

Preface

Five years have elapsed since the first edition of “Above and Beyond” was prepared. This 75th Anniversary Edition is now the third history of The Federation that has been prepared.

In 1979, David Green (President 1964-1965) prepared a “*Historical Sketch of Federation of Insurance Counsel 1936 – 1979.*” Beginning in November 1980, a condensed version of that history was published in the *Federation Flyer* in several segments. Material on the early history of the Federation Foundation comes from Charles Robison’s “*History of the Federation of Insurance & Corporate Counsel Foundation 1960 – 1993.*” These documents have been invaluable resources upon which to build. Other written sources for this current history include the *Federation Quarterly* as published from 1950 until 2006 and the *Federation Flyer* as published from 1975 forward. Other published works consulted include John Allen Appleman’s books *Cross Examination* and *Your Psychic Powers and Immortality*.

As reflected in the text, personal interviews have been conducted with many Federation members, their spouses, and children. A special thanks is owed to John Rea, who provided many insightful anecdotes about the workings of the Federation over his more than 50-years of membership. Rea also was responsible for preserving David Green’s history and a complete set of the *Federation Flyers*. Many past and present Federation officers provided their insights in reviewing drafts of this document, and a great debt is owed to them.

This book has been prepared with an eye to making the task of those who prepare future histories of the Federation easier. In that vein, the source material for this work will be maintained as an historical archive at the Federation headquarters.

— Stephen Pate

The Federation was founded seventy-five years ago as an international defense organization dedicated to the principles of knowledge, justice, and fellowship. From the beginning, it was a special organization. Dominic J. Cornella, Federation President in 1977-78, once said, “[W]e enjoy the unique warmth and camaraderie within our group . . . but most of all, we enjoy a mode of ‘*communication*’ uncommon to any group. We are attorneys and company representatives sharing a common cause – a common bond, a most unique attitude to share our experiences, our problems, our knowledge, and our efforts to join in sharing the *solutions*, to the benefit of all.” Federation members are expected to meet the “above and beyond” standard by doing more than other attorneys do in their legal work and professional associations.

When it began, the Federation was composed primarily of attorneys who defended carriers in automobile and workman’s compensation cases. Today, Federation members practice in many other areas such as products liability, intellectual property, and commercial litigation, as well as the more traditional “insurance defense” fields. The evolving nature of the Federation has resulted in two name changes as its composition reflected the growth and expansion of its members’ practice areas. Founded as the Federation of Insurance Counsel, it later became the Federation of Defense & Insurance Counsel, and then more recently, the Federation of Defense & Corporate Counsel. For consistency’s sake, this book will refer to it as “the Federation” throughout. This is its history.

The 1930s: *The Beginnings*

Many stories seem to surround the founding of the Federation. One such story is that the Federation was a split-off from other defense organizations. It does appear that the Federation may have started because of dissension in another organization. One of the founders of the Federation was John H. Millener, an attorney from Rochester, New York who had been one of the organizers of a group known as “The International Association of Insurance Counsel,” now the International Association of Defense Counsel. He had been Secretary-Treasurer of this organization. An earlier history of the Federation stated that Millener had served that group “under a written compensation agreement of one-third of the dues of \$12.00 a year collected,” but cryptically indicates that “this contract was not renewed.” However, when the Federation was founded, Millener was able to negotiate the “one-third of the dues” compensation agreement with the newly formed Federation. He became the first Secretary-Treasurer of the Federation of Insurance Counsel, a position he would hold for some 12 years until his death. Thus, although the actual story may be lost to the mists of history, it appears that there was some dissatisfaction with another group that led Millener and others

to form the Federation. It appears that Millener actually operated in some respects as the Executive Director does today, handling the administrative chores of the group.

The organizational meeting was held at the Roosevelt Hotel in New York City (still in existence in midtown Manhattan). Membership was established for attorneys “who are actively engaged wholly or in part in the practice of law, pertaining to the business of insurance in any of its branches.” Associate “fellowships” were reserved for “any executive of an insurance company or the chief claim representative of an insurance company” or for a commissioner or deputy commissioner of insurance of any of the states of the United States or the provinces of Canada.

A review of the first set of officers and directors (then called “governors”) indicates that from the beginning, the Federation members met the “above and beyond” standard. David F. Lee of Norwich, New York was the first president. He was a former Justice of the New York Supreme Court, and active in upstate New York politics. Known as “Lee the Leader,” he was an intimate friend of Franklin Roosevelt. An opponent of Tammany Hall, he helped FDR win the 1932 Presidential nomination. Scott Fitzhugh of Memphis, a member of the original Board of Governors, was a former Lieutenant Governor of Tennessee and State Senator. E.W. Dillon, of Columbus, Ohio, another of the original Board of Governors, was known for arguing several insurance-related cases before the United States Supreme Court. H. Beale Robbins, original Board member and third president, was a prominent Baltimore attorney who endowed a \$20 million charitable foundation named after him. F. William Hackett of Montreal was also on the original board, an indication that the Federation was meant to be an international organization from the beginning. Another prominent international member was Nathan Phillips of Toronto, who began serving on the Board of Governors in 1940. He later became the first Jewish mayor of Toronto. He is commemorated by “Nathan Phillips Square” in Toronto.

Think of the times that these attorneys lived in. In 1936, Franklin Roosevelt was President of the United States and the country was still in the midst of the Great Depression. Adolf Hitler was Chancellor of Germany and looking forward to the Berlin Summer Olympics. Three months after the Federation was founded, the Spanish Civil War began which was the precursor to the Second World War. These were interesting times for lawyers. 1936 was also the year that the United States Supreme Court struck down much of Roosevelt’s “New



*The Roosevelt Hotel, New York,
where the Federation was founded.*

Deal” legislation. Those actions would lead, after Roosevelt’s landslide re-election, to the 1937 “Court Packing” Plan that sought to increase the size of the Supreme Court. One can only wonder whether this was the subject of conversation at the Annual Meeting.

The first Annual Meeting of the Federation was held at the Chelsea Hotel in Atlantic City, New Jersey, in 1937. At one time, the Chelsea Hotel was regarded as one of the jewels of the



*The Chelsea Hotel, Atlantic City, N.J. –
Site of the First Meeting*

Atlantic City boardwalk. Atlantic City itself was then still the most popular location in America for conventions. Perhaps locating the convention at this well-known hotel was one of the ways that the Federation established its reputation for “elegant” venues. Approximately 30 people attended the meeting. At this meeting, Fitzhugh was elected President. He was then General Counsel of the Columbia Mutual Life Insurance Company.

Fitzhugh served as President for

three years and was one of those who can be regarded as having guided the Federation’s early development. Under his leadership, the membership grew to 357 members. Moreover, as an executive of an insurance company, Fitzhugh was the first “industry member” President of a defense organization. The Federation seemed to be on the right path. However, a world war intervened.



*Scott Fitzhugh,
second President*

The 1940s:

The War Years and Beyond

World War II nearly destroyed the fledgling organization. At the fifth Annual Meeting held in July, 1941, President H. Beale Rollins suggested that further annual meetings should be discontinued until peace returned. It is interesting to note that these comments were made a full five months before Pearl Harbor. Obviously, Federation members knew then there was no way that war could be avoided. At that meeting, Henry Walker was elected President. He served from 1941 until 1946.

