



FDCC 2015 WINTER MEETING



THE RITZ CARLTON

AMELIA ISLAND, FLORIDA

MARCH 4-7, 2015



NAVIGATION BAR

- [Welcome](#)
- [General Info](#)
- [Schedule](#)
- [CLE](#)
- [Committee Meetings](#)
- [Things to do](#)
- [Restaurants](#)
- [Hosts](#)
- [Exhibitors](#)



Enjoy the Beautiful Beach at the Ritz Carlton Amelia Island, Florida

NAVIGATION BAR

[Cover](#)

[Welcome](#)

[General Info](#)

[Schedule](#)

[CLE](#)

[Committee Meetings](#)

[Things to do](#)

[Restaurants](#)

[Hosts](#)

[Exhibitors](#)

Come escape to sunny Florida. Beautiful Amelia Island awaits you for the 2015 FDCC Winter Meeting. Join President Vicki Roberts for a time of fun and fellowship. We have wonderful activities for those who want to relax, as well as planned adventures for the outdoor explorer. The Ritz Carlton offers everything from horseback riding on the beach, golf on the resort's championship course, fun-filled water activities for adults and children alike, to biking, walking through the sand dunes, and area historical tours.

Amelia Island is the home of historic Fernandina Beach where you will step back in time in this quaint seaside village with cobblestone streets, ornately painted Victorian homes, and an array of charming boutiques, eateries, and art galleries.

The Ritz Carlton Amelia Island is located on the Atlantic Ocean, just outside Jacksonville, Florida. There are a number of direct flights into the Jacksonville International Airport from Charlotte, Atlanta, Philadelphia, D.C., and New York. Besides the major airlines, Southwest and AirTran also offer service. St. Augustine, the oldest city in the United States, is located about an hour south of the Ritz and has non-stop service on Frontier from both Washington Dulles and Princeton, New Jersey. If you are interested in train service, the car train comes into Jacksonville, which also happens to be the headquarters of CSX Railroad.

When you arrive at the hotel, you will enjoy breathtaking ocean views as you spend time on the private beach or soaking in the sun in a poolside cabana. Relaxation is the key while visiting this beautiful destination. Whether shopping in the stylish boutiques of the resort or historic Fernandina, enjoying a rejuvenating experience at the amazing spa, or walking on the beach, you're sure to have a relaxing time with FDCC friends. For the golfers, come unwind with a round of golf on the resort's 18-hole golf course. In addition to the course at the Ritz, you are just a short drive from some of the best courses in the United States including TPC Sawgrass, World Golf Village, the King and the Bear, and the Slammer and the Squire.

Looking for an adventure? Kayak through the scenic salt marshes of the Intracoastal Waterway where you'll have an interactive overview of the local eco-system and indigenous wildlife. If you enjoy biking, you can rent a beach bike and enjoy over 40 miles of bike trails on the island. Whatever you choose for your activities, you will be completely surrounded by the unique scenery found on this native Florida Island.

We have a variety of social events for you to enjoy during your visit. Tuesday's Welcome Sunset Cocktail Party is planned to give you a chance to unwind and mingle with FDCC members as they arrive while kids will be looking for the turtles that wander through the grounds and sand dunes of the resort.

On Wednesday, join us at the President's Reception where Vicki Roberts will welcome you to beautiful Amelia Island as you take in the breathtaking views only a short walk from your room. Kids

On Amelia Island, the culture is rich in history!

and teens, from 5 – 15 years in age, will have their own dinner and program. Sign them up on the registration form.

Thursday's Fellowship Dinner options include David's, Espana, Joe's 2nd Street Bistro, and Baxters. When you complete your registration form, please choose one of these restaurants if you will be participating. Transportation will be provided for these dinner locations. Afterwards, return to the hotel to meet your friends at the Coffee and Cordials Social. Other restaurant options throughout the week include Salt at the Ritz, Florida's only 5-star restaurant at a 5-star hotel, as well as local fare offered on the island or in historic Fernandina Beach such as Ocean Grill, Ciao Italian Bistro, Verandah, Le Clos, 29 South Bistro, and PLaE. These are just a few of the many restaurants from which to choose during your stay. The hotel concierge will also be happy to help you find just the perfect place for dinner. On Friday evening, we'll have an Island Seafood Fest, a very special, but informal party, and for those still there on Saturday evening, join us for cocktails and hors d'oeuvres.

Our FDCC Winter 2015 Meeting Program Chair, Michael Glascott, has put together an outstanding program "Riding the Waves of Change." The 2015 winter program will have several speakers and programs which are timely and relevant to both corporate and defense members, including our keynote speaker, Kenneth R. Feinberg, who is a lawyer, mediator, and author. He has overseen settlements in some of the largest disasters, both natural and man-made, in U.S. history including those arising from Agent Orange, the 9/11 Victim Compensation Fund, and the catastrophic losses due to the explosion of the Deepwater Horizon. Plenary sessions will feature programs that will educate us about emerging concerns over class action suits created by cyber liability, as well as the cause of, and liability resulting from, horrific shootings in our own schools which continue to plague the United States today.

Partnering with Jean-Michel Cousteau's Ocean Futures Society, Ritz Kids' Club offers a full day or half day program for 5 – 12 year olds on Thursday, Friday, and Saturday. Children will learn about the natural wonders of the island through a variety of hands-on adventures. For more information about Ritz Kids, please contact the hotel at 904-277-1100 or [click here](#) to visit the website.

Several babysitting services are also available in the area. Please contact them directly to receive care for your child(ren) - Amelia Island Nanny at 904-742-3481 and Deann the Nanny at 904-277-3093.

On Amelia Island, the culture is rich in history! Plan your "Island Getaway" and join us for what will be an incredibly rewarding time with your Federation family.

Walter and Elaine Dukes
Convention Chairs

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors



Getting There

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors

Travel Information

Amelia Island can be reached easily from Jacksonville International Airport. All major airlines fly into Jacksonville and non-stops from many U.S. cities are plentiful. Rental cars are available on-site at the airport. If you would like to use a car service, contact Amelia Island Luxury Transportation at 904-371-4424. Taxi service is also available to the hotel.

Hotel Reservations

All FDCC Members are encouraged to reserve your rooms now. Due to the beautiful location and the time of year, we anticipate that our room block will fill quickly.

Standard room rates at the Ritz Carlton Amelia Island are \$279 per room night plus current taxes of 11%. Make your reservation by calling 888-239-1217 or using the [website link](#). Be sure to let the resort know what room type you desire and our group name, FDCC Winter Meeting. Group rates, after the cut-off date of January 30, will be based on room availability.

Hotel check in time is 4:00 pm and check out is at 11:00 am. FDCC members arriving prior to check-in time will be accommodated as rooms become available.

Hotel Cancellation Policy: Individual reservation cancellation, failure to show, and late or early

departure will result in forfeiture of deposits paid unless a written cancellation or changes are made 72 hours in advance of your scheduled arrival date.

