



DEFENSE LAWYERS. DEFENSE LEADERS.

An organization of distinguished defense and corporate counsel dedicated to knowledge, justice, and fellowship.

FDCC E-Newsletter August 2015

WELCOME NEW FDCC BOARD



Bottom row (from left to right): Terence Ridley, Don Myles, Leslie Packer, Elizabeth Lorell, Mills Gallivan, Steve Farrar, Vicki Roberts, Scott Kreamer, Marty Streeper, Stacy Broman, and Ned Currie

Top row (from left to right): Johnny Sarber, Howard Merten, Reid Manley, Michael Glascott, Walter Dukes, Brett Preston, Clark Hudson, Craig Marvinney, and Michael Scott (*Not Pictured: Bob Christie and Todd Roberts*)

[Click here for more details on the 2015-16 Officers and Board of Directors](#)



New Secretary-Treasurer

J. Scott Kreamer

*Baker Sterchi, Cowden & Rice, LLC
Kansas City, MO*

Annual Meeting Sponsors

All Hail Our Glorious Sponsors

No, seriously, we should all be hailing them. As in, "to cheer, salute, or greet; welcome." Some have been with us for years. Howard Zandman and [Habif, Arogeti & Wynne](#) has been an FDCC sponsor for 15 years, John Straus from [Exponent](#) for 14 years. [AJC](#) has been here so long that Allan Campo had to go out and find a younger guy to shoulder some of the burden. (You know, golfing,



Destination, the Del Coronado Coronado Island, San Diego, California

Notice to Mariners

Who: All of you wonderful members, you adventurers, thinkers, planners, captains of the legal industry.

What: What else? Our winter meeting, our escape from inclement northern climes.

When: February 28th to March 4th, 2016. Arrive in port on Sunday!

Where: Latitude: 32 degrees, 40 minutes N, Longitude 117 degrees, 10 minutes W. The stunning and historic Hotel Del Coronado in San Diego located on quaint Coronado Island. Just 7 miles from the airport.

Why: For many reasons. It's time to start a fresh year with purpose and direction, charting your own course, taking charge of your life and your career, sharpening your legal skills, reconnecting with professional colleagues and dear friends.

How: You can book your room right now by calling the Del at 800-468-3533 and mentioning the FDCC. Rooms start at just \$263 (thanks Bob Dewey!). Registration will open in September. Check the convention website for more details: fdccwinter2016.com

Winter Journey Crew:

Captain Steve Farrar
First Mate Lee Farrar

[G. Oakes & Associates](#), is relatively new, but already feels like an "old" friend. Others are brand new and do need more of a welcome -- Manny Kaloyannides and Keith Leluga from [Global Legal Discovery](#). Wayne Nykyforchyn from [InvoicePrep](#), Mathew Grimes from [Aon](#). All deserve cheering.

I have heard for years that the contributions of our sponsors are critical to making our meetings great. Fresh off of planning Banff, I now know what that really means. To put it in concrete terms, the total contributions from our sponsors was just a hair under \$50,000. In Convention planning terms, \$50,000 pays for breakfast for Wednesday, Thursday, *and* Friday or the entire cost of our audio-visual support. Their sponsorship helped supplement Foundation support for tremendous programming and helped defray the kinds of large expenses one only understands after paying for a child's wedding, a bar/bat mitzvah, or quinceanera for 500 people. (*If you did throw such an event for 500 people, why weren't we invited?*)

You will be getting, or have already gotten, emails from some of our sponsors following up on the Banff meeting. These emails provide you with valuable information about the services their companies offer. Read them. Ask fellow FDCC members who have used our sponsors what they thought of the quality of their services. Consider our sponsors and friends for your next project. Because nobody wants to go to section meetings without breakfast, short the quality of our conventions, or, heaven forbid, shut the bars down earlier.

One more tremendous shout out to our sponsors. Collectively, they contributed prizes valued at more than \$3000 for our inaugural Casino Night. Some of our lucky members (*not me, I didn't win a darn thing*) took home sports tickets, Apple Watches, iPads, and gift cards or gift certificates that came directly from our sponsors. Our collective thanks to a loyal and tremendous collection of people and

Registrar Elaine Dukes
Logistics Marty Streeper
Purser Mike Streeper



Howard Merten and Roni Dash

Awards at the Annual Meeting

[John Alan Appleman](#)

Ronald J. Clark

[Andrew C. Heckler](#)

David M. Fuqua

[Corporate Member](#)

David M. Nicholas

[FDCC Connect](#)

Craig A. Marvinney

[Joseph R. Olshan](#)

Edward J. Currie, Jr. and Francisco Ramos, Jr.

