# ETIPS SECTION CONFERENCE

MAY 11 - 15 2016

INTERCONTINENTAL BUCKHEAD | ATLANTA, GA





### **AMERICAN BAR ASSOCIATION**

THE TORT TRIAL & INSURANCE PRACTICE SECTION WOULD LIKE TO THANK OUR 2016 SECTION CONFERENCE SPONSORS



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### Welcome From the Chair



### Dear TIPS Friends:

I am looking forward to welcoming you all to Atlanta for our Second Annual TIPS Section Conference at the InterContinental Buckhead Atlanta. Atlanta is a beautiful city with many wonderful and exciting attractions, including the Martin Luther King Jr. Center, the Herndon Home, the World of Coca-Cola, the Hammonds House Museum, the College Football Hall of Fame, the Atlanta University Center, the Georgia Aquarium, and many more!

The Section Conference Task Force has developed programming that will have broad application and will appeal to a wide variety of trial lawyers and litigators involved in

tort and insurance law, including young lawyers. There will be multiple opportunities to network with colleagues and speakers at receptions each of the first two nights. We will be hosting our Annual Leadership Luncheon on Friday at the hotel. The social highlight of the meeting will be our Gala Dinner at the World of Coca-Cola Museum on Friday evening.

I am also excited to have as Section Conference co-hosts the following: the State Bar of Georgia, Atlanta Bar Association, Georgia Defense Lawyers Association, Georgia Trial Lawyers Association, Georgia Association for Women Lawyers, and Georgia Asian Pacific American Bar Association. We are also proud to be co-hosting a Women in the Law track in conjunction with the ABA Commission on Women in the Profession and the Center for Women in the Law, as well as co-hosting a distinguished panel of federal, state, and appellate judges in conjunction with the ABA Judicial Division.

I am honored to have joint programming with our friends in these local, state, and national bar associations, and to welcome them to our networking events, Leadership Luncheon and Gala Dinner.

There are few meetings that can compare with the TIPS Section Conference. For one low price, you can choose between two program tracks and earn more than **13 hours of CLE credit**, including 6 hours of ethics credit. Your registration fee includes networking receptions on Wednesday and Thursday evenings.

The Section Conference is designed for all TIPS members because we believe that in an increasingly frenetic profession—where budgets are stretched and lawyers are overworked—all of us want and need meetings where we can get practical programming, network with colleagues and clients, and develop professionally.

So, the place for every TIPS member to be this year is the InterContinental Buckhead Atlanta for the Second Annual TIPS Section Conference starting on May 11.

I hope to see you and your friends in Atlanta!

**G. Glennon Troublefield, Esq. Chair, ABA Tort Trial & Insurance Practice Section** *Carella, Byrne, Cecchi, Olstein, Brody & Agnello* Roseland, NJ

### Message from Program/Conference

#### **DEAR TIPS FRIENDS:**

On behalf of our respective organizations, we are looking forward to welcoming you to Atlanta as co-hosts of the Second Annual TIPS Section Conference, May 11-13, 2016 at the InterContinental Buckhead Atlanta.

With its southern hospitality, and rich and diverse heritage, Atlanta is the perfect place to host the Second Annual TIPS Section Conference. While there, we hope you have the opportunity to enjoy some of the many attractions the city has to offer, including fine dining, cultural and historic sites, and recreational options.

By joining forces, we are bringing together many of the nation's premier experts for a great meeting with excellent programs and numerous social events that will be a lot of fun!

There will be over **25 hours of CLE** programing, featuring more than 40 general counsels, in-house counsel and/or insurance company speakers plus nine judges. Most will be panel discussions with a heavy emphasis on insights and tips from in-house counsel. There will be programs on trial techniques, using experts, and jury selection. The judges will discuss what works in the courtroom and what does not.

There will be multiple programs on business development and client retention presented from the perspective of in-house counsel. There will be an inspiring Women in the Law series, a U.S. Supreme Court update, a program bringing together leaders from GDLA and GTLA to bridge the divide between the plaintiff's and defense bar, and a cutting-edge cyber liability program. There will be programs of interest to corporate counsel, as well.

There will be sessions tailored for young professionals, as well as late night social events for both young and "young at heart"!

The programs will appeal to all TIPS Members, including members of both the plaintiffs' and defense bars, claims professionals, and corporate counsel. If you need ethics, you will be able to satisfy most, if not all, of your yearly ethics requirements at this conference!

Almost all of the programs will have concurrent sessions so attendees can choose between two programs and pick the sessions that are of the most interest to them.

There will be Wednesday and Thursday networking receptions that will allow attendees to socialize and meet the in-house counsel and judges.

The program task force has done a great job of putting together topics and speakers which will be of interest to everyone! We look forward to seeing you and your colleagues in Atlanta this Spring.

### Chairs



Patrick T. O'Connor, Esq. President-Elect, State Bar of Georgia Oliver Maner Savannah, GA



Harold E. Franklin, Jr., Esq. President, Atlanta Bar Association King & Spalding Atlanta, GA



Matthew G. Moffett, Esq.
President, Georgia Defense Lawyers Association (GDLA)
Gray, Rust, St. Amand, Moffett & Brieske
Atlanta, GA



Darren W. Penn, Esq. President, Georgia Trial Lawyers Association (GTLA) Harris Penn Lowry Atlanta, GA



David B. Kahng, Esq.
President, Georgia Asian Pacific American Bar Association
(GAPABA)
Doosan Infracore International, Inc.
Suwanee, GA



Alicia Grahn Jones, Esq.
President-Elect, Georgia Association for Women Lawyers
(GAWL)
Kilpatrick Townsend & Stockton
Atlanta, GA



Amir Nassihi, Esq. ABA TIPS Section Conference Task Force Chair Shook Hardy & Bacon San Francisco, CA



The Tort Trial & Insurance Practice Section would like to thank our 2015-2016 Section Sponsors for their generous support

### **Premier Section Sponsor:**



### **Section Sponsors:**







### 2016 Section Conference Task Force

Amir M. Nassihi, Chair

Shook Hardy & Bacon San Francisco, CA

Alan S. Rutkin, Chair-Elect

Rivkin Radler New York, NY

Pamela Beckham

Beckham & Beckham Miami, FL

Elizabeth J. Bondurant

Womble Carlyle Sandridge & Rice Atlanta, GA

Thea M. Capone

Baumeister & Samuels New York, NY

Pamela W. Carter

Carter Law Group New Orleans, LA

John B. Cartafalsa, Jr.