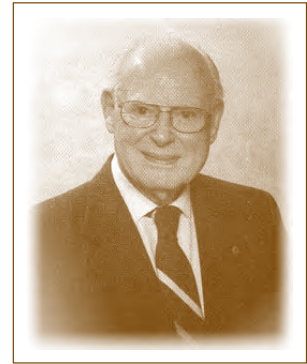
There was no meeting held during the years of World War II. A meeting was attempted in September 1942, but a quorum was not present. Nevertheless, an emergency was declared and dues were reduced from \$12.00 to \$4.00 a year. Dues were waived for members in active military service. Twenty-nine members served in the Armed Forces during World War

II. Of course, many future members of the Federation were then serving in the Armed Forces; ironically; it would be these men, fighting in a war that almost destroyed the Federation, who would later save the organization and spur it into its greatest growth.

The first post-war meeting was held in January, 1946. Charles Robison, Federation President in 1952-1953, reported that the Federation was then “a struggling organization” with “little general membership interest.” It appeared that the Federation had, in fact, become a dying organization. The President elected in 1946 resigned without serving, reportedly because of differences between himself and Millener. Some members left to become active in what was then the Insurance Negligence and Compensation Section of the American Bar Association (later to become the Tort Trial and Insurance Practice Section). Millener died in 1948, which must have been another blow to the fledgling organization. In 1949, only fifteen members attended the Annual Meeting. Robison once stated that at this time “it appeared that the Federation was headed for extinction.”



John A. Appleman



Charles S. Robison

The 1950s: *The Appleman Miracle*

In 1950, the miracle occurred that saved the Federation and led to its present position as the premier international defense organization. The miracle was the involvement of two men, both Midwesterners. In 1950, John Alan Appleman was elected President, and his close friend, Charles B. Robison, was elected Executive Vice President. Serving in these positions for two years, Appleman and Robison worked tirelessly to promote the Federation. In May 1948, there were only 292 members. By April 1953, when Appleman and Robison concluded their respective terms, membership had risen to 649 members.

John A. Appleman's contribution to the Federation cannot be overstated. His personal prestige added luster to the Federation. Numerous members joined because of his reputation as the best known insurance defense lawyer of the day. Appleman reportedly had an I.Q. of 175 and became a lawyer at the age of 22. Renowned as an Illinois trial attorney, Appleman was even better known as an author on legal subjects. He published his first law book at the age of 25. His twenty-five volume *Insurance Law and Practice* treatise is still published

under his name. Federation members are still involved in authoring the new edition. He also wrote legal treatises on appellate issues, cross-examination, trial work, and even estate planning. On his legal writings, he once stated:

I've been writing one thing or another, since about age 13. My first legal article, at age 23, came about because of my indignation over the state of the law in that area and it helped to change it. All other books on the law were written because of a void which needed to be filled, and these became standards.

Appleman's range of interests was truly extraordinary. Under the pseudonym Bill Daley, he wrote a western novel entitled *Restless Saddles*. Under the pen name James St. David Montrose, he wrote a book of poetry entitled *The Elusive Song*. Apparently, he had some other interests as well. One of his last publications was entitled *Your Psychic Powers and Immortality*. Given the times, it is striking that two of his law partners were women attorneys.

Nor should the efforts of Charles Robison be forgotten. Robison, in fact, was responsible for Appleman becoming involved in the Federation. Robison served as President from 1952-1953, after Appleman. Robison was well known himself for his insurance regulatory work. He served in World War II as a Major in the O.S.S., the forerunner of the Central Intelligence Agency. After his term as President, Robison continued as an active participant in the Federation until his death in 2002, a period of 50 years. Many members of the Federation remember how Charlie Robison made a point of seeking them out and getting to know them when they joined. Until the late 1900s, he never missed a Federation meeting.

Appleman became President at the 1950 Annual Meeting held in Atlantic City. Only about 65 members attended, and there was not enough money to pay the hotel bills. Yet it was then that the turn-around began. Appleman wrote this about the 1950 meeting and the decisions made there:

There comes a time when every organization must take stock of its past, its present, and its future. At this Convention, this was done. Following the final meeting, the new officers met and talked with brutal frankness. It was felt that certain fundamental changes of policy should be made to maintain the type of organization which our members are entitled to expect. Fundamentally, criticisms levelled were of two types: (1) that there should be a closer supervision of persons selected for membership invitations; (2) that there should be closer contact with the members throughout the year . . .

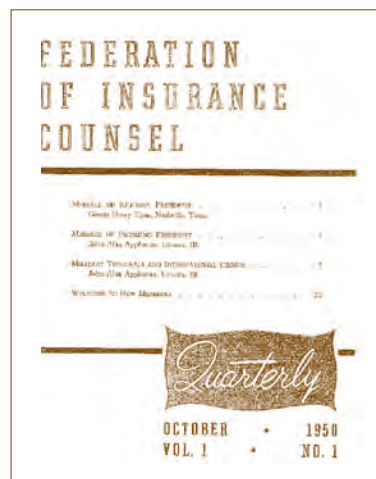
These criticisms were answered. It appears the first step of Appleman and Robison was to found the *Federation of Insurance Counsel Quarterly*. The first issue of the Quarterly appeared in October 1950, one month after the Atlantic City meeting. The primary article

was “Military Tribunals and International Crimes” by then incoming president, John Alan Appleman. The incoming President’s Message indicates that there were 506 members from 44 states and Canada. There were three types of members: active, associate, and honorary. Dues were \$12.00 per year. Another part of that message states:

In the past, officers have occasionally received applications from friends in practice and processed them without first obtaining approval from the Board. This policy is now changed. No person will receive an invitation to membership unless such potential member is first approved by the membership committee and by a regional committee of lawyers from that member’s area. Emphasis is to be laid upon quality of membership and not its size, in order that every member may continue to be proud of being a part of this Federation. In addition, members of our organization, in selection local counsel from the Roster, are entitled to expect that person to be a leading lawyer to his community, capable of properly handling such business, and it is necessary that all of our members fall in this category.

At the time, it appears the *Quarterly* was not the well-established journal it is today. Ken Robison, Charles’ son, recalls that as a small child, he helped mail out copies of the *Quarterly* from his family’s home. At this time, and until 1974, the *Quarterly* was more than a law review. Notices of meetings, convention pictures, and the President’s messages were mixed in with scholarly articles. At one time, the membership roster was printed in the *Quarterly*. These early rosters were divided into sections for “Insurance Executives” (of which there were quite a few) and regular attorney members.

These years of growth for the Federation saw it become “The” group to join. A review of the 1952-1956 Rosters, which then included detailed biographical information for the members, reveals an impressive number of members of the American College of Trial Lawyers and presidents and past presidents of state bars and other defense associations, as well as former and future judges. Many issues of the *Quarterly* contained a “Members Elevated to the Bench” page. For example, Federation member Ben Cameron of Mississippi was appointed to the Fifth Circuit Court of Appeals in 1954. Vermont member Sterry Waterman was appointed to the First Circuit in 1959. In 1958, Canadian member Roland Ritchie was appointed to the Supreme Court of Canada. Surely,



it was a group of active trial lawyers. James Dempsey, 1954-55 Federation President, was so busy that the court in his hometown of White Plains, New York once had a “Dempsey Term of Court” because Dempsey represented a party in every case on the Court’s docket. In addition, top executives from every leading American insurer were members.

The times were right for Appleman and Robison. The men joining the Federation were those of the “Greatest Generation.” As Stephen Ambrose noted in the book *Citizen Soldiers*, they were the generation that had seen the death and destruction of World War II and returned to build — whether it be skyscrapers, highways, law firms, or legal organizations. Future Presidents Joe Best, who fought as a marine at Tarawa, and L.S. Carsey, who flew bombings missions over Italy as a teenaged navigator, would be among those who led the Federation to greatness.