[Click here for FDCC Award History](#)

Welcome to FDCC Insights: *A Journal for Civil Defense and Corporate Counsel*

The soon to be published issue of the FDCC Quarterly is the last volume, closing out a 65 year run. Shortly, the FDCC will launch its new electronic publication, ***FDCC Insights: A Journal for Civil Defense and Corporate Counsel***.

Each edition of FDCC Insights will contain five or six articles which will be shorter and more timely than those in the Quarterly. The articles will be topical and newsworthy on substantive legal issues, including litigation tips; they will provide practical advice that is useful to FDCC members in their day-to-day practice; and they will be substantive, offering critical legal analysis.

One of the benefits of FDCC Insights is that it can be forwarded – or individual articles can be forwarded – by FDCC members to any client without the need for editing. The publication should present a great marketing opportunity for FDCC members.

We are in the process of hiring an editor, whose job will be to review and approve the content of each article published in FDCC Insights. The editor will also ensure that the articles are of consistent quality.



ALL THE NEWS THAT'S FIT FOR PRINTS



The Banff Bugle *Final Edition*

"Bear and Balanced"

So, our Annual Meeting in Banff is over. We have all returned to work. My fingernail marks can still be seen on the lobby floor of the Castle in the Canadian Rockies. Roni and I did not want to leave and we suspect that many of you felt the same.

By all reports, the meeting was a smashing success (though Roni and I suspect that no one is going to walk up to us and say, "Eh, it was okay"). Over 650 people attended and we hit room levels that we had not seen for many years -- not surprisingly, since the last Banff meeting in 2008. People came early and left late!

No wonder why. As we may have mentioned, Banff really is Picture Perfect. We know you are all attorneys and therefore need proof. Well, we have proof. Take a look at the winners of our week-long FDCC photo contest, [click here](#).

Roni and I were so lucky to have been chosen to chair the Banff meeting and enjoyed planning it so very much (too much?). This meeting saw the first ever photo contest, the first ever casino party, the first ever FDCC exercise program featuring bacon and cupcakes, the first ever 6' Beaver on stage, grown men running with pool noodles between their noses. According to FDCC archivists, that last one was not a first (Ed Kaplan and Rich Traub, Sun Valley, 2007)... OK, we'll stop with there.

Thanks very much to the over 120 hosts who helped with all of the events, and the 70-plus speakers that worked so hard to put together a tremendous program (though my car will still not drive me home, no matter how nicely I ask). Thanks to Andy and Chris Downs for their work on the program and registration. Thanks also to Marty and her tremendous staff and most of all, to Vicki and Christie!

Now, on to San Diego, where Steve and Lee Farrar, Bob

We look forward to rolling out the first issue of FDCC Insights and we encourage

all FDCC members to submit content. In addition, the Publications Committee welcomes any comments on FDCC Insights as we will try to improve it as time goes on to make it as useful as possible to all FDCC members.

Reid Manley, Publications Committee Chair

Bruce Celebrezze, Publications Committee Chair Emeritus

New Members

(Since last newsletter)

Teresa A. Arnold-Simmons, *Quintairos, Prieto, Wood & Boyer, PA, Jacksonville, FL*

James Matthew Goodin, *Locke Lord LLP, Chicago, IL*

Tanisha T. Hickerson, *Quintairos, Prieto, Wood & Boyers, PA, Louisville, KY*

Jonathan M. Lieb, *McDowell Knight Roedder & Sledge, LLC, Mobile, AL*

Holly M. Polglase, *Hermes, Netburn, O'Connor & Spearing, PC, Boston, MA*

Nicholas M. Satriano, *Allied World Insurance Company, Atlanta, GA*

2016 Roster Updates

It is time to have any changes made to your biographical information or to submit a new photograph for the 2016 FDCC Roster. Please update your profile on the website or send your changes to mstreeper@thefederation.org by **Friday, August 21, 2015**.

FDCC Annual Dues

The Board of Directors adopted a small dues increase which will be reflected on the next billing cycle. Defense Member dues will go from \$650 to \$695 per year. The reason for the increase relates to a desire to strengthen the services being provided to all of our members through

By Howard Merten and Roni Dash

GREAT DEFENSE EFFORT

Prior to its Annual Meeting, the ABA Standing Committee on Medical Liability floated a proposed resolution (Resolution 105) which attempted to establish an ABA position opposing federal and state legislation limiting punitive damages awards against manufacturers of FDA-approved medical devices or products. This resolution was intended to rebut those states which already provided protection against punitive damages of FDA-approved products and would have weakened one of the bases for compliance with regulatory standards.

In direct response to that proposed resolution, the FDCC joined with other organizations, including DRI, IADC, ADTA, LCJ, and PLAC to oppose the resolution. The leaders of those organizations sent a June 22, 2015 joint letter to the ABA strongly opposing the resolution. As a result of the defense groups' message that the proposed resolution would create "an unacceptable precedent that could thwart or erode statutory limits on damages that incentivized compliance with government standards in general," the ABA withdrew the resolution without action.

