

2016 dri annual meeting

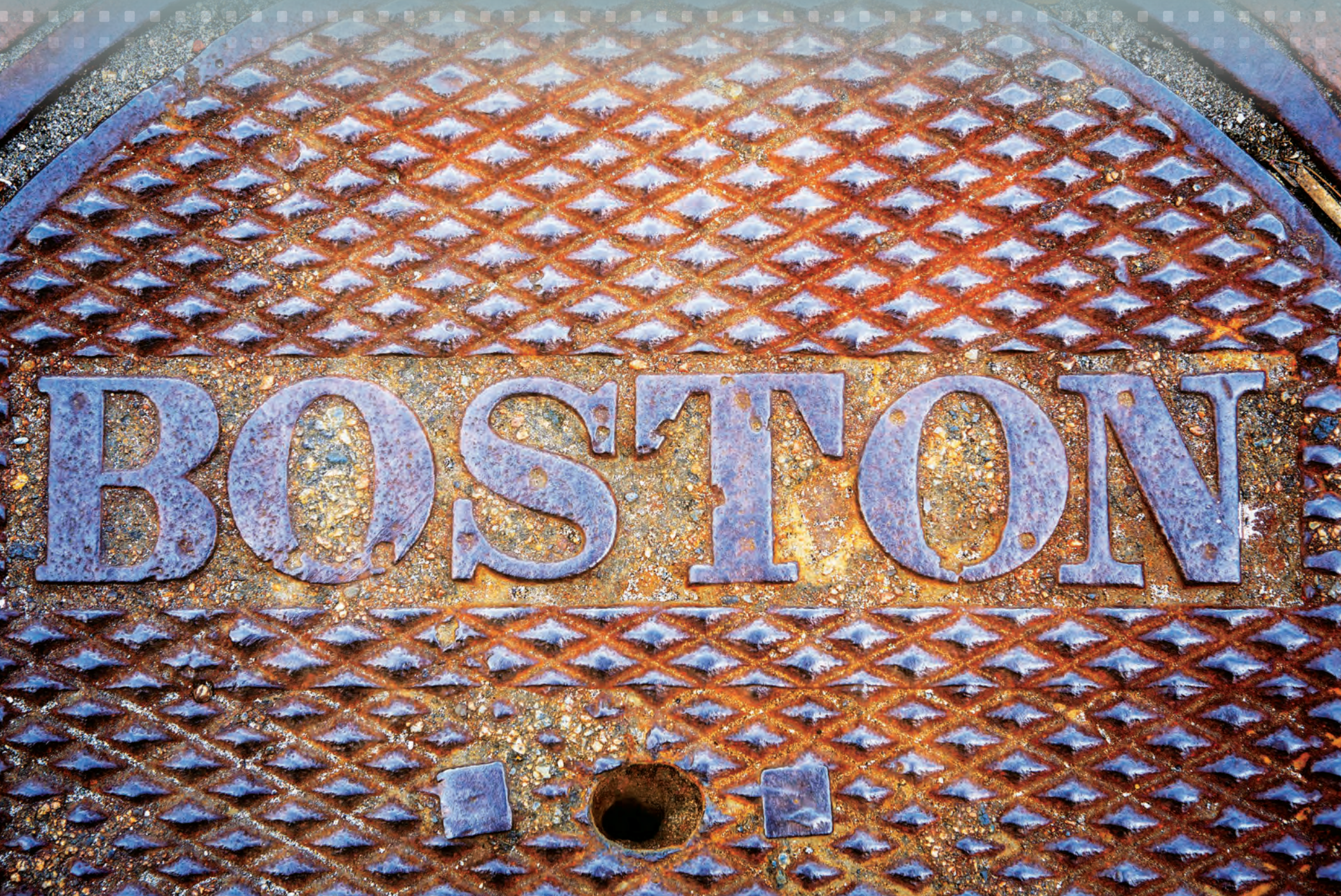
boston

October 19-23, 2016

Sheraton Boston Hotel and the
Hynes Convention Center
Boston, Massachusetts

Advance Program





Register now at dri.org

Annual Meeting Schedule-at-a-Glance

Tuesday, October 18

- 8:30 am–5:00 pm **Meeting:** Law Institute
- 5:00 pm–5:30 pm **Meeting:** 2016 Annual Meeting Steering Committee
- 6:30 pm–9:30 pm DRI Board of Directors Dinner (*Invitation only*)

Wednesday, October 19

- 8:00 am–12:30 pm **Meeting:** DRI Board of Directors
- 12:45 pm–2:45 pm **Meeting:** NFJE Board of Directors
- 2:00 pm–4:00 pm **Education:** Corporate Counsel Program (*In-house counsel only*)
- 2:30 pm–4:00 pm **Meeting:** Committee Chairs and Vice Chairs
- 2:30 pm–4:00 pm **Meeting:** Law Institute, Program Chairs, and Vice Chairs
- 3:00 pm–4:00 pm **Meeting:** Membership Committee
- 4:00 pm–4:30 pm **Meeting:** Corporate Counsel Committee Business Meeting (*In-house counsel only*)
- 4:00 pm–4:45 pm **Meeting:** Committee Membership Chairs and Vice Chairs
- 4:00 pm–5:00 pm **Meeting:** Committees Communities Chairs
- 4:00 pm–5:00 pm **Education:** Substantive Law and Practice Area CLE Sessions
- 4:00 pm–6:30 pm Registration and Exhibit Showcase
- 4:30 pm–5:30 pm **Networking:** Corporate Counsel Reception (*In-house counsel only*)
- 5:00 pm–5:30 pm **Meeting:** First-Time Attendees Orientation
- 5:00 pm–5:30 pm **Meeting:** Substantive Law Committee Business Meetings
- 5:30 pm–6:30 pm **Networking:** Reception for New and Prospective Members
- 6:30 pm–8:00 pm **Networking:** Welcome Reception

Thursday, October 20

- 7:00 am–8:00 am DRI for Life—Yoga
- 7:00 am–8:00 am Friends of Bill W.
- 7:00 am–8:30 am Continental Breakfast in Exhibit Showcase
- 7:00 am–4:00 pm Registration and Exhibit Showcase
- 7:30 am–8:45 am **SLDO:** Executive Directors Breakfast Program
- 8:30 am–12:00 pm **Meeting:** Nominating Committee (*Member appointments*)
- 8:30 am–9:00 am Opening Ceremony and Welcome
- 9:00 am–10:00 am **Keynote:** Dr. Robert C. Cantu
- 10:00 am–10:30 am Refreshment Break in Exhibit Showcase
- 10:30 am–11:15 am **Main Stage:** Vincent D. Rougeau
- 11:15 am–12:00 pm **Main Stage:** John Della Volpe
- 12:15 pm–1:30 pm **Awards Luncheon:** Featuring Ron Kessler (*Ticketed event*)
- 1:45 pm–2:45 pm **Main Stage:** Dr. Michael Sulmeyer
- 1:45 pm–5:00 pm **Meeting:** Nominating Committee (*Member appointments*)
- 2:45 pm–3:15 pm Refreshment Break in Exhibit Showcase
- 3:00 pm–5:00 pm **SLDO:** National Program for State and Local Defense Organizations
- 3:15 pm–4:15 pm **Education:** Substantive Law and Practice Area CLE Sessions
- 4:15 pm–4:45 pm **Meeting:** Substantive Law Committee Business Meetings
- 5:00 pm–5:30 pm **SLDO:** Regional Meetings
- 7:00 pm–10:00 pm **Networking:** Fenway Park

