



FDCC

DEFENSE LAWYERS. DEFENSE LEADERS.

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

FDCC E-Newsletter

October 2016

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From the President

Dear Federation Members,

Where were **you** when the world record for Corporate Counsel Symposium attendance was set? I was there in Philadelphia on September 18th, along with many other FDCC members.

The CCS attendance was the best it has ever been and quite frankly the program was second to none. The corporate counsel who were in attendance raved about returning to Philly. We sold out the room block at the Sofitel and had to go to two other hotels to handle the overflow. On behalf of the entire FDCC, I want to thank the CCS Leadership Team; CCS Co-Chairs Beth Kaufman and Alan Bryan put in untold hours of hard work to make this Symposium a huge success. Program Chairs, David Nicholas and Mike Bonasso put together a program that kept the record crowd in their seats from start to finish. Our Marketing Chairs, Meryl Lieberman and Dan Gerhan did a great job in promoting the Symposium early and often. Thanks to all of you for going "Above & Beyond" to make this program second to none for our members and guests. If you missed this Corporate Counsel Symposium then you missed a lot, but you will have a chance next year...

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Revamping FDCC Communications

Reid Manley (Publications Committee Chair)
and Howard Merten (P&O Chair)

Over the past many months, the FDCC has undertaken a review of all of its publications



[Healthcare](#)

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2017 FDCC LADDER DOWN PROGRAMS

Women are entering the practice of law in greater numbers than ever before, but are struggling to land positions as equity partners, shareholders, and top rainmakers at firms across the nation. The reason for the disparity is clear: women lawyers are not receiving effective training on how to build a book of business and how to become better leaders. In 2012, FDCC members Alison Christian and Beth Fitch created a unique year-long program called "Ladder Down" to combat the startling statistics and change the course for women lawyers.

In 2017, FDCC members Joyce Wang, Linda Moroney, and Michele Miller are launching Ladder Down in San Francisco starting in January. Plans are also underway to facilitate a 2017 Ladder Down program in Phoenix, Arizona. Both programs are looking for sponsors, [click here for information](#).



in an effort to make the information sent to our members more meaningful and interesting. The Board has acted on a number of recommendations coming from both the Publications Committee and the Projects & Objectives Committee. One result of these discussions is the revamped e-Newsletter that you are reading now.

Instead of section newsletters that sometimes repeated the same information about upcoming meetings, we are embarking on a new program where sections submit more topical and timely columns in shorter but more frequent bursts.

[Read Full Story](#)



Charleston's Program, "Perfecting the Practice" is cutting edge! Federation thought leaders to share their keys to success!

Trial Masters:

The CLE of the Charleston Conference will kick off with Trial Masters on the afternoon of Tuesday March 7th, 2017 in the theater adjacent to the Hotel. John Mitchell and Tiffany Alexander will have the Trial Masters demonstrate Voir Dire and Opening Statement techniques that appeal to Millennial Jurors. This will be accomplished using a live jury, with the audience watching from the elevated seating in the theater. The jury will be providing feedback on which techniques worked, that those that don't.

Plenary Wednesday March 8th, 2017

The first day of the plenary will kick off with Marty Kravitz, Steve Pasarow, Robert Olsen and Patrick Stockalper discussing the latest techniques in dealing the Reptile Approach. The second session will deal with "What is your Tech Strategy" by John Delany, Tom Oaks and Robert Christie. Notably, on Wednesday from 12:00-2:00 pm Tom Oakes and John Delany will have a conference room for interested members to work with the new gadgets, equipment and software that may benefit their practiced. The closer for the first day's plenary will be "Closing Remarks - Leaving the Best Impression" by our very own Deb Kuchler, Paige Sensenbrenner and Joseph Fasi, II. Not only will it be highly entertaining, it will help every trial lawyer to pick up strategies from the very best.

Federation Triumphs



J. Scott Kreamer, Baker Sterchi Cowden & Rice, LLC, Kansas City, MO, assumed the position of FDCC President-Elect during the Annual Meeting in Quebec. Earlier this year, Scott obtained a favorable appellate ruling affirming the entry summary judgment for an insurer client in an uninsured motorist coverage case. *Wise v. Savers Property & Casualty Insurance Co.*, Mo. App. SD33715. In the case, an employee's claim against his co-employee was excluded from the liability policy's

MASTERS IN MARKETING: APPLY TODAY!

We are seeking applications for the upcoming "Masters in Marketing" program which will take place in Charleston on March 6, 2017. Please nominate young partners from your firm or non FDCC firms whom you believe would benefit from developing their rainmaking skills. [Click here to submit an application to the FDCC.](#)

UPCOMING EVENTS

October 20, 2016
5:00pm - 6:30pm

FDCC Cocktail Reception at
the DRI Annual Meeting,
Sheraton Boston Hotel

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coverage. The claimant then asserted that because the liability claim had been denied he was owed uninsured motorist coverage under the same policy, and was entitled to "stack" that coverage by the number of vehicles in the employer's fleet. The Court of Appeals for the Southern District of Missouri affirmed summary judgment granted in favor of the insurer on the grounds that the vehicle was not uninsured.



Heidi G. Goebel, Goebel Anderson PC, Salt Lake City, Utah, recently won an arbitration involving a contractual dispute between a gas and oil industry transportation broker and one of its suppliers. After briefing and a full evidentiary hearing, the arbitrator denied the broker's multi-million dollar damage claim for breach of contract and back solicitation.

Additionally, the broker's attempt to force the supplier to remove its liens on the oil well were dismissed. Further, Heidi's client was awarded the full amount of its counterclaim plus interest resulting in an award just shy of \$500,000.



Jane M. Lynch, Green & Green, Dayton, OH, recently obtained a big win for self-insured construction companies in Ohio. On April 19, 2016, the Ohio Supreme Court issued its decision in *Stolz v. J & B Steel Erectors, Inc.*, Slip Opinion No. 2016 - Ohio-1567, granting subcontractors enrolled in a self-insured worker's compensation plan on a large construction project immunity from injury suits from other enrolled subcontractor employees. The construction project

was covered under a wrap insurance plan that included the self-insured worker's compensation certificate for the general contractor. This is a big win for self insured construction companies using Ohio Rev. Code 4123.35(O). Jane represented the general contractor that held the self-insured Certificate.



Lana Olson, Lightfoot, Franklin & White, LLC, Birmingham, Alabama, obtained a defense verdict for U-Haul Co. of Texas in a jury trial in Hahnville, Louisiana. Plaintiff claimed debilitating back injuries and over \$1 million in damages after he was rear-ended by an 18-wheeler while using a U-Haul tow dolly. Plaintiff claimed that the tow dolly lights were defective and that U-Haul did not provide him with verbal warnings about the need for additional lighting

on the vehicle being towed. After hearing the case, the jury returned a verdict in favor of U-Haul.

FDCC | | fdcc@thefederation.org | <http://www.thefederation.org>
275 N. York Street
Suite 401
Elmhurst, IL 60126

FDCC, 275 N. York Street, Suite 401, Elmhurst, IL 60126

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