This is an example of how the various sister organizations and other defense groups are working together to monitor developments impacting defense positions as well as an indication of value added by the FDCC to its members and their clients.

Steve Farrar
FDCC President

CORPORATE COUNSEL SYMPOSIUM



Learn what in-house counsel believe are the keys to their success; how they deal with ethical issues they face jointly with outside counsel, governmental investigations,

computer programming, messaging through various social media outlets, and refining our accounting procedures to be more closely attuned to other not-for-profits.

For example, we are presently examining our IT support needs so that we can move faster to take advantage of the valuable content we have. We are also examining whether or not to roll out a new website. Part of this exploration process will likely involve bringing in a technical person to work more closely with Marty Streeper's staff.

We are acutely attuned to our costs and hope you know we are sensitive to what we ask of our members. I believe we continue to do more "magic" with a small staff than anybody out there. On the other hand, we need to be able to keep from overtaxing our staff as we move forward. Should you have any questions please don't hesitate to contact me.



Steve Farrar
FDCC President

TWO DAY

DEPOSITION BOOT CAMP

Sponsored by the Federation of Defense & Corporate Counsel

Upcoming Boot Camps

Save the Dates!

Registration will open in the Fall.

November, 12-13, 2015

Atlanta, GA

March, 7-8, 2016

San Francisco, CA

June 13-14, 2016

Boston, MA

2016 Annual Meeting

SAVE THE DATE!

technology needs and challenges. Special programming by the Toxic Tort and Environmental Section addressing timely issues that in-house attorneys in the oil and gas industry are facing also will be presented. Hear a preview of next year's Supreme Court docket from Judge Andrew Napolitano, too. And of course, there will be plenty of great networking opportunities, social activities, and wonderful restaurants to enjoy with your Federation colleagues and friends.

[DOWNLOAD CCS BROCHURE](#) [CCS-REGISTER NOW](#)

INSURANCE INDUSTRY INSTITUTE



I-3 2015 will once again be held in New York City at the New York Athletic Club, **October 21-23**. The Institute will bring together senior insurance industry leaders, regulators, and insiders - from companies such as Swiss Re, Markel, Hanover, Hamilton Re, Arch, AIG, and Starr Marine - to offer their expertise and insights concerning "top burner" issues tailored to senior level insurance company representatives and their outside counsel. Make plans now to join us for this timely conference and spread the word to your colleagues and clients. In addition to plenty of networking opportunities, programming includes --

Robert Hartwig and CEO Presentations - The President of the Insurance Information Institute will examine the topics that industry members have identified as their major areas of concern. A CEO Roundtable will share their views regarding the topics examined throughout the program and the challenges the industry will face in coming years.

Cyber Exposure and Risk - This two part program will examine the problem, including the most recent tools used to perpetrate and stave off cyber-crime, and the ways in which the industry is responding to this evolving risk. Both panels will be comprised of law enforcement and key industry professionals and experts in the field.



July 23-30, 2016

Fairmont Le Manoir Richelieu
La Malbaie, Quebec, Canada

FDCC Publications

[Hot Cases](#)

[FDCC Quarterly](#)

[Article of the Month](#)

[E-Newsletters](#)

leading insurers are harnessing big data tools, metrics, and technological innovations to decrease litigation costs, improve risk modeling and projections, and achieve productivity targets. Another panel will discuss creative approaches being utilized by leading insurers to manage their capital and investment portfolios.

Regulatory Panel – A panel of senior industry representatives, as well as former and current state regulators, will discuss the impact of regulatory convergence on insurers conducting business globally. Topics include supervisory colleges, ORSA requirements, amended holding company requirements, IAIS, emerging capital standard, and state regulatory initiatives for cybersecurity.

Blindfolds Off: Judges and How They Decide - Published author and attorney Joel Cohen and a panel of leading jurists will provide an insiders' explanation of how judges decide high stakes and challenging cases.

International Maritime Panel - An international panel of lawyers and industry leaders will discuss the challenges insurers face when trying to forecast and then respond to rapidly changing international exposures in the arena of maritime risks.

Remember, Defense Counsel Members (*or members of their firm*) must bring a “date” so line up a client now.

[DOWNLOAD I-3 BROCHURE](#) [I-3 REGISTER NOW](#)



[follow on Twitter](#)



[friend on Facebook](#)



[forward to a friend](#)

Copyright © 2015

Federation of Defense & Corporate Counsel, All rights reserved.

Our mailing address is:

11812 North 56th Street

Tampa, FL 33617

813-983-0022

Visit our website www.thefederation.org



[unsubscribe from this list](#) | [update subscription preferences](#)