Friday, October 21

- 7:00 am–8:00 am DRI for Life—Pilates
- 7:00 am–8:00 am Friends of Bill W.
- 7:00 am–8:15 am **SLDO:** Leadership Breakfast Featuring General Angela Salinas (*Invitation only*)
- 7:30 am–8:30 am Continental Breakfast in Exhibit Showcase
- 7:30 am–9:00 am **Education:** Staff Counsel Open Forum and Panel Discussion
- 7:30 am–12:30 pm Exhibit Showcase
- 7:30 am–4:00 pm Registration
- 8:30 am–9:30 am **Keynote:** Hon. Michael S. Dukakis
- 8:30 am–12:30 pm **Meeting:** Nominating Committee (*Member appointments*)
- 9:30 am–10:15 am **Main Stage:** DeMaurice Fitzgerald Smith
- 10:15 am–10:45 am Refreshment Break in Exhibit Showcase
- 10:45 am–11:30 am **Main Stage:** Jason L. Riley
- 11:30 am–12:15 pm **Main Stage:** Dr. Charisse L'Pree Corsbie-Massay
- 12:30 pm–1:45 pm **Networking:** DRI Veterans Network Luncheon (*Invitation only*)
- 12:30 pm–1:45 pm **Networking:** Women's Networking Luncheon (*Ticketed event*)
- 12:30 pm–4:00 pm **SLDO:** Executive Directors Program and Luncheon
- 1:30 pm–5:00 pm **Meeting:** Nominating Committee (*Member appointments*)
- 2:00 pm–3:00 pm **Main Stage:** Hon. Sean O'Keefe

- 2:00 pm–5:00 pm **Education:** DRI International™ CLE Program
- 3:00 pm–3:20 pm Refreshment Break
- 3:30 pm–4:30 pm **Education:** Substantive Law and Practice Area CLE Sessions
- 4:30 pm–5:00 pm **Meeting:** Substantive Law Committee Business Meetings
- 5:00 pm–5:30 pm **Meeting:** DRI International™ Business Meeting
- 6:00 pm–7:00 pm **Networking:** Diversity and Inclusion Reception—*Hosted by the Diversity and Inclusion Committee*

Saturday, October 22

- 7:30 am–8:30 am DRI for Life—Yoga
- 7:30 am–8:30 am Friends of Bill W.
- 8:00 am–9:15 am Continental Breakfast
- 8:00 am–9:15 am **Meeting:** 2017 Annual Meeting Steering Committee
- 8:00 am–12:00 pm Registration
- 8:30 am–9:30 am **Main Stage:** Andrew M. Perlman
- 9:30 am–10:30 am **Main Stage:** Michael McCann
- 10:30 am–10:45 am Refreshment Break
- 10:45 am–12:00 pm **Main Stage:** Tina Nabatchi and Kerith Strano Taylor (*Ethics*)
- 12:00 pm–3:00 pm **Meeting:** DRI Board of Directors
- 6:00 pm–10:00 pm **Networking:** President's Gala (*Ticketed event*)

Annual Meeting brochure
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2016 dri
annual
meeting





Are you too busy to improve?



On behalf of the Annual Meeting Steering Committee, we invite you to join us **October 19-23** at the Sheraton Boston Hotel and Hynes Convention Center for the 2016 DRI Annual Meeting. The program includes strategies for success, networking opportunities, spectacular speakers, and cutting-edge CLE presentations just for you.

With a mix of colonial charm, urban sophistication, and high-tech facilities, Boston is a dynamic site for meetings of all kinds. Steeped in American history and labeled “America’s Walking City,” you won’t want to miss an opportunity to explore this wonderfully diverse and fascinating city.

Expand your knowledge base, improve your personal skills, and network with others in your field. You’ll find out what your peers are doing, what the new trends are, and where there’s room for movement and improvement.

Grow Your Network: Strengthen old relationships and develop new ones, while networking with over 1,000 defense attorneys and in-house counsel.

Get Updated: Leading experts will provide insight and updates on the changing legal landscape, leadership, presidential politics, and more.

Earn CLE: Attend CLE programming on developing legal topics to stay ahead of the game; earn up to 11.25 hours of CLE credit, including 3.25 hours of ethics credit.

Get Connected: Join your substantive law committee colleagues for committee business meetings and dine-arounds designed to provide you with leadership and business development opportunities.

This brochure provides you with an overview of the specialized programming we have planned for you in October. Follow [@DRICommunity](https://twitter.com/DRICommunity) on Twitter for special announcements as we are adding new features to the meeting weekly!

It is a recognized principle of all successful businesses; **To advance, you must invest.** DRI’s business is to invest in you. We hope you will invest in your career by joining us in Boston for a productive, inspiring, motivational, and memorable experience.

We look forward to seeing you there.

John E. Cuttino
President, 2016-2017
Columbia, South Carolina

Joseph M. Hanna
Chair, 2016 Annual Meeting
Buffalo, New York



Dig in to a rich array of targeted CLE, networking opportunities and more.

Wednesday, October 19

Wednesday, 2:00 pm–4:00 pm

Corporate Counsel *(This session is by invitation only)*

Navigating a Successful Merger: In-House Counsel Perspectives on Corporate Deals

To provide effective advice during a merger, in-house counsel must manage a myriad of issues, similar to the many sails on the three masts of clipper ships of old. The in-house practitioner simultaneously melds transactional, litigation, regulatory, governance, and commercial perspectives during the course of a deal that might be a lengthy journey. Drawing from experiences across different industries (service, manufacturing, and insurance), our expert panelists will provide in-depth insights and real world guidance on mergers from the in-house point of view. Among other topics, Paul Bonney from Exelon will discuss the potential regulatory pitfalls associated with a merger; Michael Remmes from State Farm will address the litigation implications of buying or selling a subsidiary; and Bridget McGraw from GE Aviation will share thoughts on due diligence and the successful integration of acquired entities. Our moderator, Jeff LaBarge from Nixon Peabody, will present an overview of helping in-house counsels to chart their course through smooth and rough mergers, and guide our interactive session to an understanding of the role of the corporate counsel in a business merger.