Zurich Staff Legal Services New York, NY

Gregory M. Cesarano

Carlton Fields Jorden Burt Miami, FL

Roy A. Cohen

Porzio Bromberg & Newman Morristown, NJ

**Barbara Costello** 

Kaufman Borgeest & Ryan New York, NY

Christine Spinella Davis

Manatt Phelps & Phillips Washington, D.C.

Michael W. Drumke

Swanson, Martin & Bell Chicago, IL

Scott A. Elder

Alston & Bird Atlanta, GA

**Makai Fisher** 

Shook Hardy & Bacon San Francisco, CA

**Marcy Hogan Greer** 

Alexander Dubose et al Austin, TX Kim D. Hogrefe

Chubb & Son Inc Warren, NJ

Floyd Holloway, Jr.

State Farm Insurance Chadds Ford, PA

Patricia G. Hughes

Allstate Insurance Company Farmington Hills, MI

Valerie Kellner

Rawle & Henderson Philadelphia, PA

**Kermit Kendrick** 

Burr & Foman Birmingham, AL

**Jennifer Shepard Kilpatrick** Swanson Martin & Bell

Swanson Martin & Bell Chicago, IL

Beth M. Kramer

Lockheed Martin Corporation Bethesda, MD

David J. Krebs

Krebs Farley New Orleans, LA

H. Grant Law

Shook Hardy & Bacon San Francisco, CA

Marlo Orlin Leach

Gonzalez Saggio & Harlan Atlanta, GA

Sheri Littlefield-Moreno

CFA Instuitute Charlottesville, VA

**Brooks R. Magratten** 

Pierce Atwood Providence, RI

Laura Sidwell Maki

Sharon W Ware & Associates Atlanta, GA

Hall F. McKinley

Drew Eckl & Farnham Atlanta, GA

John C. McMeekin II

Rawle & Henderson Philadelphia, PA

### 2016 Section Conference Task Force

### Thomas M. McNally

Chubb & Son Inc. Uniondale, NY

### Maureen Mulligan

Peabody & Arnold Boston, MA

### Michael S. Neuren

Administrative Office of the Courts of Georgia Atlanta, GA

### **Christopher Nolan**

Holland & Knight New York, NY

### William D. Newcomb

Carlock Copeland & Stair Atlanta, GA

### Pamela A. Palmer

Morris Polich & Purdy Los Angeles, CA

### George R. Parker

Bradley Arant Boult Cummings Montgomery, AL

### Garrett L. Pendleton

AIG Aerospace Atlanta, GA

### **Aaron Pohlmann**

Womble Carlyle Sandridge & Rice Atlanta, GA

### Holly M. Polglase

Hermes Netburn O'Connor & Spearing Boston, MA

### Sam H. Poteet, Jr.

Manier & Herod Nashville, TN

### Anna Romanskaya

Stark & D'Ambrosio San Diego, CA

### G. Glennon Troublefield

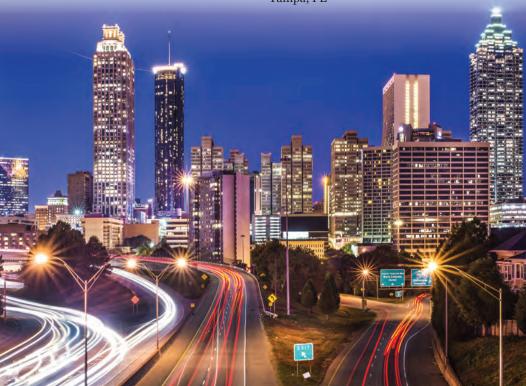
Carella Byrne et al Roseland, NJ

### Christopher R. Ward

Strasburger & Price Dallas, TX

### James A. Young

Young Scanlan Tampa, FL



### Social Event Highlights

### Wednesday, May 11, 2016

### **Welcome Reception**

InterContinental Buckhead 5:30 p.m. – 7:00 p.m.

Committee Networking Dinners Dutch Treat Dinners with your General Committee 7:00 p.m.

### **Young Lawyers Social Networking Reception**

SweetWater Brewery 195 Ottley Drive 7:30 p.m. – 10:30 p.m.

### **Thursday, May 12, 2016**

### **Networking Luncheon with Practice Area Seating**

InterContinental Buckhead 12:00 p.m. – 1:15 p.m.

### **Sponsored Networking Reception**

InterContinental Buckhead 5:00 p.m. – 6:30 p.m.

Committee Networking Dinners
Dutch Treat Dinners with your General Committee
6:30 p.m.

Fellows Dinner (By Invitation Only) 6:30 p.m. – 9:30 p.m.

### **Speakers Dinner**

3109 Piedmont Estate and Gardens 7:00 p.m.

Young Lawyers Social Networking Event 10:00 p.m.

Friday, May 13, 2016

### **Leadership in Action Luncheon**

InterContinental Buckhead 12:00 p.m. – 1:30 p.m.

### Gala Reception and Dinner

World of Coca-Cola Museum 7:00 p.m. – 11:00 p.m.

### Wednesday, May 11, 2016

2:15 p.m. - 3:45 p.m.

### BUILDING MY BRAND: BALANCING ETHICAL AND PRACTICAL CONSIDERATIONS

The traditional law firm model is evolving to meet the challenges of client needs within the increasingly competitive market for legal services. This panel will discuss how young lawyers can build a practice and develop their brand both internally and directly with clients. This panel will also explore some of the practical and ethical issues that may be faced in brand building, such as when using social media, writing articles, and presenting to industry groups.

### **MODERATOR:**

Tammy B. Webb, Esq. Shook Hardy & Bacon San Francisco, CA

#### PANEL:

Will Barnette, Esq.

Associate General Counsel, *The Home Depot* Atlanta, GA

Pamela W. Carter, Esq.

Carter Law Group New Orleans, LA

Patrick T. O'Connor, Esq.

Oliver Maner Savannah, GA

Ruth Gates, Esq.

Senior Counsel, *Nissan North America, Inc.* Atlanta, GA

Alicia Grahn Jones, Esq.

