

NCADA 45th Annual Meeting and Judicial Candidates' Forum

Wilmington Embassy Suites Riverfront

June 16-19, 2022



Thursday, June 16, 2022

3:00 pm—5:30 pm	Board of Directors Meeting	
5:00 pm—6:30 pm	Registration Check-In & Member Meet & Greet	Registration Area
6:15 pm —7:30 pm	Early Arrivals and Young Lawyers Reception	Marina Hallway
7:30 pm—9:30 pm	President's Dinner: An Evening with the Judiciary	River View Lawn
9:30 pm—11:30 pm	After Hours Meet-up	Cloud 9

Friday, June 17, 2022

7:00 am—First Break	Continental Breakfast	Exhibit Hall
8:00 am—12:30 pm	CLE Seminar	
8:15 am—9:15 am	Recent Decisions Case Law Update <i>Leslie C. Packer, Ellis & Winters, LLP</i> An Update on cases of relevance since the 2022 Winter Workshop.	
9:15 am—10:15 am	The Supreme Court: Big Cases, Developing Trends, and What It All Might Mean for Defense Lawyers. <i>Thomas H. Dupree, Jr.</i> <i>Gibson Dunn & Crutcher, LLP</i> Supreme Court advocate Tom Dupree will break down the politics, personalities, and leading cases at the United States Supreme Court. He will discuss rulings and trends of particular interest to defense litigators, as well as notable constitutional cases and other high-profile cases likely to capture public attention and change the course of the law.	
10:15 am—10:30 am	Networking Break	
10:30 am—10:55 am	Awards Presentation	
11:00 am—12:30 pm	Judicial Candidates' Forum	
5:30 pm—7:00 pm	Beer Bash Reception	River View Lawn
7:00 pm	Dinner on Own	
9:30 pm—11:30 pm	After Hours Meet-up	Cloud 9

[Register Today!](#)

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Saturday, June 18, 2022

7:00 am Continental Breakfast Exhibit Hall
8:00 am—12:30 pm CLE Seminar Continues

8:30 am—9:25 am Business Meeting

9:30 am—10:30 am **Keynote: Raise Your Game**
Alan Stein, Jr.

Alan Stein, Jr., renowned keynote speaker/author/coach, is excited to provide you with practical, actionable lessons to help you achieve personal and professional success and inspire you to Raise Your Game. Alan will share captivating stories and lessons to empower you to improve your individual performance, contribution, and significance... as well as your leadership performance, impact, and influence. He will also arm you with tools to increase organizational performance, communication, and cohesion. Here are a few of the pillars he will cover:

- ~Get back to the basics and master the fundamentals*
- ~Heighten clarity on your perspective, core-values, and purpose*
- ~Improve your habits, mindset, and ability to focus*
- ~Increase role clarity, accountability, and communication*
- ~Build a winning culture by aligning organizational beliefs and behavior*
- ~Develop strategies to manage stress, avoid stagnation, and beat burnout*

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10:50 am—11:35 am **Practice Group Breakout Session Block 1**

ADR: Best Mediation Practices.

With over 21 years ADR practice and over 3,000 cases, seasoned mediator and arbitrator Sam Q. Carlisle will share wisdom and insights in this in-depth conversation led by David Lewis.

Sam Q. Carlisle II, Attorney at Law
David O. Lewis, Bryant & Lewis, P.A.

Commercial: Rule 12(b)(6) Motions: Are They Worth It.