While Federation members were leaders in their profession in their firms, we should not forget their humanity and decency. They were gentlemen (remember, no women were members at this time). A former secretary of Beale Rollins, third president, had this to say of him:

... Mr. Rollins was indeed a very good man, he was from the old school. Always had time to talk with you and was always willing to lend a hand. He was also a good business man. He always watched out for the secretaries in his office, particularly in bad weather and at Christmas time, had gifts for all in the office. He was really a gentleman, you don’t find many of them around anymore. Hopefully, you still do find those types in the Federation.

Another sign that the Federation was flourishing was the fact that the membership’s high quality meant a member could refer matters to other members knowing that good work would be done. John Rea, a member since 1957, notes that this referral practice began in the 1950s. He vividly recalls receiving a call from a client who needed an attorney in Nebraska. Without hesitation, Rea immediately recommended a Nebraska Federation member. The client later called to say that the attorney had done a wonderful job.

The 1950s constantly saw the Federation expand its activities. Charles Robison instituted the Winter Meetings. In 1953, he called for a one-day meeting in Chicago to discuss plans for the forthcoming summer convention. From a one-day event only for officers, this meeting evolved into a week-long Winter Meeting for all members, which soon became an established fixture of the Federation’s annual calendar. In 1958, it was recommended that future Winter Meetings be held in warmer climates and not in the same area where the next Annual Meeting was to be held.

Excellent continuing legal education programs have always been a hallmark of the Federation. Those programs were begun by Appleman and Robison. One of the first was the 1952

“Symposium on Motor Vehicle Liability Insurance.” Some of the CLE topics addressed in the mid-1950s seems hauntingly familiar today. For example, at the 1955 Annual Meeting held in Washington, D.C., a panel forum on “The Insurance Lawyer” included the following:

1. “As an Insurance Company Sees Its Trial Counsel”, by Richard C. Chilcott, Vice President in Charge of Claims, The Farm Bureau Mutual Automobile Insurance Company of Columbus, Ohio.
2. “The Lawyer in Life” by Frank Purvis, Jr., Vice President, Pan American Life Insurance Company, New Orleans, Louisiana.
3. “Analysis of the Defense Counsel by the Re-Insurance Carrier,” by Francis H. Kelly, of Kemper Insurance, Chicago, Illinois.
4. “Demonstrative Evidence for the Defendant,” by Wyatt Jacobs of Chicago, Illinois.
5. “Practical Problems Facing Defense Trial Counsel,” by Kenneth M. Wormwood of Denver, Colorado.
6. “Attorney-Client-Insurance Company Relations,” by John W. Sweet of Seattle, Washington.

The October 1954 *Quarterly* included an article “Observations of a Queen’s Counsel,” by Federation Vice-President Roger LaCoste Q.C., a prominent attorney in Montreal. The rosters reflect that many Canadians were members. By 1956, membership had expanded to include a Mexico City attorney.

Social events also constituted an important component of Federation meetings. A review of the old records reveals some mores of a bygone era. For example, it is reported that at one time Charles Robison transported an entire liquor supply for the meeting’s hospitality suite from Illinois to Pennsylvania in the trunk of his car.



The Pennsylvania Dutch Party

Themed parties have also become a Federation tradition. This started in the 1950s. At the 1956 Annual Meeting held at the Shamrock Hilton in Houston, Texas, one of the parties was a “Western Ranch Party.” As each member arrived, he was greeted by a wagon filled with cowboy hats of every size and immediately fitted with appropriate head gear. Another party at that meeting featured an aquatic show by the ‘Corkettes.’ Another early convention, held in Philadelphia, featured

a “Pennsylvania Dutch” dinner. Each member was provided with a false black beard, a black derby hat, and a red bandana handkerchief to wear while dining. Their ladies wore



*Some of the “Characters” at the Dutch Party:
Lowell L. Knipmeyer, George F. Woodliff,
Ann Woodliff, Edward C. German,
John Gearin and James D. Causey.*

brightly colored plastic aprons and bonnets. This tradition has continued to this day from a 2006 beach party in Bermuda where members dressed as pirates (and a distressing number of people were heard to mutter “Arghh” throughout the event) to a 2009 Homestead Convention American Music theme party where members came dressed as Janis Joplin, Frank Sinatra, and members of KISS. One of the more unusual theme parties included an early 1970s theme party at a Mexico City convention that actually was held at a bullfighting ring, where members actually had the chance to fight some very

tame bulls. Another theme party, at a convention in the Bahamas, featured a bongo drum playing contest.

The 1956 Houston convention saw the birth of a Federation tradition that continues to this day. The Federation is known for the warm welcome it gives new members. The January 1956 *Quarterly* announced an “Innovation Instituted at Convention This Year” and stated:

You will note that one of the first items on our program this year is “Meeting of New Members with Welcoming Committee in Normandy Room A.

We hope we are instituting a practice which will be found by the new members, who obviously are attending their first Federation Convention, to help them quickly get acquainted with the older members and thereby more rapidly begin to ‘get the feel’ of the Convention and join wholeheartedly into its activities.

We therefore ask each new member who has joined the Federation during 1956 to go to the Normandy Room A (3rd floor), accompanied by his wife at 11:00 A.M. Wednesday and there to meet with the Welcoming Committee who will present the new members at the opening luncheon at noon that day.”

It was also during the 1950s that the Federation began its tradition of family participation. Ken Robison recalled that he and his little sister attended the 1955 Washington Annual Meeting, and he still fondly remembers the friendships he made with the children of other members who lived in such far-off places as Indianapolis or Oklahoma. Although its conven-

tions have always been first and foremost professional meetings, even then the Federation strongly promoted a family-friendly environment by providing spouses and children with a full schedule of entertaining events.

The first international meeting of the Federation was held in 1959, immediately following the Winter Meeting in Bal Harbour, Florida. Twenty-seven members flew from Miami to Havana, Cuba to continue meeting on some unfinished business from the preceding session. These members stayed at the Havana Hilton. Another guest at the hotel was the Cuban rebel leader, Fidel Castro, who had just enjoyed his triumphal entry into Havana following the collapse of the Batista Regime. The Federation members actually met and spoke with Castro.



The Havana Hilton: Site of the First International Meeting and Where the Federation Met Fidel

By the late 1950s, the Federation was attracting prominent speakers to its meetings. In 1957, United States Supreme Court Justice William Brennan spoke at the Annual Meeting.



Supreme Court Justice William Brennan speaking at the 1957 Annual Meeting.

This was also a time of steady growth for the Federation. In fact, by 1959, the Board of Governors passed an amendment to the bylaws that limited the number of active practicing U.S. attorneys to 750. In that year, the membership process became finalized. The Membership Committee (forerunner of the Admissions Committee) was directed to approve new members only twice yearly by votes at the meetings. A resolution passed to limit the number of attorneys from any one law firm.

The 1960s: *The Federation Meets the Challenge*

The 1960s were an era of great societal change for America. It was the same with the American defense bar and for what was still known as the “Federation of Insurance Counsel.” Looking back, it is remarkable to note how well the Federation responded to the challenges

of the era. One early sixties program dealt with the impact of an “astronomical” \$1.5 million plaintiff’s verdict. In 1961, what must have been one of the world’s first mock trials was conducted at the Federation meeting held in Chicago. In an all day mock trial, renowned



*Scene of Trial Demonstration,
Circuit Judge Robert English Presiding.*

plaintiff’s attorney Phillip Corboy represented the plaintiff, while two Federation members represented the defendant. A motion picture was shown of an 11 year-old boy involved in an accident. An actual jury was present, picked from a Cook County jury panel, and a real judge presided. After the trial, the mock jury deliberated, and the Federation President listened to their deliberations and gave commentary upon the deliberations. The trial resulted in a jury verdict of \$35,000 in favor

of the plaintiff. Fifty years later, in a world of focus groups and jury consultants, it would be easy to lose sight of how extraordinary this event must have been.