Kilpatrick Townsend & Stockton Atlanta, GA

George Schell, Esq.

Chief Marketing Counsel, *The Coca-Cola Company* Atlanta, GA

4:00 p.m. - 5:30 p.m.

### ETHICS AND INSURANCE: AN IN-DEPTH LOOK AT ETHICAL ISSUES THAT ARISE IN HANDLING AND LITIGATING INSURANCE CLAIMS (CE CREDIT REQUESTED)

This panel will explore tricky ethical issues that can arise in the context of insurance claims, including potential conflicts between the insured, defense counsel, and the insurer, as well as conflicts that may arise when an insurer has issued policies to multiple parties who are now embroiled in a dispute with each other. When the insurer hires an attorney to defend an insured, who is the client? Must or may the attorney consider how a particular strategy will affect coverage? How can coverage issues and policy limits affect the parties' relationships and the defense of the insured? When an insurer has insured two or more entities that now have a dispute, does the claims handler for Insured A have to be walled off from any information involving Insured B because the two parties are fighting? What ethical issues

face an attorney representing Insured A or B who was hired by the insurance company? In discussions between the attorney and the insurance company, is it unethical for the claims handler to mention something he knows only because his employer is insuring another dog in the fight? Must the attorney warn the claims handler to keep that type of information concealed? The panelists will explore these and other ethical questions that often come up when handling insurance claims.

#### **MODERATORS:**

Carla Crapster, Esq. Strasburger & Price Dallas, TX

Brett D. Divers, Esq. Mills Paskert Divers Tampa, FL

### PANEL:

Fred M. Valz, III, Esq. Carlock Copeland & Stair Atlanta, GA

Lisa Manzer, Esq.
Vice President of Casualty and DP&E Claims
AXIS Insurance Company
Alpharetta, GA

**J. Blair Craig, Esq.** Wood & Craig Atlanta, GA

**David Klosterboer, Esq.**David Klosterboer & Associates
Houston, TX

Arlene Zalayet, Esq. Senior Vice President and General Attorney Liberty Mutual Insurance Boston, MA

**Garrett Pendleton, Esq.** Vice President & Claims Manager *Aerospace/AIG Property Casualty* Atlanta, GA

**Christina Craddock, Esq.** Senior Surety Counsel, *Liberty Mutual Surety* Duluth, GA

**John B. Dunlap, III, Esq.** Dunlap Fiore Baton Rouge, LA

4:00 p.m. - 5:30 p.m.

### LEGENDS OF THE PLAINTIFF BAR: HOW TO BECOME ONE AND HOW TO ESTABLISH A SUCCESSFUL REFERRAL RELATIONSHIP WITH ONE

This panel of leading national plaintiff attorneys will discuss their paths to success, provide key tips on getting to the top of the profession, and also discuss approaches to establishing a successful referral relationship.

### **MODERATORS:**

**Jonathan L. Leach, Esq.** *Marmon & Leach*Atlanta, GA

**Darryl S. Marmon, Esq.** *Marmon & Leach* Atlanta, GA

#### PANEL:

Former Georgia Governor Roy Barnes, Esq. Barnes Law Group

Marietta, GA **Lance Cooper, Esq.** *The Cooper Law Firm* 

Marietta, GA

Tom Girardi, Esq. Girardi & Keese Los Angeles, CA

**Laurie Speed, Esq.** Shamp Speed Jordan Woodward Atlanta, GA

5:30 p.m. – 7:00 p.m. WELCOME RECEPTION AT INTERCONTINENTAL HOTEL

7:30 p.m. – 10:30 p.m. YOUNG LAWYERS SOCIAL NETWORKING RECEPTION AT SWEETWATER BREWERY

### **Thursday, May 12, 2016**

8:30 a.m. - 10:00 a.m.

### U.S. SUPREME COURT UPDATE

Join an accomplished panel of speakers including a former U.S. Supreme Court clerk and current Dean of the Emory University School of Law and some of the top U.S. Supreme Court litigators to discuss highlights from the October 2015 term. This program will include an overview of the most important cases on the Court's docket including cases involving affirmative action, reproductive rights, voting rights, unions, and limits on federal jurisdiction.

### **MODERATOR:**

Robert Peck, Esq.

Center for Constitutional Litigation Washington D.C.

### **PANEL:**

Robert Schapiro, Esq.

Dean, Emory University School of Law Atlanta, GA

### Jonathan Franklin, Esq.

Norton Rose Fulbright Washington D.C.

### Laurie Webb Daniel, Esq.

Holland & Knight Atlanta, GA

8:30 a.m. - 10:00 a.m.

### RESOLVING INSURANCE DISPUTES AS QUICKLY AS POSSIBLE: STRATEGIES TO GET IT SETTLED OR TO WIN ON SUMMARY JUDGMENT

Given the often exorbitant cost of trial, many litigants to insurance disputes are eager to dispose of the case before trial, either by settling early or prevailing on summary judgment. When you want to settle, what strategies are most effective? The panelists will explore negotiation tactics and steps to take that will establish a strong negotiating position long before you call the mediator. The panelists will also offer advice on how to obtain the ultimate victory: winning on summary judgment. Summary judgment can be elusive in the insurance context, in no small part because the briefing on insurance topics is often dry and unpersuasive. This panel of experts will discuss how to punch up your briefs to give the client the best chance of prevailing at the summary-judgment stage

#### **MODERATORS:**

Georgene Wilson, Esq.

Claims Counsel, AIG Chicago, IL

**Lee Shidlofsky, Esq.** Shidlofsky Law Firm

Austin, TX

#### PANEL:

### The Hon. Catharina Haynes

U.S. Court of Appeals for the Fifth Circuit New Orleans, LA

#### The Hon. Charles Clevert

U.S. District Court for the Eastern District of Wisconsin Milwaukee, WI

### Steve Nelson, Esq.

General Counsel, SureTec Insurance Company Austin, TX

### Alicia Barton, Esq.

Senior Counsel, Claim Legal Group, Travelers Richardson, TX

### Twanda Turner-Hawkins, Esq.

Corporate Counsel Process Management and Litigation Administration,  $All state\ Insurance\ Company$  Northbrook, IL

### Glenn Vallach, Esq.

VP Claims Attorney,  $\bar{U}$ nited States Aircraft Ins. Group Washington, D.C.