Rule 12 provides defense attorneys with a great tool for arguing that cases should be dismissed in their early stages, thereby saving their clients significant time and expense. However, rather than dismissing claims outright, courts sometimes permit parties to amend their claims. Also, some judges have suggested defendants should consider saving their dispositive arguments until the summary judgment stage, when plaintiffs will not have the opportunity to amend their pleadings. During our breakout session, a distinguished panel of practitioners will discuss the pros and cons of Rule 12 motions, and audience participation will be encouraged. Speakers TBA

Medical Malpractice: Unprecedented Times: Unmasking the Secrets to Trying Cases

During a Pandemic Three experienced trial lawyers offer insights from their trials of medical malpractice cases during the COVID pandemic period, from 2020-2022. This panel discussion will include the speakers' insights on logistical issues, procedural challenges, dealing with witness and jurors, and the impact of the pandemic on jurors' views of plaintiffs and health care providers, *Jerry Allen, Jr., Walker Allen Law, Barrett Johnson, Huff Powell & Bailey, Pat Meacham, Parker Poe Adams & Bernstein, LLP*

Workers Comp: "Futility" Cases In Workers' Compensation

This session will provide a history of "futility" cases, the issues related to these cases, and the lessons learned from two recent cases from the Court of Appeals: *Griffin v. Absolute Fire Control* and *Monroe v. MV Transportation*.
Demetrius W. Berry, Brotherton Ford Berry & Weaver, PLLC,
Kristine L. Prati, Wilson Ratledge PLLC

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11:40 am—12:25 pm

Practice Group Breakout Sessions Block 2

Construction: Update on Coverage Issues Implicit in Construction Disputes

This session will cover variety of coverage issues including Additional Insured Coverage: Looking at *Westfield Ins. Co. v. Weaver Cooke Construction* and Certain Underwriters at Lloyd's v. *Stock Bld. Supply, LLC*; Trigger of Coverage: Looking at cases building on or applying *Erie v. Builders Mutual* and *Harleysville v. Hartford*; Duty of Defense: Looking at *Craige v. GEICO*, an auto case that has big implications for CGL policies more broadly; and, *Sea Change?: Crescent University City Venture vs. Trussway* and what effects it may have on coverage for construction disputes, declaratory judgment actions, and the use of extrinsic evidence in declaratory judgment actions.

B. Dan Morton, Ennis Baynard Morton, Medlin & Brown

Employment/Government: Personnel Records & Confidentiality: Employment Law Practices for Government Entities

In internal investigations especially by government entities, can employee statements made by other employees be withheld from the employee under investigation? Recent court interpretations of §160A-168 have raised questions about the confidentiality of personnel records, the rights of the employee, and the reluctance of employees candiddness on reporting misconduct by other employees and/or officers.

Katie Hartzog and Dan Hartzog, Jr., Hartzog Law Group

Product Liability: TPFAS Litigation: Past, Present, and Future. Per- and polyfluoroalkyl substances ("PFAS") have been used for decades in products such as non-stick cookware, water-repellant clothing, stain resistant fabrics and carpets, fire fighting foam, and certain food packaging. Regulation and litigation related to water contamination, property damage, and personal injuries allegedly resulting from PFAS contamination is on the rise and the subject of daily news and Hollywood movies. During our breakout session, we will discuss past and present PFAS cases (with a focus on the federal MDL which includes more than 2,000 cases and rising relating to use of PFAS in Aqueous Film Forming Foam (AFFF) firefighting foam), and trends impacting future litigation.

Kirk Warner, Smith Anderson

General: Nuclear Verdicts in Commercial Trucking

Extreme verdicts are popping up all over the country in various types of cases. We've all seen verdicts in the hundreds of millions to even billions of dollars, and what's notable about these extreme verdicts is that many are for a singular plaintiff. If you'd asked any seasoned defense attorney or insurance adjuster where they'd value the case when it first came across their desks, it's doubtful any would have thought they were worth tens or hundreds of millions of dollars. Some because of the fact pattern, and some because the verdict would exceed any other verdict in a similar case type in the venue and even the country.

Rachel York Colangelo, Magna Legal Services

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Saturday, June 18, 2022
Continued...

12:30 pm Adjourn
6:00 pm—7:00 pm Casual Networking for those staying over Marina Grill

Hotel Information

Wilmington Embassy Suites Riverfront

9 Estell Lee Place
Wilmington, NC

Aloft

501 Nutt St.
Wilmington, NC

Thank you!

2022 Litigation Partners

Take Advantage Today!



Register Today!