Registration

The FDCC Registration form, included with these materials, must be received no later than Friday, January 16, 2015. The registration fees include the base registration cost and the functions for which no extra charge is indicated on the registration form.

Registration Options are:

Electronic – available through Friday, January 16, 2015 on the FDCC website. [Click here to register.](#)

Fax – complete the registration form and fax it to 813-988-5837. Payment by credit card is required if registration is done by fax.

Mail – complete the registration form and send it, along with your credit card information or check to: FDCC 2015 Winter Meeting
11812 North 56th Street
Tampa, FL 33617 USA

Credit card processing: Visa, MasterCard, and American Express will be accepted for convention registration payments and a \$75 administrative fee that will be added. If you pay by check, the administrative fee will be waived.

For more information, please contact the FDCC Office at 813-983-0022, or Executive Director [Marty Streeper](#).

Cancellation Policy

We hope you will not have to cancel or ask for a refund once you have registered for the convention. We realize, however, that trial schedules and last minute emergencies may require cancellation and a request for a refund. Please be advised of the Board approved refund policies.

1) A refund of registration fees, less \$75 and any applicable credit card fees, will be given if written the FDCC office receives notices no later than **January 16, 2015**.

2) No refunds will be given if notice of cancellation is received by the FDCC office after **January 16, 2015**.

3) Amounts refunded for payments made by credit card will include a deduction for the amount the credit card company charges to the FDCC for both the charging and the credit.

4) In the event of “special circumstances,” such as illness, or unforeseen family or professional emergencies and the like, this refund policy may be suspended or modified (based upon the member’s written request), only by action of the President upon recommendation of the Convention Chair. It is recommended that all registrants get trip cancellation insurance.

5) To cancel hotel reservations, call the hotel directly at 888-239-1217. The Convention Chair has no authority to modify the hotel’s cancellation and refund policies.

6) Charges paid to the FDCC for separate events and/or tours may or may not be refunded in whole or in part. The decision to refund these will be made on a case-by-case basis by the Convention Chair. Members seeking reimbursement for these payments must submit a written request to the Convention Chair. The decision to refund fees will be based, in part, upon the timing of the cancellation and whether there are available convention funds from which to make the refund. Please note that refunds of any payments to independent third parties for tours and other events and service are not the responsibility of the FDCC.

Weather

Daytime temperatures are expected to be in the low 70s while temperatures at night are expected to be in the low 50s.

Dress Code

Welcome to Island Time. The Ritz Carlton Amelia Island is a relaxed resort, so we want you to enjoy being there. Dress for gentlemen at the President’s Reception will be coat and tie; and for the women, resort dressy. For all other events, casual resort wear is appropriate.

Program CLE

Accreditation will be sought in those jurisdictions requested by registrants that have continuing legal education requirements, including ethics credits. If you need CLE, please indicate your state(s) and bar number(s) on the registration form. You must also sign in at each section and plenary meeting you attend during the convention.

(Note: The FDCC reserves the right to change or modify events, program topics, times, and/or speakers.)



FDCC Charm - The “Magical” Sea Turtle

The charm
for the 2015
Winter Meeting,

appropriately chosen for Amelia Island, is a loggerhead sea turtle. Often living over 80 years, and weighing as much as 350 pounds, they are the bridge that links the ocean to the earth. Sea turtles are amazing creatures. The female turtles journey every year to the area where they were born to deposit their eggs from May to mid-August. During our meeting at the Ritz Carlton, you will probably see “Freckles” or “Bubba” that live on the property. If you would like to order this very special charm, please indicate it when you register. The cost is \$150.

NAVIGATION BAR

Cover
Welcome
General Info
Schedule
CLE
Committee Meetings
Things to do
Restaurants
Hosts
Exhibitors

Kids at the Ritz



For this meeting, the Federation is offering several registration options for children and teens. If your young people will be participating in all of the included activities and meals throughout the meeting, please register them as full registrants in their appropriate age groups. Only children and teens who are full registrants will be provided name badges and admitted to FDCC functions and events.

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors

5 – 12 years \$200

(includes the Wednesday night kids' dinner and program; FDCC breakfast buffet on Thursday, Friday, and Saturday; and Friday night Island Seafood Fest)

13 – 15 years \$400

(includes the Wednesday night tweens and teens dinner and program; FDCC breakfast buffet on Thursday, Friday, and Saturday; and Friday night Island Seafood Fest)

16 – 20 years \$425

(includes the Wednesday night President's Reception, FDCC breakfast buffet on Thursday, Friday, and Saturday; and Friday night Island Seafood Fest)

If you choose to register your 5 – 15 year old kids only for the Wednesday night Kids' Dinner and Program: Please sign your children and teens them up for this evening on the registration form. The cost will be \$120 per child/teen.

Other options offered by the Ritz at additional fees include: Thursday, Friday, and Saturday evenings: "Kids' Night Out." Reservations can be made by calling the Hotel Concierge at 904-277-1100.

If you need additional childcare, the Ritz Kids Club offers daytime programs for 5 – 12 year olds. You can arrange these services by calling the Hotel Concierge at 904-277-1100, or by making an online reservation by [clicking here](#).

For children from 5 – 12 years of age, the Ritz Carlton also has a special meal plan. It is \$35 plus taxes and gratuity per day and must be purchased for the entire stay at the hotel. It includes the breakfast buffet at Café 4650, lunch from the children's menu at Ocean Bar and Grill or Café 4750, and dinner from the children's menu at Salt or Café 4750. You may purchase this plan upon arrival at the hotel if you are interested.

Babysitting

If you need babysitting services, please contact the Amelia Island Nanny, www.ameliaislandnanny.com, at 904-742-3481 or Deann the Nanny, www.deannthenanny.com, at 904-277-3093. (These services are provided solely for your convenience and are not a representation or endorsement by the Hotel, Hotel Owner, Ritz Carlton, or the Federation of Defense & Corporate Counsel concerning the quality, standards, or fitness of these providers. Use of these services and/or providers is at your own risk.)

"Island Getaway" SCHEDULE

Tuesday March 3, 2015

2:00 – 5:00pm
FDCC Registration

5:30 – 6:30pm
Sunset Welcome Cocktail Party
Gather with your FDCC friends for cocktails in the Ritz Courtyard as you enjoy a beautiful Florida sunset.

Wednesday March 4, 2015

7:00 – 8:00am
**Finance & Budget Committee
Breakfast Meeting**

7:00 – 8:00am
Sites Committee Breakfast Meeting

7:00 – 8:00am
Bylaws Committee Breakfast Meeting

8:15am – 4:00pm
Board Meeting
(Breakfast and lunch will be served.)