### John M. Williams, Esq.

The Law Office of John M. Williams Cincinnati, OH

#### Lee Ogburn, Esq.

Kramon Graham Baltimore, MD

10:30 a.m. - 12:00 p.m.

### HOW TO HANDLE AND LITIGATE CLAIMS OF BAD FAITH (AND MAYBE PREVENT THEM ALTOGETHER) (CE CREDIT REQUESTED)

A claim of bad faith elevates everyone's blood pressure. The panelists will discuss how to deal with these stressful claims, including how insurers can discourage insureds from bringing them, as well how all parties involved, both insurer and insured, should handle these claims once they are in play in an insurance or surety coverage lawsuit. In particular, the panelists will examine whether to bifurcate the coverage issues from the bad-faith claim, both at the discovery phase and at trial. They will also discuss how a claim of bad faith affects the scope of discovery, the appropriate trial strategy, dispositive motions, negotiations/mediation, and the parties' general conduct throughout the litigation.

### **MODERATORS:**

Greg Veal, Esq.

Bovis, Kyle, Burch & Medlin Atlanta, GA

### Jeffrey S. Price, Esq.

Manier & Herod Nashville, TN

#### PANEL:

John Tomaine, Esq.

John J. Tomaine Mountainside, NJ

### Tammy Giroux, Esq.

Shumaker Loop & Kendrick Tampa, FL

### Robert O'Brien, Esq.

Claims Manager, *Liberty Mutual Surety* Fairfield, OH

### **Connie Hennigan**

Secretary and Manager Management Liability Claims The Cincinnati Insurance Companies Cincinnati, OH

### David Krebs, Esq.

Krebs Farley New Orleans, LA

### Kelly Perry, Esq

Surety Claims Manager, *Philadelphia Indemnity Insurance Companies*Atlanta, GA

10:30 a.m. - 12:00 p.m.

### WOMEN IN THE LAW: NAVIGATING FOR SUCCESS, HOW TO ADVANCE YOUR CAREER (OR GETTING A PLACE AT THE TABLE)

This highly successful panel will provide important insights for women lawyers who are rising in the ranks to avoid hidden pitfalls and break through glass ceilings. They will share lessons learned and best practices for getting—and assuming—a place at the table, as well as strategies for divining the often difficult power dynamics of organizations. Law firms, client organizations, and other legal practices will also learn how best to promote and sponsor their women stars to positions of leadership and value.

### **MODERATOR:**

### Patricia Gillette, Esq.

Partner, *Orrick* San Francisco, CA

#### PANEL:

### Teresa Wynn Roseborough, Esq.

Executive Vice President, General Counsel & Corporate Secretary, *The Home Depot* Atlanta, GA

### Linda Bray Chanow, Esq.

Executive Director, Center for Women in the Law Austin, TX

#### Patricia Ratner, Esq.

Managing Attorney, *Electric Insurance* Beverly, MA

### April Savoy, Esq.

SVP, General Counsel, Acceptance Insurance Nashville. TN

12:00 p.m. - 1:15 p.m.

### NETWORKING LUNCHEON

1:30 p.m. - 3:00 p.m.

### WOMEN IN THE LAW: GETTING TO THE FIRST CHAIR AND TIPS FOR IN-HOUSE COUNSEL FOR FINDING A DIVERSE TRIAL TEAM

How are women trial lawyers faring in the courtroom these days? According to a blockbuster report recently published by the ABA and the Commission on Women in the Profession, women trial lawyers are grossly underrepresented in the critically important roles of first chairs and court-appointed lead counsels that are necessary to give them credibility in high-stakes and complex litigation. The authors of the study, "First Chairs at Trial: More Women Need Seats at the Table," will share their unique insights and observations of the study's findings and best practices to achieve better diversity in the courtroom. The panel will also provide judicial and practitioner insights into court appointments and ways in which the judicial process can be used to promote more women attorneys to leadership roles, such as steering committees, class counsel, special counsel, ad litems, and advisory committees.

#### MODERATOR:

### Roberta Liebenberg, Esq.

Fine, Kaplan and Black

Philadelphia, PA., (Co-Author of the Report: "First Chairs at Trial: More Women Need Seats at the Table")

#### PANEL:

### Sandra Phillips, Esq.

Group Vice President, Chief Legal Officer and General Counsel, *Toyota Motor North America* Torrance, CA

### **The Hon. Anna Blackburne-Rigsby** District of Columbia Court of Appeals

Washington, D.C.

### Maureen Mulligan, Esq.

Peabody & Arnold Boston, MA

1:30 p.m. - 3:00 p.m.

### WORKING RELATIONSHIPS BETWEEN DEFENSE COUNSEL AND INSURANCE CARRIER—THE RECIPE FOR SUCCESS (CE CREDIT REQUESTED)

Our experienced panel of in-house insurance counsel and claims managers will discuss their experience with successful representations between defense counsel and carriers on insured claims, claims with large self-insured retentions or deductibles, including navigating the tripartite relationship, the use of staff counsel versus law firm independence, expectations concerning client service, benchmarking, and results, considerations in fielding litigation and defense teams, and internal and external management challenges.

### **MODERATORS:**

Margaret F. Cooper, Esq.

Lewis Thomason Memphis, TN

### Christine Spinella Davis, Esq.

Manatt, Phelps & Phillips Washington, D.C.

#### PANEL:

### Steven J. Antunes, Esq.

Senior Litigation Counsel *AEGIS Insurance Services, Inc.* East Rutherford, NJ

### Craig Orraj, Esq.

Head of Business Insurance Claims Farmers Insurance Group Westlake Village, CA

### Teresa Milano, Esq.

Claims Director, Berkley Professional Liability New York, NY

3:30 p.m. - 5:00 p.m.

### CYBERLIABILITY: PLANNING FOR THE RISK

This panel features a discussion of data attacks, electronically perpetrated frauds, privacy breaches, and the related threats to corporate clients and law firms. The panel will discuss planning for those risks, methods to manage these risks, and the role of insurance to offset the losses caused by the identified risks and breaches.

