



2019 Winter Workshop Agenda

January 25, 2019 ♦ The Solution Center, RTP

- 8:00—8:50 a.m. Registration & Continental Breakfast
- 8:50 a.m. Welcome & Announcements
- 9:00—10:00 a.m. **Case Law Update: Top Decisions of 2018**
A recap and in-depth discussion of the decisions of 2018 most important to your practice.
Leslie Packer, Ellis & Winters LLP
- 10:00—11:00 a.m. **Sexual Violence and Sexual Harassment claims in the #MeToo Era** The #MeToo Movement was popularized by several high-profile American celebrities and intended to highlight the prevalence of professionalism) sexual assault and sexual harassment. A 2017 Survey Report at the Center for Disease Control (CDC) found that one three women, and one in six men, have experienced some form of sexual violence in their lifetime. The Diversity Committee of the NCADA will present an in-depth discussion on the topic of sexual violence and harassment and the impact it has on individuals and organizations. You will hear from a variety of In-House, Plaintiff, and Defense attorneys about the prevalence of sexual assault and sexual harassment claims occurring in our workplace, churches, schools and other environments, the types of claims reported, the issue of false reporting, and how these claims are affecting our relationships and work environments. Moderator, Maria Ortiz, Lincoln Derr, PLLC; Panelists: Sean Herrmann, Herrmann & Murphy, PLLC; Kathleen Luchessi, Lincoln Derr, PLLC; Kathleen McKay, Duke Energy
- 11:00—11:15 a.m. Networking Break
- 11:15 a.m.—12:15 p.m. **Psychology of Retirement: Preparing for life after the daily practice of law**
Have you thought about how you want your practice to come to a conclusion? This presentation will help you look at your life, your substance abuse) practice, and the future of both so that you can begin to mentally, physically, and professionally prepare yourself and your practice for that time. Nan E. Hannah, Hannah Sheridan & Cochran, LLP
- 12:15—1:00 p.m. Networking Lunch & Visit Exhibitors
- 1:05—2:05 p.m. **Practice Group Sessions #1**
- General Liability: Practical Medical Evidence Considerations in Personal Injury Actions**
This presentation will look at common evidentiary issues such need for expert witness testimony as to proximate causation of claimed injuries, whether and when treating physicians must be designated as expert witnesses, and whether expert medical testimony is needed as to medical expenses. Chad Dunn, Bailey & Dixon, LLP
- Government: Mini Case Update on Recent Decisions Important to Governmental Practice**
A panel discussion on 2018 cases impacting civil defense practice.
Jennifer Jones, Wake County Attorney's Office; Ryan Bostic & Andrew Santaniello, Clawson & Staubes

Commercial: North Carolina Business Court Update

Catch up on recent decisions in complex and commercial litigation coming out of the Business Courts in this lively roundtable discussion with fellow practitioners.

Timothy P. Lendino, Bradley; Josh Neighbors, Hedrick Gardner Kincheloe & Garofalo, LLP; Scottie Forbes Lee, Ellis & Winters, LLP

Medical Malpractice: Handling Cases Before the Board of Nursing

Learn more about the administrative processes involved when handling cases and representing clients before the North Carolina Board of Nursing.

Meredith K. Parris, Chief Prosecuting Attorney, NC Board of Nursing; Elizabeth Sims Hedrick, Fox Rothschild LLP

2:10—3:10 p.m.

Practice Group Sessions #2

Insurance: Game Changer: Recent Rulings in UIM Coverage

This session will discuss recent rulings from the appellate courts impacting the defense of UIM claims in North Carolina. Discussion will include an overview of the Court of Appeals decision in Nationwide v Le Bei addressing the ‘multiple claimant’ exception and the NC Supreme Court decision in Hairston v. Harward on the treatment of UIM proceeds as collateral source.

Andrew G. Pinto, Pinto Coates Kyre & Bowers, PLLC; George L. Simpson, IV, Simpson Law, PLLC

Employment: History repeats itself. Workplace Harassment and Discrimination

This session will discuss creating a strong policy, enforcement plan, and positive company culture.

Katie Barber-Jones, Cranfill Sumner Hartzog, PLLC

Construction: Passing the Buck: An Overview of Sending and Receiving Additional Insured Tenders in North Carolina

This breakout will focus on policy provisions, authorities, and practical considerations relevant to sending and receiving additional insured tenders in North Carolina in a construction context.

Jeffrey S. Bolster, Bolster Rogers & McKeown, LLP; David Levy, Hedrick Gardner Kincheloe & Garofalo

Alternative Dispute Resolution: What Works (sometimes) and What Doesn't: Tips for Mediation and Arbitration

A “from the trenches” discussion of strategies to help you with your next mediation. Whether you are a seasoned negotiator or learning the ropes, this session will share tips for preparing your client, presenting your position, making demands and offers, and generally working toward the best result possible for your client.

Scott C. Hart, DCR Certified Mediator, Sumrell Sugg

3:10—3:20 p.m.

Networking Break

3:25—4:25 p.m.

OPTIONAL Video: The Importance of a Mediator to Have Expertise in the Subject Matter of a Case

As more and more cases are mediated, how do you select the best mediator for your case? This session will discuss the Basic Rules professionalism or 1 hour of Mediator Competence covering the rules on mediator certification, continuing mediator education, mediator neutrality, impartiality, disqualification and authority. This session will further discuss the rules of mediator competence of skills versus subject matter knowledge and neutral competence in alternatives to mediation. (From the 2018 Workshop)

Robert A. Meynardie, Meynardie & Nanney, PLLC