midyear Meeting Committee CLE Program Proposals

WEDNESDAY, AUGUST 14

The New Boundaries of the Fair Use Doctrine in Copyright (Webinar)

MONDAY, AUGUST 19

Deadline for 2025 Annual Meeting Major CLE Program Proposals

UPCOMING EVENTS

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

CALENDAR OF EVENTS





WEDNESDAY, AUGUST 21

"That's What She Said": Managing Risks
Surrounding DEI In Initiatives in the Workplace
(Webinar)

THURSDAY, SEPTEMBER 12

2024 Product Liability Roundtable

THURSDAY, SEPTEMBER 26 AND FRIDAY, SEPTEMBER 27

2024 International Corporate Counsel College

Thank You to Our 2023-2024 Sponsors

CORE CONNECTION SPONSORS

LEVEL ONE

S-E-A

LEVEL TWO

Baker Tilly

Exponent

MRC

LEVEL THREE

InQuis

YOUNG & Associates

EVENT SPONSORS

Avalon Health Economics | Berkeley Research Group, LLC |
ESi | HKA | Immersion Legal | IMS Consulting & Expert
Services | InCourt Technologies | J.S. Held LLC | Magna
Legal Services | Minnesota Lawyers Mutual Insurance
Company | Relativity