### **MODERATOR:**

### Brendan Kelley, Esq.

Vice President Specialty Claims, Chubb Group of Insurance Companies Warren, NJ

### **PANEL:**

### Ann Mizner McKay, Esq.

Senior Vice President and General Counsel Arthur J. Gallagher Risk Management Services, Inc. Boston, MA

### David Newmann, Esq.

Hogan Lovell Philadelphia, PA

### Martin Schnabel, Esq.

Associate Vice President—Claims at Nationwide Insurance
New York City, NY

#### Erica Kitaev, Esq.

Senior Legal Editor, *Intellectual Property & Technology Service*, Practical Law Denver, CO

3:30 p.m. - 5:00 p.m.

### TRIAL TIPS FROM THE MASTERS, EFFECTIVELY EXAMINING WITNESSES AND PRESENTING YOUR CASE

This 90 minute program will draw from the trial experience of stellar trial lawyers. The discussion will move through the major segments of a trial with a focus on how technology can be utilized in all aspects. The days of using an easel with a large paper pad and marking pen are over. Jurors are accustomed to, and expect, technology in all walks of life, and a trial tells a real-life story about what happened to the plaintiff and defendant. From voir dire and opening statements, to attacking and defending expert witnesses, and the use and admission of demonstrative exhibits, technology can play a role in all aspects of trial, including the art of advocacy and persuasion.

### MODERATOR:

**Gregory M. Cesarano, Esq.** *Carlton Fields Jorden Burt*Miami, FL

#### PANEL:

**Susan A. Cahoon, Esq.** *Kilpatrick Townsend & Stockton* Atlanta, GA

Henry ("Hank") Fellows, Esq. Fellows LaBriola Atlanta. GA

**Ray Persons, Esq.** King & Spalding Atlanta, GA

**Bernard Taylor, Esq.** Alston & Bird Atlanta, GA

**Joseph Watkins, Esq.** *Watkins, Lourie, Roll & Chance* Atlanta, GA

**Susan Vargas, Esq.** Senior Counsel, *Kawasaki Motors Corp., U.S.A.* Orange County, CA

7:00 p.m.

SPEAKERS DINNER 3109 PIEDMONT ESTATE AND GARDENS

### Friday, May 13, 2016

8:30 a.m. - 10:00 a.m.

### BRIDGING THE DIVIDE: PLAINTIFF AND DEFENSE COUNSEL, ETHICS, CIVILITY, AND MEDIATION SUMMIT

This outstanding panel put on by and containing leaders from the Georgia Defense Lawyers Association (GDLA), the Georgia Trial Lawyers Association (GTLA), and leading Atlanta mediators will provide a moderated discussion on the state of ethics and civility in the profession, ethical issues faced in litigation and mediation and how ethics and civility can impact the outcome of the case and the effectiveness of mediation.

### **MODERATOR:**

Hall F. McKinley, III, Esq. Drew Eckl & Farnham Atlanta, GA

### PANEL:

Atlanta, GA

Brunswick, GA

F. Scott Young, Esq. BAY Mediation & Arbitration Services Atlanta, GA

### The Hon. Susan B. Forsling (Ret.) Miles Mediation & Arbitration Services Atlanta, GA

### Atlanta, GA Matthew G. Moffett, Esq. Gray, Rust, St. Amand, Moffett & Brieske, GDLA President

**Jeffrey S. Ward, Esq.** *Drew Eckl & Farnham,* GDLA Vice President

**Carrie L. Christie, Esq.**Rutherford & Christie, GDLA Member
Atlanta. GA

**Darren W. Penn, Esq.** *Harris Penn Lowry*, GTLA President Atlanta, GA

William ("Pope") Langdale, III, Esq. Langdale Vallotton, GTLA President Valdosta, GA

Robin Frazer Clark, Esq. Robin Frazer Clark Past President of GTLA and State Bar of Georgia Atlanta, GA

8:30 a.m. - 10:00 a.m.

### LESSONS LEARNED IN THE TRENCHES OF LITIGATION MANAGEMENT (CE CREDIT REQUESTED)

Our experienced panel of in-house counsel and claims professionals will discuss trends, issues and approaches to the most difficult problems facing clients and lawyers alike in managing their litigation.

#### **MODERATOR:**

### Roy Alan Cohen, Esq.

Porzio, Bromberg & Newman Morristown, NJ

#### PANEL:

### Tracey Campbell, Esq.

Senior Vice President, Director of Airline Claims *Global Aerospace Inc.* 

Parsippany, NJ

### John C. Childs, Esq.

Chief Litigation Counsel, *Georgia-Pacific* Atlanta, GA

### Courtney Fletcher, Esq.

VP of Legal & Compliance
Doosan Infracore International, Inc.
Suwanee. GA

### Willie Simmons, Esq.

Corporate Risk Manager, *United Parcel Service of America* Atlanta, GA

### Ryan Van Meter, Esq.

Vice-President and General Counsel Imerys North America Roswell, GA

### 10:30 a.m. - 12:00 p.m.

### THE BUSINESS CASE FOR DIVERSITY IN THE ATTORNEY-CLIENT RELATIONSHIP

Our panel of corporate and law firm legal department leaders will address what we all have learned since inception of the business case concept and how companies and firms are advancing diversity.

### **MODERATOR:**

### Phillip C. Bauknight, Esq.

Porzio, Bromberg & Newman Morristown, NJ

#### PANEL:

### Thomas Best, Esq.

Associate General Counsel,  $The\ Home\ Depot$  Atlanta, GA

### Thomas E. Evans, Esq.

Vice President & General Counsel Walmart U.S. Legal-Merchandising Marketing & Supply Chain Bentonville, AR

#### Harold E. Franklin, Jr., Esq.

King & Spalding Atlanta, GA

#### Jin Y. Hwang, Esq.

Managing Assistant General Counsel Verizon Enterprise Solutions Basking Ridge, NJ

### Angelina Tsu, Esq.

 $\label{lem:constraint} \mbox{Vice-President, Legal Counsel, $Z$ ions $Bancorporation$} \mbox{Salt Lake City, UT}$ 

### Suzanne Werner, Esq.

Litigation Counsel, *The Coca-Cola Company* Atlanta, GA

10:30 a.m. - 12:00 p.m.