MODERATOR **David A. Martland**, Nixon Peabody LLP

SPEAKERS **Paul Bonney**, Exelon Corporation

Bridget McGraw, GE Aviation

Michael J. Remmes, State Farm Mutual Automobile Insurance Company

Wednesday, 4:00 pm–5:00 pm

Commercial Litigation

Admission of Social Media into Evidence

This session consists of multiple rapid-fire presentations. All of the social media sites and applications available today share one thing in common: the users provide the content. As such, social

media can be a good source of evidence about those users, most commonly in the form of pictures, statements, or videos. The phrase “you can’t trust everything that you see on the Internet” hints at the obstacles to the admission of evidence from social media. Courts across the country have applied different standards to the authentication of social media, which attorneys need to be aware of during discovery to ensure the admission of social media into evidence at trial.

SPEAKER **Michele Lorbieski Anderson**, Frost Brown Todd LLC

The Validity and Enforcement of Tolling Agreements to Toll Statutes of Limitations

Most lawyers know that litigation is the least efficient way to resolve business disputes. And most of us have had one client or another who believes they could work out a dispute, but they are out of time—the statute is about to run. The idea of an agreement to “toll” the statute of limitation is attractive. A little bit more time might make the difference in saving a long-term business relationship. The questions left, though, are 1) whether tolling agreements are valid; and 2) if a resolution is not worked out, how do you enforce one if the other side decides to fight it.

SPEAKER **Stacy Linn Moon**, F&B Law Firm PC

The Exposure of Banks and Financial Advisors to Claims for Aiding and Abetting Breach of Fiduciary Duty After *RBC Capital Markets, LLC v. Jervis*

In *RBC Capital Markets, LLC v. Jervis*, the Delaware Supreme Court held a financial advisor liable for aiding and abetting breaches of fiduciary duty in a “flawed and conflict-ridden” sale process. In doing so, the court concluded that a financial advisor can be liable for aiding and abetting directors’ breach of their duty of care, if the advisor, with knowledge that the directors are acting without adequate information, misleads the directors or otherwise creates an “informational vacuum” that induces the breach. Mr. Gassenheimer will discuss the exposure created by this ruling for banks and financial advisors when advising boards, and the need to be aware of the obligation not to act in a manner that is contrary to the interests and the duties of a board of directors.

SPEAKER **James D. Gassenheimer**, Berger Singerman LLP

Schedule of Events

BEACON ST

ADA Website Accessibility Claims: A New Wave of Consumer Class Actions?

This presentation will focus on the nascent trend of putative class actions filed in federal courts against retailers, banks, universities, hospitals, and other places of public accommodation that operate websites. Plaintiffs assert that the websites violate the Americans with Disabilities Act (ADA) by failing to meet alleged accessibility standards for disabled customers, particularly blind or deaf customers. Most cases are currently pending in the Western District of Pennsylvania, but the main plaintiffs' law firm is sending demand letters to hundreds of businesses around the country. The same firm was responsible for filing hundreds of similar ADA class actions related to ATM accessibility nationwide. Firms in other areas of the country will likely begin filing similar lawsuits. We will discuss the status of this new wave of class litigation and approaches to defending or settling these claims.

SPEAKER **Dwight W. Stone II**, Whiteford Taylor & Preston LLP

Trends in Lawyers' Professional Responsibility

Over the past 10 years, lawyers representing plaintiffs in legal malpractice cases have increased in number and visibility. As a result, we are able to identify trends in lawyers' professional liability cases. We will discuss the current trends, both in terms of the substantive areas of law and the underlying practice issues upon which claims are based, so that our lawyers can better insulate themselves from malpractice claims.

SPEAKER **David L. Luikart III**, Hill Ward Henderson

Emerging Technologies and Privacy Issues in the Workplace

Technology is moving fast and creates new and novel issues every day. Can one coworker sue another for unauthorized access to personal information on an employer-owned computer? Can an employer install GPS tracking on a company-owned vehicle fleet without subjecting itself to litigation over whether electronic surveillance is a "substantial change in the workplace conditions" mandating collective bargaining? Learn more about how smart technologies, the Internet of Things, and artificial intelligence are likely to affect legal claims in the workplace.

SPEAKER **Bruce H. Raymond**, Raymond Law Group LLC

Data Management and Security

Mobile Mayhem: Smartphones and Security for Attorneys

Like the rest of the civilized world, all or virtually all attorneys use mobile phones and other devices. Many attorneys are vaguely uneasy that wireless communications involve potential peril to client confidentiality. But few understand the specifics of how their duty to keep client information confidential can be compromised through wireless networks, applications, and storage media. At the same time, a growing chorus of ethics opinions is zeroing in on professional responsibilities implicated by the use of mobile technology. This session will help you serve your clients responsibly without taking your practice back to the age of rotary phones and telex machines. In this session, you will learn what mobile applications do to your device's contents and functions, how your device stores data you thought wasn't there and how it can be recovered, the steps you can take to prevent wireless eavesdropping when you are out of the office and need to communicate, and related ethics and liability implications and how to deal with them.

SPEAKER **Adam I. Cohen**, Berkeley Research Group LLC

Fidelity and Surety

The Nitty-Gritty of MVD Surety Bonds, Deadbeat Dealers, Interpleaders, and More

What does a bond claim look like? In this session you will learn about pleading issues and whether to move against the complaint allegations. You will hear strategies for handling the principal dealership, whether that dealership is engaged in the litigation or closed or not engaged. Learn what damages are covered under the bond, whether attorneys' fees are covered under the bond and, if so, under what circumstances; and if the bond is truly capped at \$40,000, how courts have interpreted that cap.

SPEAKERS **Nancy H. Hamren**, Coats Rose PC
Veronica Paulson, CNA Surety
Vicki M. Smith, Bodyfelt Mount

Government Enforcement and Corporate Compliance

Hot Topics in False Claims Act Litigation

This presentation will review recent FCA enforcement activity, legislative developments, and key cases. The speakers also will focus on the Supreme Court's recent opinion on implied certification, and its ramifications for the health care industry.