9:00am – 12:00pm
FDCC Registration

10:00am – 2:00pm
Downtown Fernandina History Tour
Take a journey through time on this walking tour through the historic district of Fernandina Beach. This quaint seaside village is considered to be the birthplace of the modern shrimping industry. Afterwards, enjoy lunch and shopping time on your own in this charming area on Centre Street and the "Silk Stocking District."

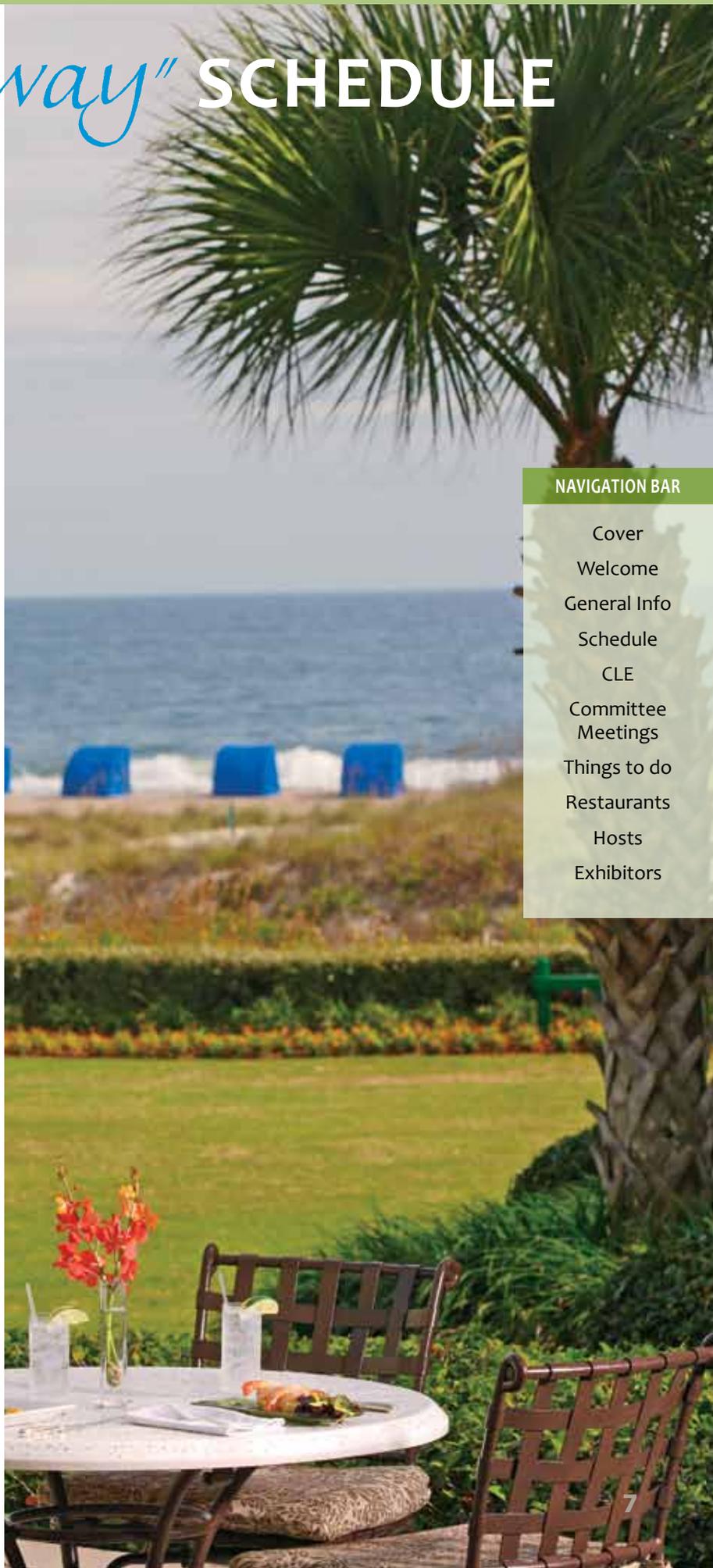
12:30 – 3:00pm
Admissions Committee Luncheon and Meeting

1:00 – 5:00pm
FDCC Registration

1:30 – 2:30pm
Insurance Industry Symposium Committee

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors



"Island Getaway" SCHEDULE

1:30 – 2:00pm
CCS Committee

3:00 – 4:00pm
Book Club – "The Boys in the Boat"

In 1936, nine working-class boys from the American west rowed their way into history. "The Boys in the Boat" by Daniel James Brown celebrates the University of Washington's eight-oar rowing team who stunned the elite eastern universities and qualified for the Olympics in Hitler's Berlin. Set against the backdrop of the Great Depression and World War II, this is the irresistible true story about the sons of loggers, shipyard workers and farmers who overcame privilege and power with hard work and true grit. Beautifully written and meticulously researched, the novel offers intimate portrayals of each crew member along with insightful personal stories of their British-born boat builder and enigmatic coach. In the rich history of rowing, this is the memorable story of teammates who learned to pull together and beat the odds.

5:00 – 6:30pm
New Members' Reception
(Invitation only)

5:00 – 9:30pm
Kids' Dinner and Program
FDCC kids and teens will have their own dinner and age-appropriate programs that include games, crafts, movies, and lots of fun activities.

6:30 – 9:30pm
President's Reception
Join President Vicki Roberts and relax with friends on the Oceanfront Lawn as you enjoy a magnificent view of the Atlantic and specialties of the Ritz Carlton Chef.

Thursday March 5, 2015

6:30 – 10:00am
FDCC Breakfast
Meet everyone for breakfast and greet our exhibitors.

7:30am – 12:00pm
FDCC Registration

7:45 – 8:45am
Section Meetings

9:00am – 12:00pm
Opening Session and Plenary Program

10:00 – 11:00am
Spouse and Guest Hospitality
Christie Roberts, Christie Pratt, Lee Farrar, Carol Anne Gallivan, Elaine Dukes, and Tricia Glascott look forward to meeting you and introducing our new member guests during this hour of fellowship.

12:00 – 1:00pm
Boot Camp Committee Luncheon Meeting

12:30 – 2:00pm
Federation U Luncheon Meeting
(Invitation only – for newer members and first time attendees)

12:30 – 2:00pm
P&O Luncheon Meeting

12:30 – 2:00pm
Foundation Board Luncheon Meeting

1:00 – 3:30pm
Horseback Riding on the Beach
Have you ever ridden horseback on the beach? Here is your chance. There is a weight restriction of no more than 230 pounds, 4½ feet tall, and all riders must be at least 13 years old. Limit: 10

1:30 – 5:00pm
Kayak Trip
Explore tranquil inland marshes as you kayak on this ecotour with a professional naturalist and guide. This tour is beginner friendly and planned

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors





with the tide to ensure a fun, safe, and relaxing adventure.