The new decade also saw the birth of the Federation Foundation. Not surprisingly, Charles Robison was instrumental in its creation. The bylaws of the Foundation extended membership to any Federation member who contributed \$10.00 or more in any one year.

One of the earliest tasks of the Foundation was to use approximately \$5,000 to assist the Federation in launching a research project on psychology in trial practice. This led to the ground breaking 1963 monograph *Psychological Factors in Insurance Law* written by two distinguished psychologists and a member of the Federation Board of Governors. The monograph dealt with “Applied Psychology in Trial Practice,” “Psychology of Speech to



The 1961 Mock Trial

Convince,” and “Psychological Factors in Jury Trials.” The authors spoke on these topics at several subsequent Federation meetings, thus educating the members about these new topics.

It was in the 1960s that several procedural rules were put in place to govern the Federation that are still in place. On the social level, it was in 1961 when the Board of Governors took the step of eliminating all private parties at Federation meetings, a rule strictly adhered to to this day. The Board determined that the elimination of private parties would bring members and their guests closer together. Then, as now, the Federation was not the place for cliques. In 1966, important bylaw amendments were approved which related to appointment and composition of the Nominating Committee, which was then established to consist of five persons from the general membership and the five most recent past presidents in attendance at the Annual Meeting. This procedure lasts until this day, with the addition of an another general member to the Committee as the only change. In 1966, the “Projects and Objectives Advisory Committee” was established. The Committee was composed of two chairs and the chairmen of all other standing committees.

In his 1961 President’s Message, President Carroll Heft mentioned that “a number of substantive law committees have been appointed to study, research, and keep current in their respective fields.” There were eleven such committees, including Trial Tactics, Casualty Insurance, and Automobile. Each committee was to prepare a paper or report that could be given at the Annual Meeting and be printed in the *Quarterly*. This was the genesis of what has evolved into today’s substantive law sections.

In 1962, it was reported that the Federation had 806 members. Twenty-one practicing attorneys and four “company men” were from outside the United States. The trend toward including spouses’ and children’s activities continued. In fact, at the 1962 Annual Meeting held in Vancouver, British Columbia, Canada, it was reported that over 100 children were present.

It appears that during the mid-1960s, the average attendance at meetings was over 300. At the annual meeting held in Fort Lauderdale, Florida in 1965, there were 170 men, 120 women and 70 children in attendance. There was a special “Ladies and Children’s Committee” that provided a series of “special events of interests to the ladies and children present.” During this era, Federation spouses had their own programs at the conventions. One such program, in the mid-1960s, was entitled “The Care and Nurture of Middle-Aged Husbands.”



“The Care and Nurture of Middle-Aged Husbands”

Children’s activities were important. One of the children in the

picture below, Susan Harvin (now Susan Lawhon), is the daughter of former President William Harvin. She is a practicing attorney today. She remembers that the meetings were “awesome” for children. She recalls that at a children’s activity at the 1960 Philadelphia Meeting, the youngsters were taken to see Dick Clark’s “American Bandstand.” During



Children at a 1960s Meeting

the 1964 Annual Meeting in New York, children were taken to the World’s Fair. Frank Harmon, another youngster in the picture, is also now a practicing attorney. He recalls that going to a Federation convention was a major event for his family and was the family’s vacation for the year. As a side note, Lawhon and Harmon noted that many other children in the picture grew up to be attorneys. One, Bill Harmon, is now a judge.

In 1966, the *Quarterly* published a map of where members were located. Even then, members wanted to make sure that all areas of the country and beyond were covered.

The great issue in the late 1960s for the Federation was no-fault automobile insurance. Though largely forgotten today, this debate was the subject of many Federation programs and seminars. For obvious reasons, Federation members were concerned about the implementation of a system that would allow payment without liability being established.

In 1968, there were speeches on “Turning Away From the Tort System” and “Liability With No Fault.” These discussions were noted for “heated questions and answers.” James S. Kemper, president of Lumbermen’s Mutual Casualty Company, spoke at a Federation meeting and agreed that “no fault” would have no beneficial effect on major problems such as market insolvencies and cancellations. Even worse, it would shift loss payments in favor of poor drivers and away from innocent accident victims, and it would abolish trial by jury for smaller cases. Federation members believed “no fault” would inevitably lead to federal regulation and ultimately to federal automobile insurance. In an early example of outreach, in 1969 the Federation partnered with fourteen other defense organizations to sponsor the pamphlet, “Fault – A Deterrent to Highway Accidents.”

Social events continued to be important. In 1967, for example, part of the entertainment at a San Juan Puerto Rico meeting included a floor show featuring the Supremes and Sammy Davis, Jr.

A review of Federation programs and seminars from the late 1960s reveals that, once again, the Federation was in the forefront of examining legal developments. At the beginning of an era of expanding tort litigation, Federation programs began to tackle such emerging issues as comparative negligence. Federation members in states, such as Wisconsin, which

had comparative negligence, began to instruct fellow members about what this new concept meant. Federation members had the savvy to know that this was a concept that was bound to expand to their jurisdictions. Other programs covered such new topics as “Cancer Caused by Trauma.” A highlight of the 1969 meeting was a trial tactics demonstration of a medical malpractice case including the presentation of expert witnesses. It had been only recently that doctors had begun to be sued. While the focus seemed to still be on automobile insurance, slowly but surely it seems that the Federation’s focus was switching to such areas as medical malpractice and products liability.



An Early Medical Malpractice Trial Demonstration

One more Federation tradition may have been born in this decade. At the 1969 Annual Meeting, eleven past presidents formed a reception line to welcome new members and first-time attendees.

By the end of this turbulent decade, the Federation was thriving. The 1969 Annual Meeting, held in Colorado Springs, had a record attendance. 634 people attended, including

166 children. Thus, in 20 years, attendance at conventions had risen from 15 to 634. As of January 10, 1969, the Federation had a total membership of 983, consisting of 758 practicing attorneys and 169 insurance company representatives, along with 33 practicing attorneys, and three insurance representatives from outside the United States. Robison’s 1949 fear of extinction had been avoided.



The Eleven Past Presidents at the 1969 Annual Meeting

The Federation was thriving through an era of unrest and massive changes in American Society. One of

the causes of the unrest was America's involvement in the Vietnam war. Many future Federation members fought in this conflict. Indeed, on December 20, 1967, Marine First Lieutenant Michael Neil led a small unit responding to a Viet Cong ambush. Disregarding enemy fire, he personally destroyed an enemy machine gun nest. Seeing an exposed wounded comrade, he took off his own body armor and used it to protect the wounded marine. For these actions, Neil was awarded the Navy cross. In July 2011, Neil became President of the Federation.

The 1970s: *The Federation Stays Current*

At the 1970 Winter Meeting held in Fort Lauderdale, Florida, the Federation once again showed that it was current on new developments. The Thursday educational program featured a demonstration on the use of videotape in claims handlings and depositions. Indeed, one of the speakers was the representative of a videotape manufacturer. At the next meeting, an important program was "Ecology, Environment Insurance, and The Law." Another 1970 Meeting program was a panel that focused on a general discussion of law firm management and fees. Today's Federation members should note that at that convention, it was generally "conceded that because of higher overhead costs, the hourly fees of lawyers should be increased." Truly proving that there is nothing new under the sun, much of the panel discussion related to some firm's decision to raise first year associates' salaries to a whopping \$15,000 a year. Forty-one years later, many Federation members would be at firms where the starting salaries would range from \$130,000 to \$160,000.