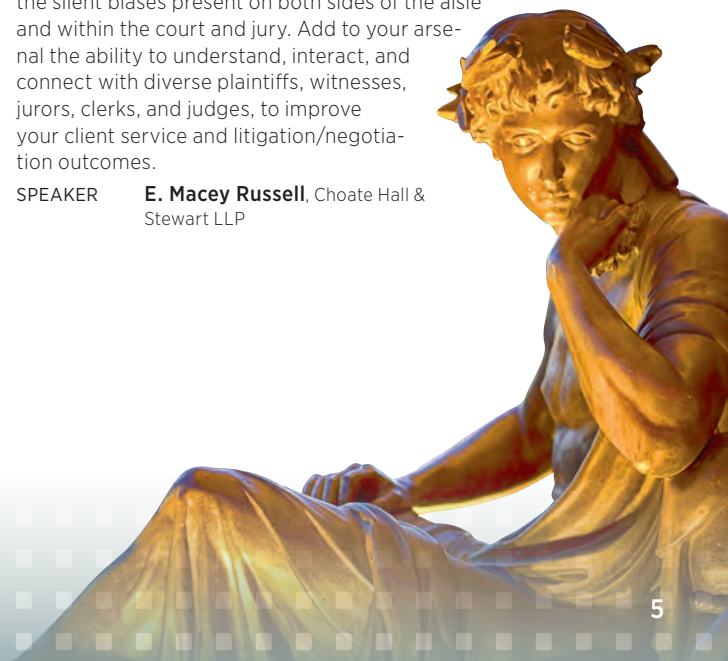
SPEAKERS **Jason H. Casell**, Reed Smith LLP
C. Scott Jones, Locke Lord LLP

Trial Tactics

Litigation Case Assessment: Understanding Your Adversaries and Your Audience in a Changing World

In the context of litigation and negotiation, this presentation will focus on developing the social, emotional, and cultural intelligence and skills needed to evaluate your client's case fully for settlement or trial. More than ever, trial attorneys must be aware of the silent biases present on both sides of the aisle and within the court and jury. Add to your arsenal the ability to understand, interact, and connect with diverse plaintiffs, witnesses, jurors, clerks, and judges, to improve your client service and litigation/negotiation outcomes.

SPEAKER **E. Macey Russell**, Choate Hall & Stewart LLP





Wednesday, 4:00 pm–5:00 pm, continued

Women in the Law

The Perfect Pitch: Ethical Conundrums and Possible Missteps in Landing and Maintaining Clients

A mixed panel consisting of a moderator, in-house counsel, non-attorney industry representatives, and attorneys in private practice with varying years of experience, will discuss a variety of topics involving what makes a perfect pitch for both the lawyer and the client. What is in-house counsel looking for in its attorneys and a pitch? What do insurance company representatives value in a good attorney? Learn about common marketing

“mistakes” (e.g., undervaluing services or fees, not highlighting the right attributes of you or your firm, taking the wrong cases, overselling your abilities) and what ethical, law practice management, and legislative traps come up in pitch scenarios, including issues relating to attorney–client privilege, conflicts of interest among clients, representation of the firm’s abilities as part of the “sale,” tripartite relationships, whether “mistakes” are truly mistakes or simply the product of differing expectations, and the effect of attorneys’ ethical obligations in representation. *(Ethics session)*

MODERATOR Marie E. Chafe, Cornell & Gollub

SPEAKERS Leigh-Ann Durant, EMD Serono, Inc.

Joan A. Lukey, Choate Hall & Stewart LLP

Maureen Mulligan, Peabody & Arnold LLP

Timothy A. Pratt, Boston Scientific

Raquel Webster, National Grid

Workers’ Compensation

Dealing with Traumatic Brain Injuries in the Workplace: The Legal and Medical Issues from Both the Insurers’ and Claimants’ Perspectives

A panel discussion regarding the legal and medical issues that arise when a traumatic brain injury occurs at work. During this discussion, you will hear from attorneys who represent employees and employers, an administrative law judge, and a neurologist, all of whom have a great amount of experience handling these types of cases, including claims brought by former professional athletes.

SPEAKERS Joseph J. Durant, Tentindo Kendall Canniff & Keefe LLP

Marc H. Friedberg, M.D., Ph.D., Neurosurgical Consultants, Inc.

Walter J. Korzeniowski, Law Offices of Walter J. Korzeniowski

Honorable Dennis M. Maher, Sr., Department of Industrial Accidents

Vincent M. Tentindo, Tentindo Kendall Canniff & Keefe LLP

Young Lawyers

The Cautionary Tale of the Steven Avery Trial: Lessons the Recent Netflix Obsession Can Teach Us About Attorney Misconduct and Duties to Opposing Parties

Netflix’s original series, *Making a Murderer*, captured the interest of millions of viewers and sparked debate across the country about America’s criminal justice system, and more germane to DRI’s constituents and the Annual Meeting, lawyers and the legal ethics involved in trial practice. While *Making a Murderer* focuses on criminal investigations and trials, there are lessons all lawyers can learn by studying the actions of the various attorneys involved in the intense legal drama surrounding Steven Avery. This presentation will focus on those lessons that all attorneys can learn from the handling of Steven Avery’s murder trial (but don’t worry—no spoilers). Speakers will discuss the discovery practices and issues that took place prior to Steven Avery’s murder trial, the presentation of evidence and witnesses at the trial itself, the various ethical rules implicated by the conduct, and the ethical rules implicated in the use of pretrial investigators and the use of expert evidence and witnesses at trial. The presentation will also include other real world examples from civil cases across the country of ethics violations involving discovery abuses and misconduct concerning trial evidence and witnesses and the discipline imposed on lawyers found guilty of such violations.

SPEAKERS Colin T. Dean, Bradley Arant Boult Cummings LLP

Emily R. Motto, Baylor Evnen Curtiss Gritmire & Witt LLP

Wednesday, 5:00 pm–5:30 pm

First-Time Attendee Orientation *(See page 18)*

Wednesday, 5:30 pm–6:30 pm

Reception for New and Prospective Members *(See page 18)*

Wednesday, 6:30 pm–8:00 pm

Welcome Reception *(See page 18)*



Rejuvenate your energy and enthusiasm for your profession and your career.

Thursday, October 20

Thursday, 8:30 am–9:00 am

Opening Ceremony and Welcome

Thursday, 9:00 am–10:00 am



Concussion Diagnosis and Management—The Past, Present, and Future

Concussions happen to all types of athletes. But it has been the experiences of college and professional football players that has brought this condition into the forefront of public discourse. Here to give the full medical truth about concussions is Robert Cantu, M.D., a neurosurgeon and preeminent expert on the head trauma crisis in sports. He will guide us through the evolution of the medical community's understanding of what a concussion is, how it can be managed, and the current state of the art in medical research. Finally, he will give us a peek into the future of how concussions will be managed.

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SPEAKER **Robert C. Cantu, M.D.**, Neurological Surgery, Inc.

Thursday, 10:30 am–11:15 am



Embrace the Future—Educating the 21st Century Lawyer

The swirling winds of change are reshaping the way law schools prepare future lawyers. Vincent D. Rougeau, Dean, Boston College Law School, is in the vanguard of developing new models for law schools to embrace change. Dean Rougeau will discuss the way legal education has been transformed, such as the emphasis on experiential learning and global engagement, the challenges that remain, the need for greater cooperation between the legal academy and the profession, and the opportunities for reshaping and reimagining how lawyers contribute to society.