2:00 – 4:00pm

FDCC Registration

2:00 – 5:00pm

Bridge

2:30 – 3:30pm

Foundation Fund-raising Committee

2:30 – 4:00pm

MDR and State Reps Committee Meeting

2:30 – 5:00pm

Fort Clinch Tour

Part of the park system since 1935, Fort Clinch is one of the most well-preserved 19th century forts in the country. Although no battles were fought at Fort Clinch, it was garrisoned during both the Civil and Spanish-American Wars.

7:00pm

Fellowship Dinner

Choose from David’s, Espana, Joe’s 2nd Street Bistro, or Baxter’s on your registration form if you would like to participate in this evening of fine dining at these award-winning local restaurants. Transportation will be provided.

9:30 – 11:30pm

Cordials and Coffee Social

After dinner, gather with everyone for a nightcap cordial or coffee and fellowship.

Friday March 6, 2015

6:30 – 10:00am

FDCC Breakfast

7:30 – 8:30am

Substantive Section Meetings

8:45am – 12:00pm

Plenary Program

9:30 – 10:30am

Beach Walk

Meet fellow walkers and hike the beautiful beach of Amelia Island. Maybe you will spot

“Freckles” or “Bubba,” the sea turtles who roam the hotel property.

12:30 – 3:30pm

Tennis Tournament and Lunch

The Ritz Carlton courts are a tennis lover’s dream. Players will meet at 12:30pm to enjoy a box lunch prior to the tournament. Please note your level of play on the registration form.

12:30 – 5:00pm

Golf Tournament and Lunch

Resort Golf Club

Join other FDCC members and guests on this renowned course for an afternoon of golf. You will be taken by the beautiful views of the marshland and the nearby Atlantic Ocean. If you need rental clubs, contact the Pro at 904-277-0012. Be sure to include your handicap on the registration form.

12:30 – 5:00pm

Fishing Inshore

Fishing captains, many who are Fernandina Beach natives, have been fishing the waters around Amelia Island for over twenty five years. As experienced charter captains, they will also share stories of the community and enhance your island time! All tackle, bait, fishing licenses, transportation, and box lunches are included in this afternoon excursion.

1:30pm – 3:00pm

Needlework Group

Loop Around with your FDCC Friends for a time of knitting and needlework. Bring your projects and enjoy some great conversation.

2:00 – 4:00pm

Seaside Photography Class

Camera phones have basically replaced the instant cameras of yesterday. Whereas not every one owned an instant camera years ago, almost everyone now owns a camera phone. There are still professional photographers and photography enthusiasts who purchase DSLR’s, to gain control over their settings for a professional image. But it is often stated that “the best camera to have, is the one you have with you at any given time.”

NAVIGATION BAR	
Cover	
Welcome	
General Info	
Schedule	
CLE	
Committee Meetings	
Things to do	
Restaurants	
Hosts	
Exhibitors	



"Island Getaway" SCHEDULE

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors

Paula Porterfield-Izzo, from SeaScape Portraits, is a successful Fine Art Photographer who sells her Photographic Art in Galleries and Shows and brings a unique perspective to her Photographic work. She currently photographs with a Canon 5d Mark iii (and for fun, sometimes with an iPhone). Bring your camera and gain a new perspective.

2:00 – 5:00pm

Spa Day

Appointments at the tranquil Ritz Carlton Spa may be made by calling 904-277-1100.

6:30 – 10:30pm

Island Seafood Fest

Dine on local seafood specialties and dance the night away with the upbeat sound of the Rivertown Band. Don't worry if you are a landlubber, there will be something delicious for you too.

Saturday March 7, 2015

6:30 – 10:00am

FDCC Breakfast

7:00am

Fun Run

Join other FDCC runners and walkers for this early morning fun run along the Atlantic Ocean.

7:30 – 8:30am

Substantive Section Meetings

8:45 – 9:45am

Blockbuster Section Meetings

10:00am – 12:30pm:

10:00 – 10:30am

Business Meeting

10:30am – 12:30pm

Trial Masters Program

12:30 – 5:00pm

Board Luncheon and Meeting

1:00 – 5:00pm

Cumberland Island Tour

Relax on board the "Cumberland Princess" as you cruise to majestic Cumberland Island. Known for its wildlife, natural settings, water fowl, and wild horses, the island has only thirty permanent residents today. As you hike the island with an experienced guide, you will see the ruins of the Dungeness Mansion and learn the history of Revolutionary War hero, General Greene. The minimum for this tour is 30 and the maximum is 80.

1:00 – 3:30pm

Horseback Riding on the Beach

Once again, you have the opportunity to ride horseback on the beach. All riders must be at least 13 years in age, 4½ feet tall, and weigh less than 230 pounds. Limit: 10

2:30 – 4:30pm

Salt Infusion and Wine Tasting

You will experience an afternoon of tasting house made gourmet salts that include herbs, citrus, and other flavors from around the world. You will learn the secrets of cooking on a salt platter that's said to be 250 million years old. The Ritz Sommelier will share cooking tips and healthy benefits of these infused salts as well as pair them with the four different fine wines.

5:30 – 6:30pm

Farewell Cocktail Party

Before heading off to dinner, meet your FDCC friends for cocktails and hors d'oeuvres as you say farewell until Banff!

7:00pm

Dine-around on Amelia Island

There are many fine dining and local eateries in the area. Choose one from the included restaurant list or contact the Hotel Concierge who will be happy to make a recommendation.

Thursday March 5, 2015

7:45 – 8:45am

SECTION PROGRAMS/MEETINGS

EXTRA CONTRACTUAL

Anatomy of a Bad Faith Set-Up

- James A. Dodrill, Progressive Group of Insurance Companies, Charleston, WV
- Terence M. Ridley, Wheeler Trigg O'Donnell LLP, Denver, CO
- Gordon K. Walton, Walton Law Group LLC, Chicago, Illinois
- Michael McMyne, IFGW, Hartford, CT

Bad faith claims, once peripheral in many jurisdictions, have marched stridently to the forefront in some jurisdictions in a manner which has insurers wary of routine claim handling procedures. Is a notice of claim just a notice, or is it a set-up for something more? Our program will discuss the recent evolution of bad faith claims and provide an anatomy of a bad faith set-up.

TRIAL TACTICS, PRACTICE & PROCEDURES PREMISES AND SECURITY LIABILITY CONSTRUCTION

Taking On The Experts: How to Examine Experts Effectively

- Martin J. Kravitz, Christian, Kravitz, Dichter & Johnson, Las Vegas, NV
- Thomas G. Oakes, Thomas G. Oakes Associates, Cherry Hill, NJ

Expert testimony can often be the lynchpin of our case and, whether examining our own expert, or cross-examining an expert presented by our adversary, the art of examining an expert at trial will often be the difference in the outcome of our case. Our program will provide

instruction as to how we can get the most bang for our buck from our own expert, while also unraveling your adversary's case by effective cross-examination of their expert.