It was in 1971 that the Federation had its fifth and last meeting in Atlantic City. By the 1970s, Atlantic City, site of the first meeting, had fallen upon hard times, and many of its great hotels had closed or were closing. Perhaps that was why the annual meeting was held at the Atlantic City Howard Johnson's Motor Lodge. The Federation has not returned to Atlantic City in forty years, though to this date more meetings were held there than any other location.

In his 1973 President's Message to the membership, President Howard Lester noted the need for accepting change and wrote:

The political imperatives that permeate today's society have created an ever-broadening search for viable alternatives to traditional procedures and solutions. These changes will and must affect law and its procedures. The social philosophy manifested by consumerism, the protection of individual rights, civil or criminal, must and will affect the defense industry and those who represent it. Erosion of the fault concept and the sanctity of the jury, the potential intervention of the federal government in insurance regulation, traditionally

reserved to the individual states, are all evidence of rapid and substantial change. Neither the industry nor the defense bar can survive unless they adapt to change. Stasis is no solution.”

The Federation adapted to the changes. The Program for the 1973 Annual Meeting, held at The Greenbrier, was entitled “Consumerism in the Courts: Its Impact and Opportunities.” Some of the subtopics were class actions and OSHA. The 1970s were the years when toxic tort litigation first began, starting with the rise of asbestosis litigation. Federation members were at the forefront here as well. In 1972, Federation member John Tucker of Beaumont, Texas was one of the lead defense counsel in the first asbestosis case ever tried, *Borel v. Fibreboard*.

The Federation Foundation continued its excellent work during the seventies. In 1973, it established a legal essay contest that would be open to all law students enrolled in their second and third years at ABA accredited law schools. The subject matter of the essay

was to be any insurance subject, including trial practice, related to insurance litigation. This essay program lasted until 1992, when changing times resulted in a lack of interest. It was also in the 1970s that the Federation established an annual award to honor outstanding con-



The 1970 “P and O” Hard at Work

tributions to the insurance industry, the legal profession, or the free enterprise system. Early awardees included James S. Kemper, then President of the Kemper Insurance and Financial Company; Maurice Greenberg, then President and CEO of American International Group; and Brian O’Neill, President of the Insurance Institute for Highway Safety.

In 1973, the Board of Directors voted to increase membership from 750 to 1,000 attorney members. This impor-



*The Officers and Governors Meet –
Winter Meeting 1973*

tant step recognized the growing importance of the Federation. In 1974, Frederick Hislop became the first Administrative Secretary of the Federation, a position which would later evolve into the Executive Director’s position. Hislop would hold this position until 1984.

In 1975, the *Federation Flyer* was established. The *Flyer*, still published today, although electronically, immediately became the primary means of communication between the leadership and membership of the Federation. James D. Ghiardi was the first editor. John Rea became the editor in May 1977. Rea remembers that in attempting to put together his first issue, he could not locate then-President L.S. Carsey to write the President's message.



Committee Meetings in The 1970s

Carsey was simply too busy. Rea wrote the message and signed Carsey's name. At the next meeting, Carsey told Rea he had done a better job than had Carsey done it himself.

In August 1975, the Federation Annual Meeting was held at the Southampton Princess in Bermuda. In that year, the Federation had 1,042 members, 157 of whom were insurance company members. There were 32 committees at that time, up from 29 in 1970. There was still no distinction between administrative

and substantive law sections, as there is today. One mid-seventies change still stands today. By 1975, the "Board of Governors" had become the "Board of Directors."

In the May 1978 edition of the *Flyer*, Scott Conley published an article entitled "Trial Use of the Overhead Projector," touting it as a valuable courtroom device by which documents and pictures could be shown to a jury by projection on a screen in ordinary light. Conley recommended minimizing "objections by opposing counsel to use of the projector . . . by making it available for his use (of course, it requires a transparency of the materials to be used be made up in advance!)." Conley noted the projectors were available on a rental basis and could be purchased for under \$100. From the vantage point of 2010, it seems somewhat quaint to think of an overhead projector being the latest in courtroom technology, but it was at one time, and the Federation was letting its members know about it. Today's *Flyer* articles are more likely to focus on "paperless" trials, where all exhibits were placed on a computer program and shown to a jury by use of a computer monitor.

The 1980s: *Diversity in the Federation*

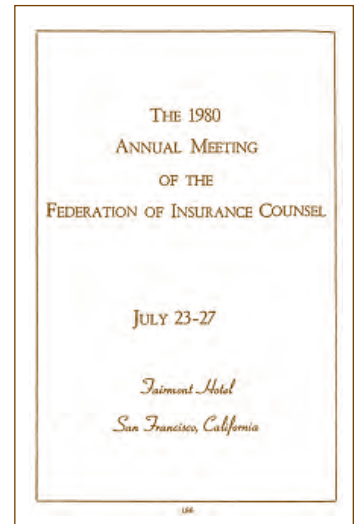
The 1980s began on what could have been a disastrous note. The Annual Meeting was scheduled to be held at the Fairmont Hotel in San Francisco. However, the Fairmont's em-

ployees went on strike. Fearing harassment of Federation members and possible violence, the Federation leadership ultimately decided to cancel the meeting. The hotel refunded the Federation's deposit, all member deposits were refunded, and registration payments were refunded by the Federation. No other Federation meeting has ever been canceled though many have been re-located even as recently as 2009 when The Homestead took the place of the Greenbrier. Doug Houser (later President in 1990-1991), was the 1980 Program Chair for the Annual Meeting. Houser regrets the meeting had to be cancelled, but he prefers to remember the convention as "the best damned meeting we never had." In any event, then-President Don Smith of Nashville rallied the membership and the Annual Meeting was combined with the 1981 Winter Meeting at the Camelback Inn in Arizona.

Beginning in 1980, a series of historical sketches on the Federation's history by Charles Robison and David Green (President 1964-65) began appearing in the *Flyer*. Green also prepared a lengthy history of the Federation. Among other things, Green listed each convention site until that time, and every person who had ever served as an officer or director. These writings remain an invaluable resource for the early history of the Federation.

By 1982, the Federation had taken a leading role in formulating guiding principles to improve relationships between carriers and avoid internecine litigation. This caused one insurance industry publication, "*The Insurance Adjuster*," to refer to the Federation as a "rambunctious maverick organization." Such comments caused James B. Hiers, President in 1983-1984, to state "the Federation has been called a lot of things . . . [t]he Federation has been noted for being at the forefront when new ideas of insurance industry-defense attorney cooperation are needed. It has been called the 'Fraternity of Insurance Counsel' because of the close knit camaraderie among its membership. Whatever the nomenclature the Federation is respected, conservative but aggressive and willing to assist and establish standards of efficiency and competency in their rendering of legal services."

By the early 1980s, of course, the Federation was fully established as one of the premier defense bar organization in the country as well as internationally. Indeed, it reached such a level of prominence that at the 1983 Winter Meeting held at the Canyon Club in Palm Springs, California, former President Gerald R. Ford, addressed the membership during a Saturday morning meeting. Before and since that time, Saturday mornings at Federation



*The Announcement
for "The Meeting
That Never Was"*

meetings have seen notable and sometimes controversial speakers such as James Carville, Dr. Phil McGraw, and George Will.

By the mid-1980s, *Quarterly* subjects included such articles as “When Litigants Go Hollywood: ‘A ‘Day in the Life’ and Selected Short Subjects,” a discussion of videotape in litigation, and “Defense Counsel Liability for Insurer Bad Faith,” an article that recognized the unfortunate trend toward suing lawyers.