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SPEAKER **Vincent D. Rougeau**, Dean, Boston College Law School

Thursday, 11:15 am–12:00 pm



Inside the Millennial Mind

John Della Volpe, Director of Polling at Harvard University's Institute of Politics and Founder and CEO of SocialSphere, Inc., will provide first-hand insight into the hearts and minds of the Millennial generation. His presentation will reveal his insights from his work with this generation since 2000, and touch upon their views of American institutions, the justice system, community service, and his most recent finding focused on declining support of capitalism.

SPEAKER **John Della Volpe**, Director of Polling at Harvard's Institute of Politics and Founder and CEO of SocialSphere

Thursday, 12:15 pm–1:30 pm

Awards Luncheon—Celebrating DRI's 2016 Top Honors

(See page 18) (Ticketed event)

Thursday, 1:45 pm–2:45 pm



Domestic and International Security: The Challenges Ahead

The dynamic domestic and international security challenges around the globe today have strong implications for all of us. In the context of recent focus on terrorism, cyber threats, and the Middle East, the U.S. and our allies will have to balance future policy and security responses with vexing territorial issues in Eastern Europe and East Asia, WMD proliferation, large-scale migration, and an array of failed states. All of these challenges must be dealt with by effective interagency and international teams during a time of transition, including growing leadership roles by Offices of General Counsel, as key participants the national security arena.

SPEAKER **Robert B. Murrett**, Professor of Practice, Maxwell School of Citizenship and Public Affairs, Institute for National Security and Counterterrorism, Syracuse University School of Law

Thursday, 3:15 pm–4:15 pm

Alternative Dispute Resolution and Employment and Labor Law

Winning Strategies in Arbitration

To arbitrate or not to arbitrate? That is the question. And this program will help businesses, employers, and attorneys find the answer. Hear one company's compelling position for use of a mandatory arbitration program and strategies for using the arbitration process to win. Learn the steps to implementing a successful and enforceable mandatory arbitration program and debunking the myths about arbitration outcomes. Take away tips for selecting arbitrators and forums, effective arbitration strategies that differ from those in jury trials, successful motion practice before arbitrators, and dos and don'ts from lawyers who are both experienced arbitrators and litigators. Examine the hot issue of formation challenges and the new frontier for plaintiffs' counsel trying to avoid mandatory arbitration. Panel participants include an in-house counsel who litigates and arbitrates employment cases and two experienced litigators who also serve as arbitrators and try cases in court and before arbitrators.

SPEAKERS **Michael W. Hawkins**, Dinsmore & Shohl LLP
Chrys A. Martin, Davis Wright Tremaine LLP
Betty Thorne Tierney, Group Vice President – Associate General Counsel – Litigation at Macy's, Inc.



Discover new technologies, products, and services in the exhibit hall geared to help you build your practice.

Appellate Advocacy

Arguing Appeals: What Judges Really Want to Know and Aren't Afraid to Ask

In more than 30 years of public service on the bench, becoming acquainted with issues arising out of every possible sector of commerce and industry, hearing thousands of cases, and writing more than 1,600 opinions for the Massachusetts Appeals Court, the Honorable Christopher J. Armstrong gained unique insight into what makes for a great oral argument and how it can make the difference between a successful appeal, and well.... The panelists will lend us their invaluable experience and expertise in how to prepare for and

distinguish your case at oral argument in all the right ways, including critiques and how to predict what questions the court will ask.

SPEAKERS **Justice Christopher J. Armstrong**, Massachusetts Appeals Court
Thomas J. Carey, Jr., Collora LLP
Henry P. Sorett, Brickley Sears & Sorett PA

Aviation Law

Aviation Insurance Coverage Issues in a Difficult Market: Viewpoints from Manufacturers, Airlines, and Insurers

The question of insurance coverage is typically straightforward when there is an aircraft accident—a claim is either covered or it is not. More difficult issues arise, though, in aircraft accidents implicating war risk coverage, space and satellite coverage, the apportionment of a large loss among several insurers, foreign jurisdictions, and allegations of criminal conduct. This year's panel of aviation experts will offer in-house viewpoints from a major manufacturer, airline, and aviation insurer, and discuss common (and some not so common) issues that arise regarding aviation insurance coverage.

SPEAKERS **Armando Carlo III**, The Boeing Company
Michael McGrory, SmithAmundsen LLC
Glenn Vallach, USAIG

Diversity and Inclusion

Conscious and Unconscious Bias in Hiring and Retention: Best Practices for Moving Forward

This session will include a candid discussion of the various biases in play in law firms and in hiring and retention approaches and policies. The objective is to identify and improve hiring practices and retention of diverse lawyers. A recent study was conducted regarding trends in diversity initiatives in law firms, the effect of the recent economic downturn, and the overall implications for law firms and candidates as a result. Each of these issues will be discussed and examples, insights, and law practice management tips will be provided on how to identify biases and improve a firm's handling in both hiring and retention policies and firm management.

SPEAKERS **Lynn Moran**, Arizona Coaching and Consulting Center LLC
Kathleen Nalty, Kathleen Nalty Consulting LLC

Intellectual Property Litigation

IP Litigation Decisions of Note—The International Edition

This session consists of multiple rapid-fire presentations. Hear a review of notable IP decisions from Canada, Europe, and beyond, as well as the effect that notable U.S. decisions have had in the international context.

SPEAKER **Peter J. Henein**, Cassels Brock & Blackwell LLP

Top 10 Trade Secret Cases from Across the Country in 10 Minutes

Trade secret law continues to develop, mostly in our state courts. From Texas to Tennessee to The Big Apple, this presentation will review the most critical developments in trade secret law over the past year.

SPEAKER **Joseph L. Kish**, Synergy Law Group LLC

Trademarks in 2016: A Review of Significant Developments

Trademark law is ever-developing in a variety of venues, including the federal courts of appeal, the Trademark Trial and Appeal Board, and state courts. This presentation will review the most critical developments in trademark law over the past year.

SPEAKER **Matthew D. Bruno**, Kightlinger & Gray LLP

Recent Developments in Copyright Law

Listen to a discussion of recent copyright decisions and cases to watch on topics including the scope of copyright protection of software code, the scope of DMCA safe harbor, compulsory copyright licenses for streamed content, the fair use doctrine, and the standard for recovery of attorneys' fees.

SPEAKER **G. Warren Bleeker**, Lewis Roca Rothgerber Christie LLP

The AIA Makes Its Way—to the Supreme Court

On January 15, 2016, the Supreme Court granted certiorari in *Cuozzo Speed Technologies, LLC v. Lee* to address two questions that, thus far, have been resolved in favor of petitioners in inter partes review (IPR) proceedings: first, whether a decision by the



Patent Trial and Appeal Board to institute an IPR is ever reviewable, even on appeal of the board's final decision; and second, whether the U.S. Patent and Trademark Office had the authority to promulgate rules whereby the board evaluates claims in an IPR under the broadest reasonable construction standing, while at the same time severely limiting the patent owner's ability to amend the claims. Depending on the resolution to these questions, IPRs may morph from a patent challenger's best friend to a more even-handed proceeding.