COMMERCIAL LITIGATION APPELLATE

Arbi-gation: Navigating Clients at the Crossroad of Litigation and Arbitration

- James T. Clancy, Branscomb PC, Corpus Christi, TX
- Linda S. Woolf, Goodell, DeVries, Leech & Dann, LLP, Baltimore, MD
- Scott L. Machanic, Cunningham, Machanic, Cetlin, Johnson & Harney, LLP, Boston, MA
- Charles T. Frazier, Jr., Alexander Dubose Jefferson & Townsend LLP, Dallas TX

Arbitration can present an opportunity for settlement, but arbitration is most assuredly a slippery slope for any litigant hoping to find a resolution to their litigation. Litigators must understand the interplay of litigation with arbitration, and strategies for dealing with those hurdles. Issues arise with regard to: the scope of arbitration agreements; the powers of arbitrators, including determining their own jurisdiction rather than having a court determine their jurisdiction; motions to compel arbitration in civil suits; motions to stay arbitration pending an ancillary judicial proceeding; post-arbitration vacatur proceedings in civil court, including the risk of sanctions for frivolous vacatur applications; pre-hearing dispositive motion practice in civil court versus arbitration; strategies for dealing with disputes between litigants where some claims must be arbitrated due to an agreement, but others must be litigated because they fall outside the scope of the agreement; and, injunctive relief and other equitable remedies during the course of an arbitration.

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors

PLENARY PROGRAM

9:00 – 9:10am

Welcome to the Convention

9:10 – 9:20am

Introduction of Special Friends, Board and Staff

9:20 – 9:50am

Introduction of Past Presidents and New Members

9:50 – 11:00am

Opening Keynote Address:

Kenneth R. Feinberg, Feinberg Rozen, LLP, New York, NY

Unconventional Responses to Unique Catastrophes: Tailoring the Law to Meet the Challenges

Mr. Feinberg has served as a mediator in the largest catastrophic losses, both natural and man-made, in recent years. In June 2014, he became involved in the General Motor's Ignition Compensation Program. As described by the Washington Post, Mr. Feinberg has "... carved out a unique, if exceedingly difficult, niche during his long and distinguished career: putting a price on unspeakable tragedy." Mr. Feinberg has authored articles and books, including, *What is Life Worth? The Unprecedented Effort to Compensate the Victims of 9/11*, and *Who Gets What: Fair Compensation after Tragedy and Financial Upheaval*. Mr. Feinberg will comment on existing tort law and how, occasionally, policymakers choose a different path, such as in the case of the 9/11 Victim Compensation Fund, the BP Oil Spill Fund and the GM Ignition Switch Fund.

11:00am – 12:00pm

Managing Victim and Public Expectations in Disbursement of Funds After a Mass Disaster

- Moderator: H. Mills Gallivan, Gallivan, White & Boyd, P.A., Greenville, SC
- Kenneth R. Feinberg, Feinberg Rozen, LLP, New York, NY
- John C. Trimble, Lewis Wagner, LLP, Indianapolis, IN

This program is a case study of the novel resolution of claims arising from the collapse of a roof at the Indiana State Fair during a concert. This tragic accident resulted in seven deaths and seventy injured. After the loss, \$1.2 million dollars were raised in public donations and the Governor of Indiana appointed Mr. Feinberg to work with John Trimble to create a framework to disburse money raised through donations. The panel will also discuss Mr. Feinberg's work with the Indiana State Attorney General to disburse tort claim funds.

Friday March 6, 2015

7:30 – 8:30am

SECTION PROGRAMS/MEETINGS

INSURANCE COVERAGE

REINSURANCE/EXCESS & SURPLUS LINES

TOXIC TORT & ENVIRONMENTAL

Industry Efforts Now Underway To Manage Climate Change Exposures

- Barbara O'Donnell, Zelle McDonough & Cohen LLP, Boston, MA
- Kathleen B. Browne, Swiss Re, New York, NY
- Lindene Patton, CoreLogic, Cambridge, MA
- Bradford D. Box, Rainey, Kizer, Reviere & Bell, PLC, Memphis, TN

NAVIGATION BAR

Cover

Welcome

General Info

Schedule

CLE

Committee Meetings

Things to do

Restaurants

Hosts

Exhibitors

RIDING THE WAVES OF CHANGE

Loss stemming from climate change is an emerging issue for the insurance industry. Climate change refers to any significant change in measures of climate lasting for an extended period of time and, based on weather events in recent years, many expect that climate change is occurring due to shifts in global temperature resulting in a large shift in local weather and climate. We will discuss the genesis, and the outlook, for such climate change, but we will also discuss the repercussions of such change from the perspective of the insurance industry.

CLASS ACTION TOXIC TORT & ENVIRONMENTAL PRODUCT LIABILITY

Concussion Litigation: The Evolution of Individual Claims, Mass Torts and Class Actions

- Joseph A. Ziemianski, Cozen O'Connor, Houston, TX
- Beth A. Bauer, Hepler Broom LLC, Edwardsville, IL
- James J. Yukevich, Yukevich Cavanaugh, Los Angeles, CA

We likely have seen only the tip of the iceberg in concussion litigation as this new tort continues to morph into mass tort litigation. Our panel will discuss the major class actions filed thus far which involve the NFL, the NHL and the NCAA, the medical monitoring aspects of those cases as akin to toxic torts, the disputed science, how concussions and traumatic brain injury claims are proliferating, and how settlement of the various class actions may result in mass torts and/or individual claims involving concussions.

EMPLOYMENT PRACTICES AND WORKPLACE LIABILITY

Disability Discrimination: Trends and Challenges for In-House Counsel and Law Firm Management

- Moderator: Amy L. Miletich, Miletich Cohen PC, Denver, CO
- Michelle R. Stewart, Hinkle Law Firm, LLC, Overland Park, KS
- Marie Milie Jones, Jones Passodelis, Pittsburgh, PA
- Jeanette L. Dixon, Manning & Kass Ellrod, Ramizez, Trester, New York, NY

Recent statistics from the U.S. Equal Employment Opportunity Commission (EEOC) show that disability discrimination claims now comprise almost 28% of all charges the agency receives. Moreover, the EEOC has been active this past year filing lawsuits against employers for disability discrimination. As a result, whether you are in-house counsel or managing a law firm, it's critical to be aware of the legal issues which arise under the disability bias laws, to help ensure compliance and stay out of court. Our panel will explore the latest developments and hot topics in managing disabled workers. Topics we will cover in depth include recent cases on guiding the "interactive process" and exploring reasonable accommodations, leaves of absence, absenteeism, mental disabilities and more.

PLENARY PROGRAM

8:45 – 9:45am

Regulatory Issues in a Global Economy

- Patricia A. Henry, ACE Group, Philadelphia, PA
- Michael R. Nelson, Nelson Brown & Co., New York, NY
- Tracey Laws, General Counsel of the Reinsurance Association of America, Washington, DC

Welcome to the complex world of international regulatory issues as they relate to the framework of supervising internationally active

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors

insurance groups. The emergence of these regulations has been developing since 2011 in response to the global financial crisis and involves new concepts of group supervision, such as the NAIC Model Holding Company Act Amendment, Owned Risk Solvency Assessment requirements, as well as group capital requirements. Our panel will discuss the International Capital Standard (ICS), a significant issue for global insurers that desire to offer products around the world by managing risk and capital efficiently.