### A VIEW FROM THE BENCH: CAN WE BE PROFESSIONAL IF WE CAN'T BE CIVIL?

A panel of federal and state judges who have experience at both the trial and appellate levels will discuss ethics and civility in the profession—civility between lawyers, civility between lawyers and their clients, and civility between lawyers and the bench. These judges will share their perspective from the bench as to whether they see an erosion of civility in the profession over the years, and what we as attorneys can do to maintain our civility, professionalism and ethics.

#### **MODERATOR:**

Laura Sidwell Maki, Esq. Sharon W. Ware & Associates Atlanta, GA

#### PANEL:

**The Hon. Andre M. Davis**U.S. Court of Appeals for the Fourth Circuit Baltimore, MD

### **The Hon. Eleanor L. Ross**U.S. District Court, Northern District of Georgia Atlanta. GA

**The Hon. Louise D. Bjorkman**Minnesota Court of Appeals
Minneapolis, MN

### **The Hon. Nannette A. Baker** U.S. Magistrate Judge, Eastern District of Missouri

St. Louis, MO

The Hon. Alvin T. Wong DeKalb County State Court Atlanta, GA

1:30 p.m. - 3:00 p.m.

### COMMUNICATING WITH MILLENNIAL JURORS

Persuading jurors is always a challenge and communicating with millennial jurors adds an extra layer of complexity to that endeavor. Today's litigators need to understand this group of jurors when preparing their trial strategy. This panel features speakers who have extensive trial experience who will provide their insights into both jury selection and jury persuasion. The panel will be interactive, and will help trial lawyers frame their arguments with millennial jurors in mind.

### **MODERATOR:**

**Jennifer S. Kilpatrick, Esq.** *Swanson, Martin & Bell* Chicago, IL

#### PANEL:

Thea M. Capone, Esq. Baumeister & Samuels New York, NY

John C. Childs, Esq.

Chief Litigation Counsel, *Georgia-Pacific* Atlanta, GA

Michael W. Drumke, Esq.

Swanson, Martin & Bell Chicago, IL

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**Marygrace Schaeffer** 

DecisionQuest Minneapolis, MN

Hon. Karen Wells Roby

U.S. Magistrate Judge, Eastern District of Louisiana New Orleans, LA

1:30 p.m. - 3:00 p.m.

### INSIDE VIEW: LEGAL AND ETHICAL CONSIDERATIONS FOR IN-HOUSE COUNSEL

Corporate counsel life can present its own set of challenges. This distinguished panel will address some the challenging ethical and practical issues faced by corporate counsel when managing corporate responsibility and compliance issues as well as when dealing with complex, "bet the company" litigation, including class actions, mass torts, and data breach cases. This panel will answer the question—what ethical and practical issues keep in-house counsel up at night and how can outside counsel help?

#### **MODERATOR:**

Scott Elder, Esq.

Alston & Bird Atlanta, GA

#### PANEL:

Julia B. Herron, Esq.

Counsel, CSX Transportation, Inc.

Washington D.C.

Beth Kramer, Esq.

Associate General Counsel, *Lockheed Martin Corp*. Bethesda, MD

Rebecca Lombard, Esq.

Assistant General Counsel—Litigation, *Kimberly-Clark* Atlanta, GA

Shani Thome, Esq.

Senior Counsel, *The Coca-Cola Company* Atlanta, GA

Thomas N. Vanderford, Jr., Esq.

Associate General Counsel, Executive Director, Litigation, Hyundai Motor America
Orange County, CA

7:00 p.m. - 11:00 p.m.

### GALA RECEPTION AND DINNER AT THE WORLD OF COCA-COLA MUSEUM

### **WEDNESDAY, MAY 11, 2016**

12:00 p.m. – 5:00 p.m. TIPS Registration/Ticket Sales
1:00 p.m. – 2:00 p.m. General Committee Meetings:

Appellate Advocacy Automobile Litigation Employee Benefits

**Employment and Labor Law** 

Medicine and Law Products Liability

Professionals' Officers' and Directors' Liability

**Property Insurance Law** 

**Self-Insurers and Risk Managers** 

Workers' Compensation and Employers'

Liability Law

2:00 p.m. – 2:15 p.m. **Opening Session** 

5:30 p.m. – 7:00 p.m. Welcome Reception

7:00 p.m. Committee Networking Dinners

7:30 p.m. – 10:30 p.m. Young Lawyers Social Networking Event

### **THURSDAY, MAY 12, 2016**

7:00 a.m. – 12:00 p.m. TIPS Centralized Refreshment Break

7:00 a.m. – 5:00 p.m. TIPS Registration/Ticket Sales

7:30 a.m. – 8:30 a.m. General Committee Meetings

**Business Litigation Corporate Counsel** 

Excess Surplus Lines and Reinsurance Health and Disability Insurance Law Insurance Coverage Litigation

Insurance Regulation Life Insurance Law

Staff Counsel

**Title Insurance Litigation** 

**Toxic Torts & Environmental Law** 

8:30 a.m. – 10:00 a.m. CLE Track #1

8:30 a.m. – 10:00 a.m. CLE Track #2

10:00 a.m. - 10:30 a.m. Break

10:30 a.m. - 12:00 p.m. CLE Track #1

10:30 a.m. – 12:00 p.m. CLE Track #2

12:00 p.m. – 1:15 p.m. Networking Luncheon

(with Practice Area seating)

1:30 p.m. – 3:00 p.m. CLE Track #1
1:30 p.m. – 3:00 p.m. CLE Track #2

3:00 p.m. - 3:30 p.m. Break

3:30 p.m. – 5:00 p.m. CLE Track #1
3:30 p.m. – 5:00 p.m. CLE Track #2
5:00 p.m – 6:00 p.m. Fellows Meeting

5:00 p.m. – 6:30 p.m. Sponsored Networking Reception
6:30 p.m. Committee Networking Dinners

6:30 p.m. – 9:30 PM Fellows Dinner

(By invitation only)

10:00 p.m. Young Lawyers Social Networking Event

### FRIDAY, MAY 13, 2016

7:00 a.m. – 12:00 p.m. TIPS Centralized Refreshment Break

7:00 a.m. – 5:00 p.m.

TIPS Registration/Ticket Sales
7:30 a.m. – 8:30 a.m.