SPEAKER **William H. Oldach III**, Vorys Sater Seymour and Pease LLP

Life, Health, and Disability

Through the Looking Glass: Contrasting In-House and Outside Counsel Experience

After 31 years of practicing in-house for the life and health insurance industry, Mr. Collins will provide insights into the practical and cultural differences between in-house and private practice. He will address the sensitive topic of fees and how to have an honest discussion about the value of legal services. Additionally, Mr. Collins will review some of the present day challenges of the life and health insurance industry and how those challenges affect both in-house and outside counsel.

SPEAKER **J. Christopher Collins**, Mirick O'Connell DeMallie & Lougee LLP

Breaking Bad-Faith Jurisdictional Manipulation: Removing Diversity Cases After More Than One Year of Litigation

This presentation will provide a brief historical background on the one-year limit to removal in diversity cases and give an overview of cases that have applied the new bad-faith exception. While the law in this area is still developing, courts have generally interpreted this exception narrowly and have often declined to apply it. The presentation will focus on trends in finding bad faith that would allow defendants to remove a case to federal court even after one year of litigation.

SPEAKER **Kathleen Kahn**, Lewis Roca Rothgerber Christie LLP

Product Liability

Amendments to the Federal Rules of Civil Procedure: Effect on Product Liability Litigation in the Initial Year

Mr. Maley will review the amendments to the Federal Rules of Civil Procedure and analyze case law interpreting the amendments and the effect on product liability cases. His presentation will address how "proportionality" is playing out in the trenches, the specificity required for objections to production, the necessary detail that must be disclosed in withholding objectionable documents, and implications on the ESI preservation standards.

SPEAKER **John R. Maley**, Barnes & Thornburg LLP

Can Social Media Help Satisfy the Manufacturer's Pre-sale and Post-sale Duty to Warn?

This session will analyze the manufacturer's duty to warn and instruct consumers before sale and warn or notify consumers after sale about product hazards, product recalls, and retrofits, and whether the use of social media is helpful or necessary to establish that the manufacturer was reasonable in reaching potential consumers.

SPEAKER **Kenneth Ross**, Bowman and Brooke LLP

Retail and Hospitality

InstaTrial: A Guide to Meeting Jurors' Expectations in the Age of Yelp, Twitter, and Instagram

Today's consumers have very high expectations of retailers—they expect more from their retail experience and they want it now. Likewise, today's jurors expect more from their experience in the courtroom, and they also want it now. In this session, we will discuss how corporate defendants can apply a consumer approach to meeting jurors' expectations at trial and increasing the likelihood of persuading them.

SPEAKER **Samantha D. Holmes**, Ph.D., EDGE Litigation Consulting LLC

Toxic Torts and Environmental Law

A Litigator's Toolkit for Defending Clean Room Exposure Claims

The allegation that exposure to toxic substances used in the technology manufacturing industry can cause disease is not a new concept. However, prompted by aggressive marketing, there has been a significant increase in such claims by toxic tort plaintiffs' lawyers. This discussion will explore recent trends, address problem jurisdictions, and provide defense litigators with the necessary tools to manage and successfully defend these cases. The specific areas of focus will include the literature that plaintiffs' rely on to purportedly support their claims, attacking that literature, and what expert testimony is necessary to rebut plaintiffs' claims.

SPEAKER **Michael J. Pietrykowski**, Gordon Rees Scully Mansukhani LLP

Thursday, 7:00 pm–10:00 pm

Networking Reception at Fenway Park (See page 14)

Friday, October 21

Friday, 7:30 am–9:00 am

Staff Counsel Practice Forum

A panel of staff counsel managing attorneys will lead an interactive presentation that will consider the ways in which staff counsel practices reflect the cutting edge of litigation and office management, and the ways staff counsel practices benefit the insurance defense bar, the lives of those who practice as staff counsel, and the dispute resolution system as a whole.

SPEAKERS **Jacqueline Lillard Allen**, CNA Insurance
Ryan W. Alley, State Farm Mutual Automobile Insurance Company
Bruce C. Burt, Nationwide
Rebecca S. Hendry, State Farm Mutual Automobile Insurance Company



Friday, 8:30 am–9:30 am



A Fresh Look at American Foreign and Defense Policy

American interventionism clearly isn't working, and our actions in Syria have helped to create a humanitarian catastrophe that is now threatening the future of the European Union. Is there an alternative and if so, what is it?

How does the U.S. use its power and prestige to help build a world that is stable, peaceful, and consistent with international law?

SPEAKER **The Honorable Michael S. Dukakis**, Distinguished Professor of Political Science, Northeastern University, Governor of Massachusetts (1975–1979, 1983–1991), 1988 Democratic Nominee for President of the United States

Friday, 9:30 am–10:15 am



Negotiating in the Sports Arena: An Inside Look

The NFL Players Association is the union that represents all active NFL players in matters of collective bargaining and in defense of their rights. At the helm of this dynamic organization is Executive Director DeMaurice Smith, who since 2009 has translated his experience as a trial and corporate lawyer into high stakes negotiations in America's number one sport. It was not just the lockout and resulting collective bargaining agreement in 2011 that required smart strategy and tough tactics, but since then several issues in the business of football have required a steady hand to lead an organization through some challenging issues. Join Mr. Smith for an inside look at negotiating the 2011 CBA and the challenges the union anticipates as 2021 fast approaches.

SPEAKER **DeMaurice Fitzgerald Smith**, Executive Director of the National Football League Players Association

Friday, 10:45 am–11:30 am



The State Against Blacks

A half-century ago, Lyndon Johnson's Great Society promised to complete the civil rights revolution by pulling blacks into the middle class. Has it succeeded? Jason Riley, a senior fellow at the Manhattan Institute and a columnist for the *Wall Street Journal*, will assess the track record and offer insights on where we go from here.

SPEAKER **Jason L. Riley**, Senior Fellow at the Manhattan Institute and a columnist for the *Wall Street Journal*

Friday, 11:30 am–12:15 pm



Internalizing the Archetype: The Effect of TV Lawyers

From Perry Mason to Annalise Keating, lawyers are popular television characters with a powerful effect on audiences. What can we learn from television lawyers about what it means to be a lawyer in real life and how does the public impression of lawyers from the media affect how we practice law? Join us for this fascinating look at how the media affects how we practice law and how we see ourselves.

SPEAKER **Charisse L'Pree Corsbie-Massay, Ph.D.**, Assistant Professor at the S.I. Newhouse School of Public Communications at Syracuse University

Friday, 12:30 pm–1:45 pm

DRI Veterans Network Luncheon

(Invitation only. See page 19.)