In 1985, in recognition of the changing nature of the Federation membership, the Board of Directors voted to change the name of what had been the “Federation of Insurance Counsel” to the “Federation of Insurance & Corporate Counsel.” In the previous 49 years, the Federation had expanded from a relatively small group of attorneys defending automobile and workman’s compensation cases into a vibrant organization of lawyers whose practices involved product liability, aviation accident, medical malpractice, and commercial litigation cases. By the early 1980s, torts involving exposure to hazardous substances, such as silicone and asbestos, were on the rise, and Federation members held programs dealing with the defense of claims involving these claims. Many states began to allow lawsuits based on the tort of “bad faith” and violations of unfair claims settlement practices acts. Thus, direct actions against carriers involving extracontractual allegations became the focus of many Federation members’ efforts.

The year 1982 saw the death of John Allen Appleman, who had continued his lifetime devotion to the Federation after his stint as President ended in 1952. To honor his memory, the Federation established the “John Allen Appleman Award.” Presented since 1984, this award honors the substantive law section chair who has made the most outstanding contribution to the advancement of the Federation’s educational goals through the work of his or her section. The recipient is chosen by the President based on the recommendation of the Chair and Vice-Chairs of the Projects and Objectives Committee.

In 1984, member Harry Ball, a retired insurance company executive, took over the position of Executive Secretary. Harry and his wife, Dotty, would both serve the Federation until 1991 and are fondly remembered for their efforts.

In 1985, the Federation Foundation underwrote the cost of preparing the distribution of a cassette containing a presentation by the late renowned teacher and lecturer Irving Younger of the University of Minnesota Law School setting forth the Federation’s position on punitive damages. Younger was renowned for his work in this area as well in the areas of evidence and trial presentation. Later, after Younger’s untimely death, the Federation made a donation of \$5,000 to the University of Minnesota Law School for the Irving Younger Professorship of Law which was established as a memorial to him.

The Federation continued to grow. At the 1985 Annual Meeting at Paradise Island in the Bahamas, over 750 people attended, including 150 children. The Federation continued

to mature in other ways as well. In 1985, Marjorie Gadarian Graham became the Federation's first woman member. Gadarian Graham can truly be called a pioneer. She was the first woman partner in her law firm and the first one "allowed" to try cases. She helped co-found the Federation Appellate Law Section. She remains proud of her Federation membership and is proud that she helped pave the way for others. In 1989, Robert L. Robinson became the first person of color to become a Federation member.

The decade's end saw another change. Former President James Hiers and Harry Ball designed a new Federation logo. Hiers thought about what constituted the essence of the Federation's spirit and added the words "Knowledge-Justice-Fellowship" to the emblem. The new logo first appeared in the *Federation Quarterly* in the Winter 1989 issue.



*Margorie Gadarian
Graham*

The 1990s: *Outreach, Growth and Technology*

The 1990s saw even more changes for the Federation. This was the decade in which the Federation moved toward the effective use of technology. It was the decade in which the Federation began to become more diverse in its membership. The Federation also began several important outreach programs.



Robert Robinson

In 1991, Joe Olshan became the first Executive Director of the Federation, as opposed to Executive Secretary. Previously, Olshan had been the Vice-President of Claims and later General Counsel at Factory Mutual Insurance Company. As his wife Ginny recalls, Joe mistakenly thought being Executive Director would be a "retirement" position. The responsibilities assumed by the Executive Director included maintaining the Federation's administrative, financial, and membership records, as well as assisting the volunteer member convention chairs in organizing conventions and meetings. Joe Olshan was a beloved figure in the Federation. He genuinely enjoyed being Executive Director and his wife Ginny recalls his years as such as their "happiest time." Ginny remembers that while her husband was Executive Director, they ran the Federation from the basement of their house. She remembers that she had many duties too. She handled the dues and all the mail and, in fact, believes that with all her duties, the Executive Directorship was pretty much a 50-50 proposition between her and Joe.

In 2000, Olshan retired from the Executive Director position. However, the early resignation of his replacement caused then President William Fanter to ask Olshan to return. His unhesitating agreement to do so reflected his dedication to the Federation. After working

with another replacement, Olshan finally retired again in 2001. In that year, Marty Streeper became the first female Executive Director of the Federation, in fact, was the first female Executive Director of any major defense organization.

One important development in the 1990s was the birth of the Litigation Management College. Created in 1995, the College was designed to provide the highest level of training, information and discussion regarding the handling of lawsuits from the claims processing to litigation stages. The attendees are claims professionals from insurance carriers and self-insured corporations. The faculty is a blue ribbon panel consisting of claim professionals and defense lawyers who donate their time to make the college possible. In 2004, a graduate program for the Litigation Management College was established. This graduate program was established for those who had graduated from the College and had at least 15 years of litigation management experience.

The Federation Foundation presented its first Federation Foundation Forum at the 1994 Annual Meeting at the Chateau Whistler. The Forum was conducted by Professor James McElhaney, who was considered at that time and perhaps today “the country’s most popular CLE speaker.”

The late 1990s saw the Federation make great strides in technology. The 1997 roster saw e-mail addresses added for the first time. The Federation also formed its first Technology in Law Section and the companion Board Technology Committee. Thanks to the hard work of Dan Kohane, John Intondi, John Fitts, Jim Semple, Ed McKinnon, and Lewis Collins, the Federation website was created at the web address www.thefederation.org, a first for any defense organization. This site has become a premier clearing house for legal information and is often cited by other organizations as an outstanding website. By 1998, the website was fully operational. It contained a legal services directory, a Y2K users guide, articles from the *Quarterly*, a description of upcoming CLE programs, information relating to the ethical issues underpinning the insurance-defense counsel relationship, and links to related sites. In the January 2004 edition of *Litigation News*, the co-chairs of the ABA Section of Litigation Technology for the Litigator Committee selected the FDCC website as one of the top five legal research websites.

In 1996, the Federation celebrated its 60th anniversary with an outstanding Annual Meeting in London, England. Activities included a special after-theater cocktail reception with several of the stars of the production of *Oliver* and *Starlight Express*. The Friday morning featured speaker was Right Honorable David Melor, P.C.Q.C.M.P., who had been named BBC Radio Personality of the Year for 1995. The opening reception was held at Windsor Suite overlooking Hyde Park, and the closing ceremony Black-Tie Dinner Dance was held at the Grosvenor House.

In 1998, the Federation sponsored a “Technology for the Defense Summit” in Chicago, Illinois. The meeting was attended by corporate counsel, claims professionals, risk managers, management information systems directors, and defense lawyers from throughout the United States. According to the Federation’s President at the time, the Technology Summit was “merely the first step in an effort to harness technology in an effort to make the defense of civil litigation and efficient process.”

It was in the 1990s that the Federation informally adopted the phrase “Above and Beyond” as the standard by which everything in the Federation is judged. Past President Ric Gass created the phrase. Gass was on the Admissions Committee in the early 1990s when the Committee was searching for a way to describe the standard that would be applied to those seeking Federation membership. Gass had been at a firm where he was involved in making partnership decisions. He advocated a standard there that someone who was going to become a partner had to distinguish themselves by doing something “above and beyond” just doing good legal work. As Gass said, “being a partner meant more than that to me.” At the Admissions Committee, Gass proposed that the standard that a Federation admittee would have to show was that they met the above and beyond standard. Gass stated “I just happened to come up with the words to describe the standard that we felt already existed in the Federation but which needed a verbal formula.”