9:45 – 10:45am

Cyber Issues In Class Action Claims: You Can't Stop The Waves, But You Can Learn To Surf

- John Rahoy, Brown & James, PC, St. Louis, Missouri
- Kelly Geary, V.P. Lemme Insurance Group, Inc., Arlington Heights, Illinois
- Betsy Woudenberg, CEO, Intelligence Arts, LLC

If the Christmas of 2013 taught us anything, it is that even the largest of corporations are vulnerable to cyber attacks and there may be little any company can do to resist the constant onslaught of cyber attacks. This program will discuss how cyber attacks occur, the fluid nature of their attacks and the challenge our clients, and our firms, have in avoiding a data breach from such attacks. The panel will also discuss how the damage from such breaches can be minimized by the procurement of cyber insurance coverage.

10:45 – 11:00am

Preview of Banff meeting by Howard and Roni Merten

11:00am – 12:00pm

Keynote Address: Daniel J. Kornstein

Daniel Kornstein is a brilliant defamation lawyer, but Dan has also combined a busy law practice with frequent writing and speaking about the law. Dan has published eight non-fiction books,

eighteen law review articles and hundreds of essays and book reviews. Dan's work has appeared in the New York Times, Wall Street Journal, Chicago Tribune, Baltimore Sun and Boston Globe. He has been cited by a number of courts, including the U.S. Supreme Court. Dan frequently speaks and writes about creativity and the law and he will share with us why we should aspire to take a creative approach in our practice of the law.

Saturday March 7, 2015

7:30 – 8:30am

SECTION PROGRAMS/MEETINGS

INTERNATIONAL PRACTICE REINSURANCE/EXCESS & SURPLUS LINES

Roundtable Discussion: Topics On The International Horizon in Reinsurance, Excess and Surplus Lines

- Michael F. Aylward, Morrison, Mahoney & Miller, LLP, Boston, MA
- Stephen L. Carter, Carter Perry Bailey LLP, London, England

Experienced practitioners, industry insiders and section members will engage in an open forum roundtable session regarding emerging issues.

PROFESSIONAL LIABILITY PROPERTY

Aiding and Abetting Claims: Ethics and Avoiding a New Exposure***

- Gena Sluga, Christian, Dichter & Sluga, Phoenix, AZ
- Rebecca Levy-Sachs, Traub Lieberman Strauss & Shrewsbury LLP, St. Petersburg, FL
- John M. Intondi, Alpharetta, GA

Many jurisdictions are experiencing a surge in "aiding and abetting" claims filed in conjunction with bad faith suits. Such claims are being

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors

RIDING THE WAVES OF CHANGE

filed against IME docs, other consultants and attorneys serving as coverage or monitoring counsel. Such claims are alleged as intentional torts, which give rise to ethical concerns and coverage issues. Significantly, such claims likely involve a local person, which destroys federal diversity jurisdiction.

INTELLECTUAL PROPERTY

Offensive Trademarks: What's In a Name?

- Sidney Hardy, McCranie, Sistrunk, Anzelo, Hardy, McCaniel & Welch, LLC, New Orleans, LA
- Michael Walshe, Stone Pigman Walther Wittmann L.L.C., New Orleans, LA
- Lesli Harris, Stone Pigman Walther Wittmann LLC, New Orleans, LA

The recent *Blackhorse* decision by the Trademark Trial and Appeal Board (the "TTAB") cancelling six registrations owned by the Washington Redskins on the grounds that the REDSKINS marks were disparaging made headlines because of the fame of the marks in question. But such actions by the TTAB are not unique. This session will discuss the standard for cancellation of marks and highlight various marks that have been found disparaging, as well as others that have survived such a challenge.

CIVIL RIGHTS/PUBLIC LIABILITY HEALTHCARE

Trauma in the ER: Warrantless Blood Draws and Exigency of Circumstances

- Roger L. Hillman, Garvey, Schubert & Barer, Seattle, WA
- David J. MacMain, The MacMain Law Group, LLC, Malvern, PA

In *Missouri v McNeely*, the U.S. Supreme Court addressed warrantless blood draws. In *McNeely*, an officer directed a lab tech to draw and test blood without a warrant, and despite the driver's refusal to consent to the blood draw to measure blood alcohol content. Our panel will address the opinion and its application, the

circumstances that create exigency, as well as the problems which arise for healthcare providers asked to perform tests under such circumstances.

8:45 – 9:45am

BLOCKBUSTER PROGRAMS

MEET

LIFE, HEALTH & DISABILITY PRODUCTS LIABILITY

What You Don't Know Can Hurt You! How to Successfully and Ethically Practice in the New Paradigm of Litigation Metrics***

- John Trimble, Lewis Wagner, LLP, Indianapolis, IN

As a result of the economic downturn of 2008, the business and insurance worlds have become far better consumers of legal services. Using task codes and analytical software, business clients can now "grade" their attorneys and firms and compare them to their peers using "metrics" to measure performance. Many lawyers are completely unaware that metrics are being used and they have no idea about the many areas that are analyzed. This program will teach defense lawyers about metrics, and will provide practical ideas on to how to use good metrics in an ethical manner as a marketing tool. Attendees will also learn how to track their own metrics and how to train their colleagues and staff to be metric driven.

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors



FDCC

DEFENSE LAWYERS. DEFENSE LEADERS.

DRUG DEVICE
ADR
TRANSPORTATION

Looking Into The Eye of The Tiger: Future Trends From Plaintiff's Counsel

- James "Dart" Meadows, Balch & Bingham LLP, Atlanta, Ga.
- Lance Cooper, The Cooper Firm, Atlanta, Ga.
- Charles A. Burkhardt, Balch & Bingham, LLP, Birmingham, AL

What lies in the fertile imagination of plaintiff's lawyers? What do they understand about their cases long before the danger of their presentation to jurors becomes evident to defense counsel? Plaintiffs lawyers do not rest on their laurels and they do not stay with the same game plan in every case. Defense lawyers must be as thoughtful and imaginative as their adversaries and we must be constantly aware of that which lies just over the horizon. What is next with plaintiffs lawyers and how can we be ready?

