



46th ANNUAL MEETING AND SEMINAR

Agenda & Schedule of Events

New World Order: The Industry & Juries Have Never Looked So Different

Thursday, June 8, 2023

3:00 pm – 5:30 pm	Board of Directors Meeting
5:00 pm – 6:15 pm	Early Arrivals Check-In & Early Arrivals Reception
6:15 pm – 7:30 pm	Welcome Reception
7:30 pm – 10:00 pm	President's Dinner: An Evening with the Judiciary (ticketed event)
9:30 pm – 11:30 pm	After hours networking

Friday, June 9, 2023

7:00 am	Networking Continental Breakfast
8:00 am	Welcome & Announcements
8:15 am – 9:15 am (60 minutes/General)	Recent Decisions of Relevance The bi-annual overview and analysis of important appellate decisions. <i>Leslie Packer, Ellis & Winters</i>
9:15 am – 10:00 am (45 minutes/General)	The New Law Firm Model Law firms are steeped in tradition. The aftermath of the pandemic has since made some traditions passe'. This panel of firm managing partners will discuss the way firms are addressing and adapting to staffing, training of young lawyers, financial pressures, client demands, remote work policies, and an array of firm practice considerations. How can the law firm of yesterday provide the best client service and legal representation to build the law firm of the future. <i>Moderator: J.D. Keister, McAngus Goudelock & Courie; Panelists: Jay Courie, McAngus Goudelock & Courie, LLC; Dawn Dillon, Young Moore Henderson, P.A.; Marshall Wall, Cranfill Sumner LLP</i>
10:00 am – 10:15 am	Networking Break & Visit Exhibitors
10:15 am – 10:40 am	2023 Professionalism Awards Presentations
10:40 am – 10:45 am	Quick 5 Break
10:45 am – 11:45 am (60 minutes/General)	Multi-Generational Work Issues Today there are four generations in today's workforce. How do generational differences impact expectations of work/life balance, schedule flexibility, technical skills, professional development, and more. Hear what NCADA members have to say as we review survey results and then turn over to panel members from different generations to share thoughts, insights, and strategies for working together cohesively and effectively. <i>Moderators: Chamberlain Collier, McAngus Goudelock & Courie LLC; William H. Thomas, Barnwell Whaley Patterson & Helms, LLC; Panelists: Clay A. Collier, Crossley McIntosh Crossley McIntosh Collier Hanley & Edes, PLLC; Lisa Frye Garrison, Garrison Law Group; C. Rob Wilson III, Hedrick Gardner Kincheloe & Garofalo, LLP; Cameron E. Nieters, Hall Booth Smith, P.A.</i>

11:45 am – 12:45 pm
(60 minutes/General)

Aligning Needs and Expectations between Counsel and Clients

This session will explore how litigation executives are deploying resources, thinking about law firm performance, considering increased risks in litigation and with juries, addressing cost and quality issues and facing new industry challenges. Based on the 2023 CLM Litigation Management Study Report, this discussion will help facilitate improved communication and working relationships between litigation executives and the firms with whom they partner.

Moderator: J.D. Keister, McAngus Goudelock & Courie; Panelists: Dan Winkler, Westfield Insurance; Taylor Smith, Suite 200 Solutions; Erin Young, Extended Stay Americas

1:00 pm – 2:00 pm

Women Litigators Lunch

1:15 pm

Informal Golf Outing

5:00 pm – 5:30 pm

Young Lawyers Pre-Bash

5:30 pm – 7:00 pm

Beer Bash Reception

7:00 pm

Dinner on own

9:30 pm – 11:30 pm

After hours networking

Saturday, June 10, 2023

7:00 am

Networking Continental Breakfast

8:00 am – 8:45 am

Annual Business Meeting

8:45 am – 9:15am

Introduction to Social Inflation Trends and Focus Group Exercise

(30 minutes/General)

This session will provide a brief introduction to why and how social inflation is contributing to the rise of jury verdicts around the country including North Carolina and introduce the focus group exercise.

Ray Fuentes & Maithilee Pathak, R&D Strategic Solutions

9:15 am – 9:20 am

Quick 5 Break

9:25 am – 10:20 am

Focus Group Exercise

(55 minutes/General)

Led by our outside jury consultants, NCADA members will present an actual focus group to show how a catastrophic case can impact actual members of the public.

Ray Fuentes & Maithilee Pathak R&D Strategic Solutions; Jonathan Hall, Parker Poe Adams & Bernstein, LLP; Maria P. Wood, Hall Booth Smith, P.A.