The 1990s also saw some unfortunate tragedy within the ranks of the Federation. In November 1994, the *Flyer* reported the death of Andrew Hecker, a well-known and beloved Federation member. At the time of his death, Hecker was one month shy of his 51st birthday. The *Flyer* described him as a “remarkable and delightful human being who was truly loved by virtually everyone who ever knew him.” In March 1995, the Federation Board voted to establish the Andrew C. Hecker Memorial Award, to be presented annually to the Federation member who authored the best article published in the *Quarterly* during the preceding 12 months.

The New Millennium

The Federation began the twenty first century by recommitting itself to diversity. While serving as President-elect, William Roedder stated “We are redoubling our efforts to attract more female members and more members of color as well as other minorities. Equally important is ensuring that when such members join, they are made to feel comfortable and at home with our membership as a whole.” Another change on the horizon was a name change. Effective October 2001, the Federation became known as “The Federation of Defense & Corporate Counsel.” The change was intended reflect the fact that many Federation members were practicing in fields beyond insurance defense, and that there were now many non-insurance based corporate executive members.

This decade would see the Federation's first female president when Jean Lawler served as President in 2004-2005. When inducted as Federation President, Lawler was pleased to introduce to the audience the first female member, Marjorie Gadarian Graham. This era saw a time when many more women and persons of color became members. Women members began to have their own breakfast meetings, and many more women began to serve in leadership positions.

This decade saw major changes in the membership of the Federation. Members who had joined the Federation during the post-war boom in membership began to retire or die. Economic hard times for defense firms also limited Federation membership. At one time, the Federation's membership actually decreased. However, under the able leadership of Steve Barney, Chair of the Membership Development Committee, Federation ranks soon not only rebounded, but swelled. In fact, in 2005, the Membership Development Committee recommended the establishment of a waiting list for those seeking Federation membership but for whom no space was available.

It was a decade of outreach for the Federation. The year 2001 saw the inaugural Corporate Members Forum (CMF). The leading purpose of the CMF was to increase corporate member participation at all levels of the Federation. The CMF was also designed to support the work of the Corporate Membership Committee to attract and develop new membership. The CMF has now become the Corporate Counsel Committee and serves as a resource for in-house attorneys and insurance industry speakers.

In 2000, the Property Insurance Section of the Federation partnered with the Property Loss Research Bureau to present a seminar for high-level insurance executives dealing with first party insurance issues. This successful conference continues on a bi-annual basis, and has expanded to include a liability insurance component involving the Insurance Coverage Section. Later, it evolved into a "webinar" rather than an in-person seminar. In October 2001, the Federation held its first Law Firm Management Conference in Chicago. Approximately 75 members and/or managing partners of the Federation firms participated. This program continues to this day, and partnered with the International Association of Defense Counsel to host the most recent program.

More and more recognition has been given to the Federation's Corporate and Associate, now Industry members. In 2002, the Corporate Members' Forum Award (now Corporate Member Award) was established to recognize Corporate or Associate members whose dedication to the Federation has resulted in a particularly meaningful contribution to the Federation's projects. Recent winners have included Rene Mouledoux of Exxon Mobil Corporation and Vicki Roberts of Meadowbrook Insurance.

In May 2003, the Federation, once again, showed that it was on the cutting edge of litigation by sponsoring the well-attended Mold Summit in St. Louis, Missouri in connection

with the National Association of Mutual Insurance Companies. The Mold Summit was an interactive symposium where lawyers, insurance executives, and healthcare professionals met and discussed their views on mold, mold litigation, and insurance coverage.

The new decade also saw the Federation focus its effort on international programs and international members. The International Law Section began to host dinners during the Federation meetings. In 2004, the Federation held international seminars in Sydney, Australia and Barcelona, Spain in connection with other defense organizations. In 2005, the Federation sponsored a “Canada Mini-Convention” in conjunction with the Canada Defense Lawyer’s Association. Federation members came not only from Canada and Mexico, but also such other countries as Spain, France, The United Kingdom, Australia, and China. During this decade, Colin Croly of London served on the Federation Board of Directors.

The Federation continued its effective use of technology by introducing in 2003, the fast track process allowing the Federation to accept applications electronically and respond more quickly to those who were nominated for membership. Federation publications, such as the *Quarterly* and the *Flyer*, began to be available on the website for electronic download.

As it did when it took a stand against “no fault” in the 1960s, the Federation continues to “stand up and be counted” when necessary. In May 2005, the Federation voted to endorse an American Bar Association Resolution on preserving the attorney-client privilege — the only defense organization to do so. The Federation is one of the three national defense organizations who helped create “Lawyers for Civil Justice,” a group dedicated to achieving reforms in the civil justice system that support fairness and balance.

Despite the changes, the Federation does continue to focus on its core strength: the defense of claims. From 1960, when seminar speakers expressed astonishment that a plain-

tiff could obtain a million and a half dollar jury verdict, through its pioneer work in psychological aspects of jury trials to today, the Federation has focused on the litigation process. In fact, at its 2006 Winter Meeting, the Federation presented its first special trial masters program entitled: “The Trial Master: Storytelling and Theme Development: Helping Juries Understand Your Case.” The Trial Masters Program is now a part of every winter meeting.



The Midway Theme Party

The Federation has also continued its tradition of elegant venues and interesting events throughout the new millennium. Theme parties seemed to be just as important as they were when the members donned fake beards

and bowler hats for the “Pennsylvania Dutch” party. The 2005 Annual Meeting featured a theme party held on the historic aircraft carrier Midway docked in San Diego Harbor. John Rea, an active member since 1957, who has attended his share of theme parties, described the Midway party as the best one in his entire 50+ years as a Federation member.

In 2006, the Federation celebrated its 70th anniversary. Then president Lewis Collins originated the idea of preserving the history of the Federation and the first addition of *Above and Beyond* was prepared. Archives began to be maintained which contained copies of the Federation Quarterlies as published from 1950 forward and the Federation Flyers as published from 1975 forward. At the 2006 Annual Meeting, the history was highlighted in a slide show and pictures of every Federation convention location were shown before the beginning of the plenary meetings.

Shortly before the 2006 Winter Meeting, Joe Olshan, beloved former Federation Executive Director, died. In his memory, the Federation Executive Committee established the most recent Federation award. This award, known as the “Joseph R. Olshan Award,” is presented annually to the Chair-Person of an administrative committee or special project who has the most outstanding contribution to the advancement of the Federation’s goals. This award was established to “recognize in perpetuity Joe’s character, warmth, dedication, and limitless contributions to the Federation as a member and Executive Director.” It was presented for the first time at the 70th Anniversary meeting in Bermuda.

The Federation began several significant new projects during the latter part of the millennium’s first decade. An electronic discovery project was begun which resulted in a white paper presented on a CD and sent to every Federation member which discussed the most current case law and rules regarding the newly emerging area of electronic discovery. In 2008, the Federation began presenting a leadership conference which was designed to fill a perceived void in law firm leadership training. Designed for younger attorneys, the conference sought to instruct these attorneys on how to become future leaders in their profession and in their law firms.

Other projects continued to grow more popular and well-regarded. From small beginnings, the Corporate Counsel Symposium began to attract participants from Fortune 500 companies and featured such subjects as media, investigation of corporate America, corporate governance, and litigation cost management. It will have its eighth edition in 2011. The Litigation Management College continued its successful run and also introduced many potential corporate members to the Federation and to its attorneys. The Property Loss Research Bureau and the Federation developed a series of webinars that replaced the actual symposium that had previously been held. The Federation, in participation with the Lawyers for Civil Justice and other defense organizations, also presented strong presentations to the Rules Committees debating changes in the Federal Rules of Civil Procedure.