PLENARY PROGRAM

10:00 – 10:30am

BUSINESS MEETING

10:30am – 12:30pm

TRIAL MASTERS

A View From The Bench: Judging The Lawyers – Courtroom Tactics And Ethics***

Judges:

- Hon. Patricia Kerrigan – District Court of Harris County, Texas
- Hon. James Graves – 5th Circuit
- Hon. James Crandall – District Court of Orange County, California

Moderator:

- Sandra Clark, Mehaffy Weber Law Firm, Beaumont, TX

Counsel:

- Jennifer Johnsen, Gallivan, White & Boyd, P.A., Greenville, SC
- Caryn Lilling, Mauro Lilling Naparty LLP, Woodbury, NY
- Ralph Zappala, Lewis Brisbois Bisgaard & Smith LLP, San Francisco, CA
- Gene Williams, Shook, Hardy & Bacon, LLP, Houston, TX

Have you ever wondered what your trial judge is thinking as you go about presenting your case? Does the judge think there might be a better way to do it? The Trial Masters Program will enlighten us by presenting a panel of experienced jurists to opine about effective techniques in all phases of a trial, commenting on what is, and is not, effective.

*** Denotes ethics credit will be requested.

Topics, speakers, events, and/or room locations may be changed due to unforeseen circumstances.

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors

Committee Meetings

Wednesday, March 4, 2015

- 7:00 – 8:00am..... Finance & Budget Committee Breakfast Meeting
- 7:00 – 8:00am..... Sites Committee Breakfast Meeting
- 7:00 – 8:00am..... Bylaws Committee Breakfast Meeting
- 8:15am – 4:00pm..... Board Meeting (Breakfast and lunch will be served)
- 12:30 – 3:00pm Admissions Committee Luncheon and Meeting
- 1:30 – 2:30pm..... Insurance Industry Symposium Committee
- 1:30 – 2:30pm..... CCS Committee

Thursday, March 5, 2015

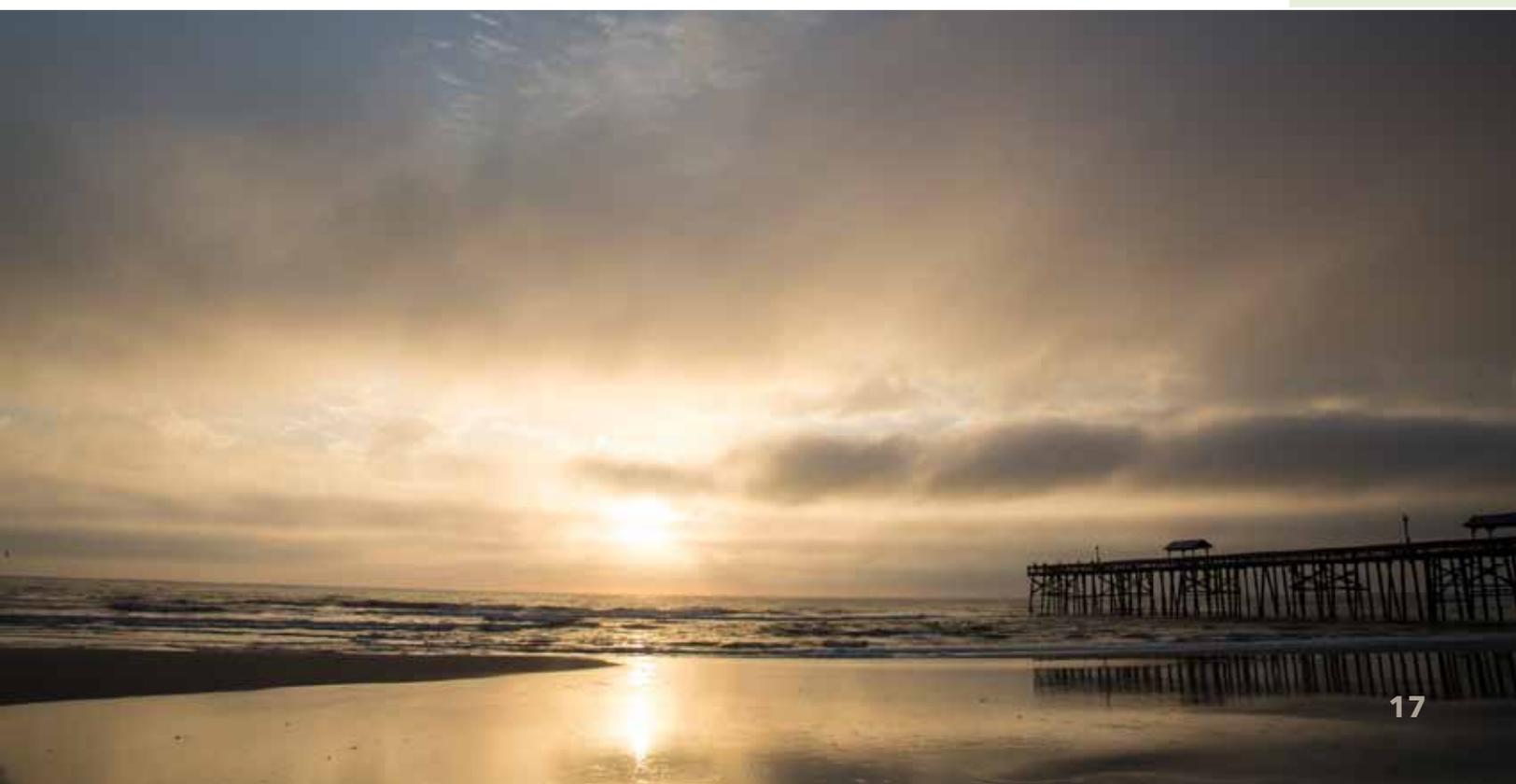
- 12:30 – 2:00pm..... P&O Luncheon Meeting
- 12:30 – 2:00pm..... Foundation Board Luncheon Meeting
- 2:30 – 3:30pm Foundation Fundraising Committee
- 2:30 – 4:00pm..... MDR and State Reps Committee

Saturday, March 7, 2015

- 12:30 – 5:00pm Board Luncheon and Meeting

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors





Amelia Island, Florida by Nate Padavick

NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors

[Amelia Island Lighthouse](#)

Open on Saturdays from 11:00am – 2:00pm • 904-310-3350

[Amelia Island Maritime Museum](#)

904-277-7234 • www.fbmaritimemuseum.org

[Amelia Island Museum of History](#)

904-261-7378 • www.ameliamuseum.org

[Egan’s Creek Greenway](#)

904-310-3363 • www.fbfl.us

[Amelia Angler](#)

Fishing, Sailing, and Sightseeing
904-261-2870 • www.ameliaangler.com

[Beach Rentals and More](#)

Biking and Nature Tours
904-310-6124 • www.beachrentalsandmore.com

[Kayak Amelia](#)

Canoeing, Kayaking, and Segway tours
904-251-0016 • www.kayakamelia.com

[White Oak Conservation](#)

904-225-3200 • www.whiteoakwildlife.org

For more information about Amelia Island, please visit www.ameliaisland.com

Other available activities will be listed on the Ritz Carlton Weekly Activity Schedule that you will receive from the hotel when you arrive.