General Committee Meetings
Admiralty and Maritime Law

**Animal Law** 

**Commercial Transportation Litigation** 

Dispute Resolution Government Law Intellectual Property Law International Law

Media, Privacy and Advertising Law Trial Techniques

8:30 a.m. – 10:00 a.m. Scope and Correlation Committee Meeting

8:30 a.m. – 10:00 a.m. Diversity in the Profession Committee Meeting

8:30 a.m. – 10:00 a.m. CLE Track #1 8:30 a.m. – 10:00 a.m. CLE Track #2

9:00 a.m. – 12:00 p.m. The Brief Editorial Board Meeting

10:00 a.m. - 10:30 a.m. CLE Break

10:30 a.m. – 11:30 a.m. Judicial Division/TIPS Task Force Meeting

10:30 a.m. – 12:00 p.m. CLE Track #1
10:30 a.m. – 12:00 p.m. CLE Track #2

12:00 p.m. – 1:30 p.m. Leadership in Action Luncheon

(Ticketed Event)

1:30 p.m. – 3:00 p.m.	General Committee Membership Training Workshop
1:30 p.m. – 3:00 p.m.	CLE Track #1
1:30 p.m. – 3:00 p.m.	CLE Track #2
1:30 p.m 4:00 p.m.	<b>TortSource Editorial Board Meeting</b>
2:00 p.m 4:00 p.m.	Thomson Reuters Advisory Board Meeting
2:00 p.m 5:00 p.m.	<b>Book Publishing Board Meeting</b>
3:00 p.m 4:30 p.m.	TIPS Law Journal Editorial Board Meeting
3:00 p.m. – 5:00 p.m.	General Committee Orientation (Chairs, Chairs-Elect & Chair-Elect Designees)
3:00 p.m 4:30 p.m.	<b>TIPS Centralized Refreshment Break</b>
3:00 p.m 5:00 p.m.	<b>Section Council Meeting</b>
7:00 p.m. – 11:00 p.m.	Gala Reception and Dinner World of Coca-Cola Museum (Ticketed Event - \$100.00)

### **SATURDAY, MAY 14, 2016**

7:30 a.m. – 12:00 p.m.	TIPS Centralized Refreshment Break
7:30 a.m. – 5:00 p.m.	TIPS Registration/Ticket Sales
8:00 a.m. – 9:30 a.m.	<b>Membership Committee Meeting</b>
8:00 a.m. – 9:30 a.m.	<b>Public Relations Committee Meeting</b>
8:00 a.m. – 9:30 a.m.	Law in Public Service Committee Meeting
8:00 a.m. – 10:00 a.m.	General Committee Board Meeting & Breakfast
8:00 a.m. – 11:30 a.m.	Section Council Meeting
8:30 a.m. – 10:00 a.m.	<b>Ethics &amp; Professionalism Committee Meeting</b>
10:00 a.m. – 10:30 a.m.	Scholarship Fund Board Meeting
10:00 a.m. – 11:30 a.m.	<b>History Committee Meeting</b>
10:00 a.m. – 12:00 p.m.	<b>CLE Board Meeting</b>
10:30 a.m. – 12:30 p.m.	Task Force on Federal Involvement in
	Insurance Regulation Modernization/ Health Care Reform Meeting
11:30 a.m. – 12:00 p.m.	Administrative Committee Meeting
12:00 p.m. – 5:00 p.m.	TIPS Centralized Refreshment Break
12:00 p.m. – 2:00 p.m.	Financial Committee Meeting
1:00 p.m. – 2:30 p.m.	<b>Technology Committee Meeting</b>
2:00 p.m. – 3:00 p.m.	<b>ABA/TIPS Committee Business Meeting</b>
2:00 p.m. – 3:30 p.m.	2016/2017 Planning Meeting for San Diego, Miami and New York

2:00 p.m. - 3:30 p.m.Plaintiffs' Policy Task Force Meeting3:00 p.m. - 5:00 p.m.Standing Committee on Law Students

3:00 p.m. – 5:00 p.m. Task Force on Leadership-Diversity Initiative

Meeting

3:30 p.m. – 4:30 p.m. National Trial Academy Meeting

3:30 p.m. – 4:30 p.m. **2016 Annual Meeting Planning for San Francisco** 

3:30 p.m. – 5:00 p.m. Revenue Enhancement Committee Meeting

3:30 p.m. – 5:00 p.m. Long Range Planning Committee Meeting

4:00 p.m. – 5:30 p.m. Task Force on Outreach to Young Lawyers Meeting

5:30 p.m. – 6:30 p.m. Young Lawyers Meet and Greet

7:00 p.m. – 10:00 p.m. Section Council Dinner (By Invitation Only)

10:00 p.m. – 11:00 p.m. TIPS Section Hospitality

### **SUNDAY, MAY 15, 2016**

8:00 a.m. – 10:00 a.m. Section Council Meeting





REGISTRATION DEADLINE: April 22, 2016 HOTEL DEADLINE: April 19, 2016

Visit the TIPS website to register at www.ambar.org/tips or complete the registration form included in this brochure for the "TIPS Section Conference" to be held at the InterContinental Buckhead Atlanta Hotel. The registration fee includes admission to the program, course materials, continental breakfast, breaks, networking receptions and welcome reception. If you wish to have your name appear on the pre-registration list distributed at the program, ALL registration forms must be received no later than the registration deadline of **April 22, 2016**. Registration reservations will be confirmed in writing within 10 business days.

#### CANCELLATION POLICY

No registration fee refunds will be granted for cancellations received after **April 22, 2016**. In order to receive a refund (less a \$50 administrative fee), the ABA must receive written notice of cancellation by **April 22, 2016**. Registrants who are unable to attend may send a substitute or will receive course materials in lieu of a refund.

#### AIRLINE INFORMATION

With ABA Orbitz for Business\*, you can automatically obtain ABA negotiated airfare discounts for travel to ABA Meetings. ABA Orbitz for Business enables you to purchase the best airfare at the time of booking by providing you with the ability to search for and compare fares from virtually every airline serving the destination. Reservations with ABA Orbitz for Business can be made online or offline. For offline reservations, call 877-222-4185. ABA Orbitz for Business is available online via ABA Travel Services\*.

ABA airfare discounts on some carriers may also be obtained by purchasing your tickets under the ABA Discount Codes directly from the airline or through your travel agent.