Friday, 12:30 pm–1:45 pm

Women's Networking Luncheon

(See page 19) (Ticketed event)

Friday, 2:00 pm–3:00 pm



Transition Looming: A Blessing or a Curse? Probably Both...

In the short time ahead a transition will occur for another to assume the highest and most significant mantle of governance this nation offers. The new president will begin to introduce new policies, a new team, and a new way of doing business that will dominate world coverage for a time. And the viewpoints of the impending future will vary widely. But often overlooked in this routine transfer of power that our democracy has embraced over two centuries is an enduring reality—great opportunity awaits to introduce or revisit a host of issues, process challenges, and events that may not even reside on the radar of the new administration. The window of opportunity only lasts for a year or so, reward will be to those who are most prepared, and penalties await those who choose to ignore it or are in denial. Either way, it's about to happen, so let's explore the possibilities.

SPEAKER **The Honorable Sean O'Keefe**, Former Chairman of Airbus Group, Inc., former Secretary of the Navy, former Administrator of NASA, and former chancellor of Louisiana State University

Friday, 2:00 pm–5:00 pm

DRI International™

It's a Small World After All: Litigation, Regulatory, and Privacy Issues Across Jurisdictions

The world is shrinking every day. One effect of globalization is that your clients are seeing more and more cases involving a multiplicity of proceedings across jurisdictions. The successful and efficient coordination of your clients' defense in these proceedings is of paramount importance to them. Join members of DRI International as they show you how to navigate these sometimes turbulent waters and get the best results for your clients. The panelists will give you practical tips on what you need to know

Build a network of other civil defense lawyers and exchange ideas, experiences, successes, and challenges.



when you are faced with cases involving parallel proceedings in other jurisdictions. There will be three panels—addressing litigation, regulatory proceedings, and privacy matters—featuring experienced in-house and outside counsel from around the world. The panels will tackle hypothetical problems to illustrate how counsel can best act in tandem to achieve success. Whether you are a seasoned veteran or a newcomer to the scene, this interactive program is one you won't want to miss.

SPEAKERS **M. Amy Carlin**, Morgan Brown & Joy LLP
Charles Cohen, Hughes Hubbard & Reed LLP
Carlos F. Concepción, Concepción Martínez & Puente
Rosângela Delgado Barreto, Veirano Advogados
Donata Freiin von Enzberg, Taylor Wessing LLP
Christine Gateau, Hogan Lovells International LLP
Brian C. Oh, Kim & Chang
Ron Peleg, Meitar Liquornik Geva Leshem Tal

Friday, 3:30 pm–4:30 pm

Construction Law

Help Your Clients Avoid Spending Too Much Time with You: A Top 10 on Construction Law Risk Management

This program will focus on the high-risk types of issues that our clients face and need to be advised on—from design risk to payment issues, to indemnity and additional insured issues. Use this program as a means to spend productive time with your clients now to manage their risk exposure so that they don't have to spend more later in litigation.

SPEAKERS **Andrew R. Ferguson**, Coughlin Betke LLP
Grace V.B. Garcia, Morrison Mahoney LLP
Michael P. Sams, Kenney & Sams PC
Aaron R. White, Boyle Shaughnessy & Campo PC

Drug and Medical Device

Trolling for Cases in the Twenty-first Century: The Plaintiffs' Bar Goes Digital

In this session, a panel of in-house and outside counsel and an outside consultant will discuss plaintiffs' lawyers' latest advertising tactics. They will review the plaintiffs' practices in product liability cases, including a discussion of the increasing use of lead generation firms to create mass tort litigation. Learn how plaintiffs are using the Internet, including Google keyword advertising, search engine optimization, Facebook, and social media, as part of their advertising and lead generation practices, as well as the ethical issues surrounding these tactics. Is offense the best defense? Are there benefits to informing the court that the "mass" is being driven by the plaintiffs' bar? Can defendants affirmatively use plaintiffs' advertising tactics during discovery and at trial? What are the pros and cons of such an approach? What are the implications and significance to the pharmaceutical and medical device industries?

MODERATOR **Beth S. Rose**, Sillis Cummis & Gross PC
SPEAKERS **Denise H. Houghton**, VP & Chief Litigation Counsel, Johnson & Johnson
Kevin C. Newsom, Bradley Arant Boult Cummings LLP
Rustin Silverstein, President and Founder, X Ante

Governmental Liability

Police Interactions with People with Disabilities

Learn about the interplay between the ADA and police officers' interactions with people with disabilities. Given the Supreme Court's ruling from *Sheehan* in the 2014, many questions were left unanswered and Mr. Stansbury will discuss where courts are headed and what police officers can do to avoid potential liability.

SPEAKER **Casey C. Stansbury**, Mazanec Raskin & Ryder Co LPA

Suspicionless Drug Testing

Listen to a discussion on the popular topic of requiring suspicionless drug testing for recipients of public benefits and the constitutionality of such requirements. Given the Fourth Amendment implications raised by the topic, the discussion will center on whether it can ever be constitutional to require such testing.

SPEAKER **R. Jeffrey Lowe**, Kightlinger & Gray LLP

Perspective and Use of Force

The municipal lawyer is taught that the reasonableness of the use of force, if used at all, must be judged from the perspective of a reasonable officer on the scene—at that moment. Sometimes the municipal lawyer needs to review cases from the perspective of how one should evaluate a case with consideration to the exposure of the client in light of recent case law. Mr. Mullin will address recent cases and their effect on handling cases on the use of force.

SPEAKER **Paul V. Mullin**, Sugarman Law Firm LLP

Electronic Control Weapons (a.k.a. Tasers)

ECWs, most commonly known as Tasers, are increasingly the less-lethal "tool of choice" of law enforcement and corrections professionals. Yet, their usage remains somewhat controversial and has resulted in mixed case law decisions and jury verdicts. Mr. MacMain will discuss key legal decisions, provide practical advice on when ECWs are permitted and sanctioned by courts, and how to present their value and safety at trial before a jury.

SPEAKER **David J. MacMain**, The MacMain Law Group LLC

Register at dri.org

Earn up to 11.25 hours of CLE in Boston this October.

Friday, 3:30 pm–4:30 pm, *continued*

Insurance Law

Beyond Websites and E-mail: Using Advances in Technology to Excel in Your Practice

Many state bar associations now say that attorneys have an ethical duty of technological competence, and many clients, courts, and jurors have similar expectations. Mr. Ziegler will explore how lawyers use technology, what ethical responsibilities lawyers have to learn and master existing technology, and why lawyers should and may have a duty to seek out emerging technologies such as smart contracts, A.I.-assisted drafting and research tools, and predictive legal analytics.