10:20 am – 10:35 am

Networking Break & Visit Exhibitors

10:40 am – 11:25 am

Practice Group Breakout Sessions Block 1

(45 minutes/General)

General Liability

Offshore Wind Power: What Law Applies?

The United States is embracing the potential for offshore wind energy production, with numerous projects in development up and down the East Coast. Offshore wind is intrinsically connected to maritime law, as the construction, supply, and maintenance of offshore wind projects relies on various marine vessels and services. This session will outline the status of offshore wind power in NC, VA, and SC, discuss the operational risks, applicable admiralty and maritime laws, and safety regulations, and forecast the impact of maritime laws on offshore wind casualty cases.

Shawn A. Voyles, McKenry Dancigers Dawson, P.C.

Medical Malpractice

Consents & Complications: Dealing with Efforts to Exclude Informed Consent Evidence at Trial.

A discussion of NC law applicable to efforts by plaintiffs to exclude evidence of informed consent discussions with providers, even when those discussions involved the complication that the patient ultimately suffered. Interactive discussion of recent examples in NC trials and tactics used by both sides.

Madeleine Pfefferle, Ellis & Winters, LLP

Workers' Compensation **Impact of Recent Opinions in Workers' Compensation**
This session will provide summaries of the recent Court of Appeals decision on the *Sturdivant v. NC Dep't of Pub Ser.*; and the removal of second opinions from the fee schedule, lack of definition of "usual and customary" fees, ongoing pre-payment issues. Strategic and practical brainstorming discussions will be an integral part of the session.
Kristine Prati, Wilson Ratledge, PLLC and Brian Groesser, Midkiff Muncie & Ross, P.C.

11:30 am – 12:15 pm
(45 minutes/General) **Practice Group Breakout Sessions Block 2**

Construction **Big Data: Managing ESI in Construction Cases**
Construction projects often last several years, involve multiple parties, and result in significant amounts of communication. The result is often very large amounts of electronically stored information ("ESI") related to the project. If there is litigation, discovery can often involve sorting through thousands if not millions of documents. This session will explore techniques and strategies for identifying, collecting, reviewing, and otherwise processing ESI in discovery disputes and will examine common issues and best practices for management of ESI in as efficient manner as possible.
Andrew Atkins, Smith Anderson

Commercial **Overview of Commercial Damages and Tips for Navigating Daubert**
The U.S. Supreme Court's landmark ruling in *Daubert v. Merrell Dow Pharmaceuticals, Inc.* in 1993 established a standard for the admissibility of expert testimony in federal courts. As a result of the *Daubert* decision, financial experts are required to provide a more rigorous and reliable basis for their opinions, and their methodologies and techniques must be supported by established scientific principles, empirical data, and peer-reviewed literature. In this presentation, Misty Decker and Bailey King will guide you through an overview of commercial damages, the history of expert admissibility in the U.S. and address best practices in both challenging opposing expert witness testimony and defending your own expert from opposing *Daubert* motions.
Misty Decker, Elliot Davis, PLLC; C. Bailey King, Bradley Arant Boulton Cummings LLP

Employment **Weed at Work: What Employers Need to Know About Marijuana in the Workplace**
More and more states are moving towards legalizing marijuana. As a result, employers are faced with complex and wide-ranging workplace issues created by the ever changing federal, state, and local laws. Some employers may view marijuana legalization as simply a drug-testing issue. However, laws governing marijuana cover a wide variety of topics, including statutory and regulatory compliance, disability discrimination, workplace safety and health, and employee privacy. This presentation will address some of the most frequently asked questions (FAQs) that employers raise regarding marijuana and the workplace. It will also discuss the current Compassionate Care Act that was recently passed by the North Carolina Senate.
Ashley Bartolucci, Lincoln Derr

Product Liability **Causation Experts: Show Me the Science**
Presentation and interactive discussion of lessons learned in Rule 702 and Rule 703 challenges to causation experts and causation evidence in North Carolina.
Addie Ries, Smith Anderson

12:20 am – 12:50 pm
(30 minutes/General) **Analysis of Focus Group and Arguments**
Ray Fuentes & Maithilee Pathak, R&D Strategic Solutions

1:00 pm Informal Golf Outing

210 min/ 3.5 hours

Total CLE Hours: 7.25 General hours

6:00 pm – 7:00 pm Casual Networking Social for those staying over on Saturday evening