Things to Do on Your Getaway

Restaurants on Amelia Island

29 South

29 S. 3rd Street • 904-277-7919

5:30 – 9:30pm

Chic neighborhood bistro offering classic world cuisine with a modern twist

Barbara Jean's Bar & Grill

960030 Gateway Blvd. • 904-277-3700

11:00am – 9:00pm

Easy Southern Dining, very casual

Baxter's

4919 1st Coast Highway • 904-277-4503

5:00pm – 12:00am

Continental cuisine, great steaks, extensive wine list

Brett's Waterway Café

1 South Front Street • 904-261-2660

11:30am – 8:30pm

Casual café serving Southern fare

Café Karibo

27 North 3rd Street • 904-277-5269

11:00am – 9:00pm

Eclectic cuisine, affordable gourmet in a charming historical building

David's

802 Ash Street • 904-310-6049

Open for dinner

Fine dining; resort casual dress

Espana

22 South 4th Street • 904-261-7700

5:00 – 10:00pm

Traditional flavors from Spain and Portugal

G G's Bistro

1408 Lewis Street • 904-261-8973

10:30am – 10:00pm

Great place for lunch or a casual dinner

Joe's 2nd Street Bistro

14 South 2nd Street • 904-321-2558

11:00am – 3:00pm and 5:30 – 9:30pm

(Closed on Tuesday)

Island-inspired dining in a 1900s historic home



Le Clos

20 South 2nd Street • 904-261-8100

5:30 – 9:30pm

Sophisticated French dishes with focus on seafood

Lulu's at the Thompson House

11 South 7th Street • 904-432-8394

11:00am – 10:00pm

Serving choice meats and seafood, fresh vegetables, and homemade desserts

Palate

614 Centre Street • 904-432-7690

11:00am – 10:00pm

Raw bar, fusion cuisine

PLaE

80 Amelia Village Circle • 904-277-2132

Dinner service begins at 5:30pm

Eclectic American fare

Salt (at the Ritz Carlton)

Open for dinner

Fine dining, AAA – 5 Diamond

Salty Pelican Bar & Grill

12 North Front Street • 904-277-3811

11:00am – 12:00am

Great food, fun atmosphere

Slider's Seaside Grill

1998 S. Fletcher Ave. • 904-277-6652

Ocean front on the Atlantic Ocean

Fun and casual

NAVIGATION BAR

Cover

Welcome

General Info

Schedule

CLE

Committee Meetings

Things to do

Restaurants

Hosts

Exhibitors



NAVIGATION BAR

- Cover
- Welcome
- General Info
- Schedule
- CLE
- Committee Meetings
- Things to do
- Restaurants
- Hosts
- Exhibitors

Your Hosts

Tuesday March 3

Sunset Welcome Cocktail Party

Clark & Debbie Hudson
Steve & Gretchen Barney
Frankie Colon-Pagan & Martha Morales
Dan Kohane & Chris Naples

Wednesday March 4

Downtown Fernandina Historic Walking Tour

Barb Currie
Maddy Kaplan

Book Club

Mary Alice Collins

President's Reception

Don & Doreen Myles
Scott & Susan Kreamer
Bob & Erin Christie
John & Carolyn Woodard
Jim & Deb Varner
David Zizik & Karen Baker

THE RITZ CARLTON

AMELIA ISLAND, FLORIDA

MARCH 4-7, 2015



FDCC 2015 WINTER MEETING

Thursday March 5

Spouse and Guest Hospitality

Christie Roberts
Christie Pratt
Lee Farrar
Carol Anne Gallivan
Elaine Dukes
Tricia Glascott

Kayak Trip

Howard Merten & Roni Dash

Bridge

Eldon & Janet Boisseau

Fort Clinch Tour

Bill & Eileen Vita
Bill & Linda Beasley

Cordials and Coffee

Tom & Mary Lou Segalla
Mike & Ann Johnson
James Moseley

Friday March 6

Seaside Photography Class

Anne Johnson

Beach Walk

Gretchen Barney
Jenny Lucey

Tennis Tournament

John & Lisa Quinn

Golf Tournament

Jerry Valentini
Nick Pulignano

Fishing

Reid Manley
Todd Raskin

Needlework

Wendy Trigg
Tonya Hall
Marty Berry

Island Seafood Fest

Ned & Barb Currie
Mike & Jenny Lucey
Howard Merten & Roni Dash
Rich & Barbara Traub
Jeff & Elizabeth Lorell
Johnny & Grace Sarber
Nick & Beth Pulignano

Saturday March 7

Fun Run

Howard & Ronnie Zandman

Salt Infusion & Wine Tasting

Susan Kreamer
Karen Baker

Farewell Cocktail Party

Walter & Elaine Dukes
Mike & Tricia Glascott

NAVIGATION BAR

[Cover](#)
[Welcome](#)
[General Info](#)
[Schedule](#)
[CLE](#)
[Committee Meetings](#)
[Things to do](#)
[Restaurants](#)
[Hosts](#)
[Exhibitors](#)

THANK YOU to our Exhibitors!

American Jury Centers

Jury Consultants

950 De Soto Road, 2C • Boca Raton, FL 33432 • 561-542-8590
Allan Campo; Allan@my-ajc.com
Stuart Simon; stuart@my-ajc.com

Crystal and Company

Insurance Broker

32 Old Slip, 18th Floor • New York, NY 10005 • 212-504-5873
Ken Gamble; kenneth.gamble@crystalco.com
Greg Gamble; gregory.gamble@crystalco.com

Global Legal Discovery

eDiscovery, Litigation Support, Document Solutions

1330 Spring Street, Suite 100 • Atlanta, GA 30309 • 404-835-0060
John White; John.White@globallegal.com
Robert Draper; Robert.Draper@Globallegal.com
Fidel Hogan; fidel.hogan@globallegal.com

Habif, Arogeti & Wynne, LLP

Dispute Resolution Services

Five Concourse Parkway, Suite 1000 • Atlanta, GA 30328 • 404-892-9651
Howard Zandman; howard.zandman@hawcpa.com
Theodore Brown; Theodore.brown@hawcpa.com

SEA

Forensic Engineering/Consulting

7349 Worthington-Galena Road • Columbus, OH 43085 • 614-888-4160
Ken Corwin; jcorwin@SEALimited.com

Thomas G. Oakes Associates

Court Reporting & Trial Support

535 Route 38 East, Suite 330 • Cherry Hill, NJ 08002 • 856-816-2304
Tom Oakes; tom.oakes@tgoakes.com
Brittany Oakes; Brittany.Oakes@tgoakes.com

NAVIGATION BAR

Cover

Welcome

General Info

Schedule

CLE

Committee Meetings

Things to do

Restaurants

Hosts

Exhibitors



DEFENSE LAWYERS. DEFENSE LEADERS.

11812 North 56th Street, Tampa, FL 33617
813-983-0022 | 813-988-5837 Fax
E-mail: mstreeper@thefederation.org
www.thefederation.org