American Airlines ABA Discount only available at ABA Orbitz for Business

United Airlines 800-426-1122 Agreement Code: 374477 / Z Code: ZVWE Discount available at www.united.com Online Discount Code: ZVWE374477

**Delta Airlines** 800-328-1111 ABA File Meeting Code Domestic: **NMM4N** ABA File Meeting Code International: **NMM4N**. Discount also available at www.delta.com

\*A Travel Profile is required when booking airline reservations with ABA Orbitz for Business, visit www. americanbar.org/travel for more information.

#### HOTEL INFORMATION

### InterContinental Buckhead Atlanta - Deadline: April 19, 2016

A limited number of rooms have been blocked for program registrants at the InterContinental Buckhead Atlanta, 3315 Peachtree Road NE, Atlanta, GA 30328. Hotel reservations can be made by calling the hotel directly at 404/946-9191 or 877/422-8254. The room block will be held until Tuesday, April 19, 2016 or until exhausted. After that date, reservations will be confirmed based on availability. To receive our special group rate of \$199.00 single/double, identify yourself as attending the ABA TIPS Section Conference. All rooms are subject to a 16% state tax. Hotel check-in is no later than 3:00 p.m. and checkout is 12:00 p.m. All reservations must be guaranteed by credit card or deposit check. Individuals with guaranteed reservations must cancel their reservations 72 hours prior to the scheduled day of arrival to avoid a one-night cancellation charge.

### CE CREDIT

ABA-TIPS has partnered with CEU Institute to provide CE Credit for licensed adjusters in all states with a CE requirement. Credit hours awarded are based on state review and approval. For more information about CE accreditation, please contact Ninah Moore at ninah.moore@americanbar.org, 312/988-5498.

## Tnformation

### CLE CREDIT

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 13.5 CLE credit hours (including 6.0 ethics hours) in 60-minute states, and 16.20 credit hours (including 7.20 ethics hours) in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit www.sampleprogram.website. org or contact Donald Quarles at Donald.quarles@americanbar.org or 312/988-5708.

### MEMBERSHIP INFORMATION

For more information about membership in the ABA or the Tort Trial & Insurance Practice Section (TIPS), please visit us online at www.ambar.org/tips or call 800/285-2221. Membership in TIPS includes three industry-leading periodicals, discounts of up to 20% on many TIPS CLE programs, and other career and practice-enhancing benefits. Join TIPS today!

#### PERSONS WITH DISABILITIES

Services for persons with disabilities are available. If special arrangements are required for an individual to attend this program, please notify Felisha Stewart at either 312/988-5672 or at Felisha.stewart@americanbar.org promptly. Reasonable advance notice is requested.

### GET CONNECTED WITH TIPS

Information on this and other TIPS CLE programs is available online at www.abanet.org/tips. Visit us and get connected!

### SCHOLARSHIPS AVAILABLE!

ATTENTION TIPS MEMBERS: Scholarships are available for all Section activities, courtesy of the TIPS Scholarship Fund. The Fund, established with the International Risk Management Institute ("IRMI") and supported by subscriptions to the IRMI CGL Reporter, is intended to increase membership involvement in TIPS' activities by minorities, solo and small firm practitioners, government attorneys, women, and young lawyers by providing financial support to those who would otherwise be unable to participate. To request an application or receive additional information, visit www.abanet.org/tips/scholarship.html.

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# Registration Form

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CITY				ZIP			
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E-MAIL ADDRESS							
<ul> <li>○ I am a member of the ABA and wish to joe</li> <li>○ I have enclosed a separate check for \$50 m</li> <li>SOCIAL EVENTS SIGN-UP</li> <li>(Although the events below are complimentary the lines below.</li> <li>Wednesday, 05/11/16, Welcome Recept Wednesday, 05/11/16 Young Lawyers SThursday, 05/12/16, Networking Recept Thursday, 05/12/16, Networking Thursday, 05/12/16, Networking Recept Thursday, 05/12/16, Networking Thursd</li></ul>	ade payable to the y, we need to know tion Social Networking	e American Bar As	ssociation d.) Please	(ABA).			
2. REGISTRATION FEES:  Judges In-House Corporate Counsel Insurance Company Employees Young Lawyers under 40 TIPS Members NON-TIPS Members (all others)  3. SOCIAL EVENT TICKETS: Networking Luncheon – Thursday, 5/12 Leadership in Action Luncheon – Friday, 5/13	On or Before 4/22/16 \$0 \$0 \$0 \$200 \$395 \$595	After 4/22/16 \$0 \$0 \$0 \$0 \$225 \$420 \$620	QTY	TOTAL  TOTAL  TOTAL			
Gala Reception and Dinner – Friday, 5/13	)	\$100.00					
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5. PAYMENT INFORMATION • Check to	made payable to t	he ABA or					
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THREE WAYS TO REGISTER

1. ONLINE: www.americanbar.org/
tips/groups/tort\_trial\_insurance\_
practice.html

2. MAIL: ABA Tort Trial & Insurance Practice Section (TIPS) Section Conference American Bar Association Attn: Service Center – Meeting/Event Meeting Code: IL.1605Spring Registrations Department 321 North Clark Street, Floor 16 Chicago, IL. 60654

3. FAX: American Bar Association Attn: Service Center – Meeting/Event Registrations Department 321 N. Clark Street, Floor 16 Chicago, IL 60654 Secure Fax Number: 312-988-5850

NOTE: We encourage you to register using the online registration link on this form. If you are unable to register online, please use this form to register by mail or fax. In order to protect your credit card information, we do not accept credit card payments via email.



# Future Programs

August 4 – 7, 2016 ABA Annual Meeting Westin St. Francis Hotel San Francisco, CA October 19 – 23, 2016 TIPS Fall Leadership Meeting Hotel Del Coronado

Hotel Del Coronad Coronado, CA November 3 – 4, 2016 Aviation Litigation Committee Meeting Ritz-Carlton, Washington DC

Washington, D.C. November 9 – 11, 2016 FSLC & FLA Fall Meeting

Fairmont Chicago

Chicago, IL

January 19 – 21, 2017 Fidelity & Surety Law Committee Midwinter Meeting Roosevelt Hotel New Orleans, LA For more a more comprehensive listing of TIPS Upcoming Meetings, please visit www.americanbar.org/tips