Though many traditions continued, more changes continued to take place in the Federation. In 2009, a strategic plan was developed that for the first time outlined the goals of the Federation and how they were to be achieved. The plan was placed on the website to be

perused by anyone interested in the Federation's goals. In 2010, significant changes were made in the nominating committee process to correct the process and to ensure a smoother and fairer election of Federation leaders. New venues were also explored. For the 2010 Annual Meeting, the convention was held in Munich, Germany, the first European location outside of London that had ever been utilized as a convention site.

During this period, the Federation once again took the forefront in technology. Convention brochures began to be published electronically and were e-mailed to members. Along with the Flyer, the Quarterly began to be published electronically. In fact, by the 75th anniversary year, almost all Federation announcements were being sent to members by e-mail.

As the 75th anniversary year drew forward, the officers of the Federation held a planning meeting at the Roosevelt Hotel, the very location where the Federation had been founded.

The Annual Meeting took place during the 75th anniversary year in historic Colonial Williamsburg, Virginia. The keynote speaker at the convention was Karl Rove, formerly Deputy Chief of Staff to former President George W. Bush. Rove, known as a master political strategist, responsible for the suc-

cessful campaigns of many politicians, gave a speech in which he discussed the future of the nation and the current political situation. The convention was opened by a Thomas Jefferson impersonator and throughout the convention, costumed figures impersonating various prominent colonial figures mingled with the convention crowd.



The Ratskeller-Munich, Site of the 2010 Annual Meeting



Karl Rove



2010-2011 Officers at The Roosevelt Hotel - December 2010

Conclusion

From a small organization that nearly became extinct during World War II and had an early convention attended by only 15 members, the Federation has grown into an organization where approximately 800 attend meetings and there is an active membership of 1,400 members from five continents.

While President-Elect, Ric Gass published an article in the *Flyer* entitled “What Makes the FDCC Special.” In that article, Gass spoke of his time as a new member, and said “On or about our 5th or 6th meeting, it dawned on us that a lot of people were needed to put on the meetings and tend to the organization, and that all those folks were volunteers. What occurred to us then, and what we recognize more clearly now, is that there is an incredible desire in all members to ‘give back’ to the organization for all that we get from it. You can’t explain running the children’s program, counting bottles at the party, or doing any duty at the registration desk as ‘climbing the ladder.’ The service volunteered at conventions and tending the organization is motivated by more than that. The care that our members have for the organization and each other is reflected in that volunteered service. The Federation isn’t about elegance. It’s about genuineness and real common friends.”

On the occasion of the Federation’s 70th Anniversary, then President Lewis Collins spoke on the role of the Federation:

Our creative and effective representation of defendants in civil litigation serves an important function in society. We play a vital role in the preservation of civil justice. The Federation undergirds a system that would be hopelessly out of balance without our representation. Our organization’s commitment to the highest professional standards greatly benefits the society in which we live. Advancing the ideals of knowledge, justice, and fellowship is the mission that created the Federation.

Today’s Federation members cannot forget the contributions of those who came before us. Isaac Newton, upon being complimented upon his achievements, once allegedly wrote, “If I have seen further it is by standing on the shoulders of giants.” We must remember that we stand on the shoulders of such giants as Appleman, Robison, Hecker, Olshan, Rea, and others, and to strive to always be “above and beyond.”



Presidents of the Federation



David F. Lee
Norwich, NY
1936 – 37



Scott Fitzhugh
Memphis, TN
1937 – 40



H. Beale Rollins
Baltimore, MD
1940 – 41



Henry B. Walker
Evansville, IN
1941 – 46



Glenn R. Dougherty
Milwaukee, WI
1946 – 47



Julian B. Humphrey
New Orleans, LA
1947 – 48



George Henry Tyne
Nashville, TN
1948 – 50



John Alan Appleman
Urbana, IL
1950 – 52



Charles B. Robison
Chicago, IL
1952 – 53



Kent H. Meyers
Cleveland, OH
1953 – 54



James Dempsey
White Plains, NY
1954 – 55



Robert T. Luce
Chicago, IL
1955 – 56



John C. Williams
Houston, TX
1956 – 57



Harry LaBrum
Philadelphia, PA
1957 – 58



George F. Woodliff
Jackson, MS
1958 – 59



Lowell L. Knipmeyer
Kansas City, MO
1959 – 60



William A. Gillen
Tampa, FL
1960 – 61



Carroll R. Heft
Racine, WI
1961 – 62



William A. Porteous, Jr.
New Orleans, LA
1962 – 63



Robert O. Rooney
Chicago, IL
1963 – 64



David Green
Newark, NJ
1964 – 65



John A. Loomis
Los Angeles, CA
1965 – 66



Edward C. German
Philadelphia, PA
1966 – 67



John Gordon Gearin
Portland, OR
1967 – 68



Wilbur W. Jones
Columbus, OH
1968 – 69

Presidents of the Federation



William C. Harvin
Houston, TX
1969 – 70



W.E. Herod
Nashville, TN
1970 – 71



Joseph M. Best
Tulsa, OK
1971 – 72



Howard M. Lester
New York, NY
1972 – 73



Phillip W. Knight
Miami, FL
1973 – 74



John P. Cusack
Roswell, NM
1974 – 75



Leonel I. Hatch
Chicago, IL
1975 – 76



L.S. Carsey
Houston, TX
1976 – 77



Dominic J. Cornella
New York, NY
1977 – 78



Edward S. Corlett III
Miami, FL
1978 – 79



Bruce W. Williams
Salem, OR
1979 – 80



Don L. Smith
Nashville, TN
1980 – 81



Forrest A. Norman
Cleveland, OH
1981 – 82



Thomas J. Hagerty
Hartford, CT
1982 – 83



James B. Hiers, Jr.
Atlanta, GA
1983 – 84



Patrick H. Dickinson
Sarasota, FL
1984 – 85



Hugh E. Reynolds, Jr.
Indianapolis, IN
1985 – 86



Scott Conley
San Francisco, CA
1986 – 87



Richard L. Berdelle
Chicago, IL
1987 – 88



Robert A. Babcock
Kansas City, MO
1988 – 89



D. Dudley Oldham
Houston, TX
1989 – 90



Douglas G. Houser
Portland, OR
1990 – 91



Robert J. Federman
Los Angeles, CA
1991 – 92



Fred R. Ober
Miami, FL
1992 – 93



Robert L. Dickson
Santa Monica, CA
1993 – 94

Presidents of the Federation



Marvin L. Karp
Cleveland, OH
1994 – 95



John R. Trigg
Denver, CO
1995 – 96



Victor M. Halbach, Jr.
Jacksonville, FL
1996 – 97



John R. Woodard III
Tulsa, OK
1997 – 98



J. Ric Gass
Milwaukee, WI
1998 – 99



Paul L. Price
Chicago, IL
1999 – 00



William F. Fanter
Des Moines, IA
2000 – 01



William C. Roedder, Jr.
Mobile, AL
2001 – 02



Robert V. Dewey, Jr.
Peoria, IL
2002 – 03



Jack T. Riley, Jr.
Chicago, IL
2003 – 04



Jean M. Lawler
Los Angeles, CA
2004 – 05



Lewis F. Collins, Jr.
Tampa, FL
2005-06



Dan D. Kohane
Buffalo, NY
2006 – 07



Wayne B. Mason
Dallas, TX
2007 – 08



Steven L. Barney
Petoskey, MI
2008 – 09



Michael T. Lucey
San Francisco, CA
2009 – 10



F. Thomas Cordell
Chickasha, OK
2010 – 11



FEDERATION OF DEFENSE & CORPORATE COUNSEL

11812 North 56th Street

Tampa, FL 33617

813-983-0022

813-988-5837 Fax

E-Mail: mstreeper@thefederation.org