SPEAKER **Adam Ziegler**, Harvard Law School

Law Practice Management

The Challenges of Managing Multiple Law Firm Locations and Remote Workers

Managing one law office, even a small one, is tough enough. Ensuring proper technology is in place, adequate staffing, and the ever-changing human resource rules and regulations are just a few examples of what makes managing a legal office a real challenge. Those factors increase exponentially when managing a practice where all the attorneys do not work within the same four walls as one another. Whether the “other” office is at an attorney’s home or in a traditional office setting on the other side of the country, there are many hurdles to maintain a successful practice. Mario Delano will moderate a discussion where Jay Courie, Bonnie Moss, and David Zizik will share their experiences and knowledge to help you cope with these challenges.

MODERATOR **Mario J. Delano**, Campbell Foley Delano & Adams LLC

SPEAKERS **James R. Courie**, McAngus Goudelock & Courie LLC

Bonnie R. Moss, State Farm Mutual Automobile Insurance Company

David W. Zizik, Sulloway & Hollis PLLC

Lawyers’ Professionalism and Ethics and Professional Liability

“I Made a Mistake! What Now? Don’t Make It Worse!”

After instituting appropriate risk management practices and procedures, even the most competent, diligent attorneys may still make mistakes. Fortunately, most attorney mistakes are minor, resulting in little consequence to the client. There also may be ways to remedy the mistake before the client is adversely affected. However, when a material mistake does occur, many attorneys make the situation worse by mishandling the matter with their clients or their professional liability insurers. The potential consequences of mishandling a material mistake may subject an attorney to significant consequences such as disciplinary proceedings at the state bar, additional causes of action (beyond mere negligence) and damages in a legal malpractice claim, fee disgorgement, and potential loss of coverage under your malpractice policy. Of course, attorneys want to behave ethically and avoid these outcomes, which raises the question: What should an attorney do after discovering a mistake that may adversely affect a client? (*Ethics session*)

SPEAKERS **Zandra Elayne Foley**, Thompson Coe Cousins & Irons LLP

Melody J. Jolly, Cranfill Sumner & Hartzog LLC

Lisa R. Midkiff, CPCU, RPLU, Lawyers Protector Plan

Warren T. Savage, Lawyers Mutual Liability Insurance of North Carolina

Medical Liability and Health Care Law

Putting Your Neutral Foot Forward: Arbitration in Health Care

This session will highlight the growing trend of relying on arbitration to resolve disputes efficiently and effectively. The discussion will cover the health care industry with special attention to and examples from long term care, the doctor–patient relationship, and other areas in health care. The session will aim to engage the audience in sharing ideas about the broader use of arbitration in health care, and will undoubtedly spawn a spirited discussion.

SPEAKERS **Joel I. Fishbein**, Litchfield Cavo LLP

Conna Weiner, Mediator and Arbitrator

Trucking Law

Using the ACA to Rein in Exaggerated Medical Costs

The Patient Protection and Affordable Care Act (ACA) includes an individual mandate that requires all Americans to buy insurance or pay a tax penalty. Despite the individual mandate, plaintiffs routinely prosecute lawsuits seeking recovery of future medical care costs at exaggerated (non-insurance negotiated) rates. This presentation will focus on the defense practitioner’s effective use of the ACA to rebut exaggerated past and future medical costs, without running afoul of the collateral source rule.

SPEAKER **Bradford G. Hughes**, Selman Breitman LLP





Understanding Uber: Evolving Transportation Network Companies Issues

This presentation will discuss legal issues raised by the emergence of transportation network companies, with a focus on Uber Technologies, Inc., including legislation and court cases spawned by same. Issues to be addressed will include, inter alia, the legal status of their partners/drivers, liability exposure on various theories, choice of law, insurance, respondeat superior, contract, and negligent hiring.

SPEAKER **James Arthur Howard II**, Howard & Howard PC

Friday, 6:00 pm–7:00 pm

Diversity and Inclusion Networking Reception *(See page 19)*

Saturday, October 22

Saturday, 8:30 am–9:30 am



The 21st Century Lawyer

How will you remain competitive in the midst of legal technology innovation and disruption? Andrew Perlman, a nationally recognized voice on the future of law practice and Dean of Suffolk University Law School, will offer an overview of how technology is transforming the delivery of legal services and describe new

competencies lawyers must have today. As vice chair of the ABA Commission on the Future of Legal Services, he will discuss how to improve the delivery of, and the public's access to, legal services. Recognized as one of 50 entrepreneurs, innovators, and trailblazers who have charted a new course for the delivery of legal services, Dean Perlman will make recommendations on how to be the modern lawyer.

SPEAKER **Andrew M. Perlman**, Dean and Professor of Law, Suffolk University Law School

Saturday, 9:30 am–10:30 am



Scouting the Future of Amateurism in College Sports

Michael McCann, a leading legal analyst and writer for *Sports Illustrated* and *SI.com* and the founding director of the Sports and Entertainment Law Institute at the University of New Hampshire School of Law, will explore recent legal challenges to the system of “amateurism”

in college sports and how those challenges could reshape the college sports industry.

Amateurism refers generally to the system of rules and regulations that accompanies membership in the NCAA and regulates student-athletes. Supporters of amateurism contend it helps maintain a clear line between professional and amateur sports and ensures student-athletes' education remains their priority. Critics charge it leads to economic exploitation of student-athletes by the NCAA and its member institutions.

Professor McCann will examine three main legal challenges to amateurism—*Ed O'Bannon v. NCAA*, *Martin Jenkins v. NCAA*, and an NLRB petition by Northwestern University football players—and will assess future legal challenges.

SPEAKER **Michael McCann**, Professor of Law, Director of the Sports and Entertainment Law Institute, Chair of the Faculty Appointments Committee, University of New Hampshire School of Law

Saturday, 10:45 am–12:00 pm



In Pursuit of Policy Ethics and Public Engagement: New Roles for Attorneys

Attorneys know the “right” and “wrong” of their behavior and the consequences for violations, including disbarment. But what if long established policies, processes, or systems are unethical? Concerns about inequities in the justice system are growing and have rapidly become part of public conversation. In this highly interactive session, we will explore the role of the justice system in democracy and discuss core public values that society expects to be upheld, such as equity, access, fairness, and voice. We will also examine the role of public engagement in remedying challenges with policy ethics, and explore actions attorneys can take to use public engagement to address systemic injustices. *(Ethics session)*



SPEAKERS **Tina Nabatchi**, Associate Professor, Public Administration and International Affairs, Maxwell School of Citizenship and Public Affairs, Syracuse University
Kerith Strano Taylor, The Taylor Law Firm

Saturday, 6:00 pm–10:00 pm

President's Gala *(See page 19) (Ticketed event)*



Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orien-

tation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's mem-

bership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Join us for an evening at

FENWAY PARK

PLAY BALL!

Thursday, October 20
7:00 pm-10:00 pm

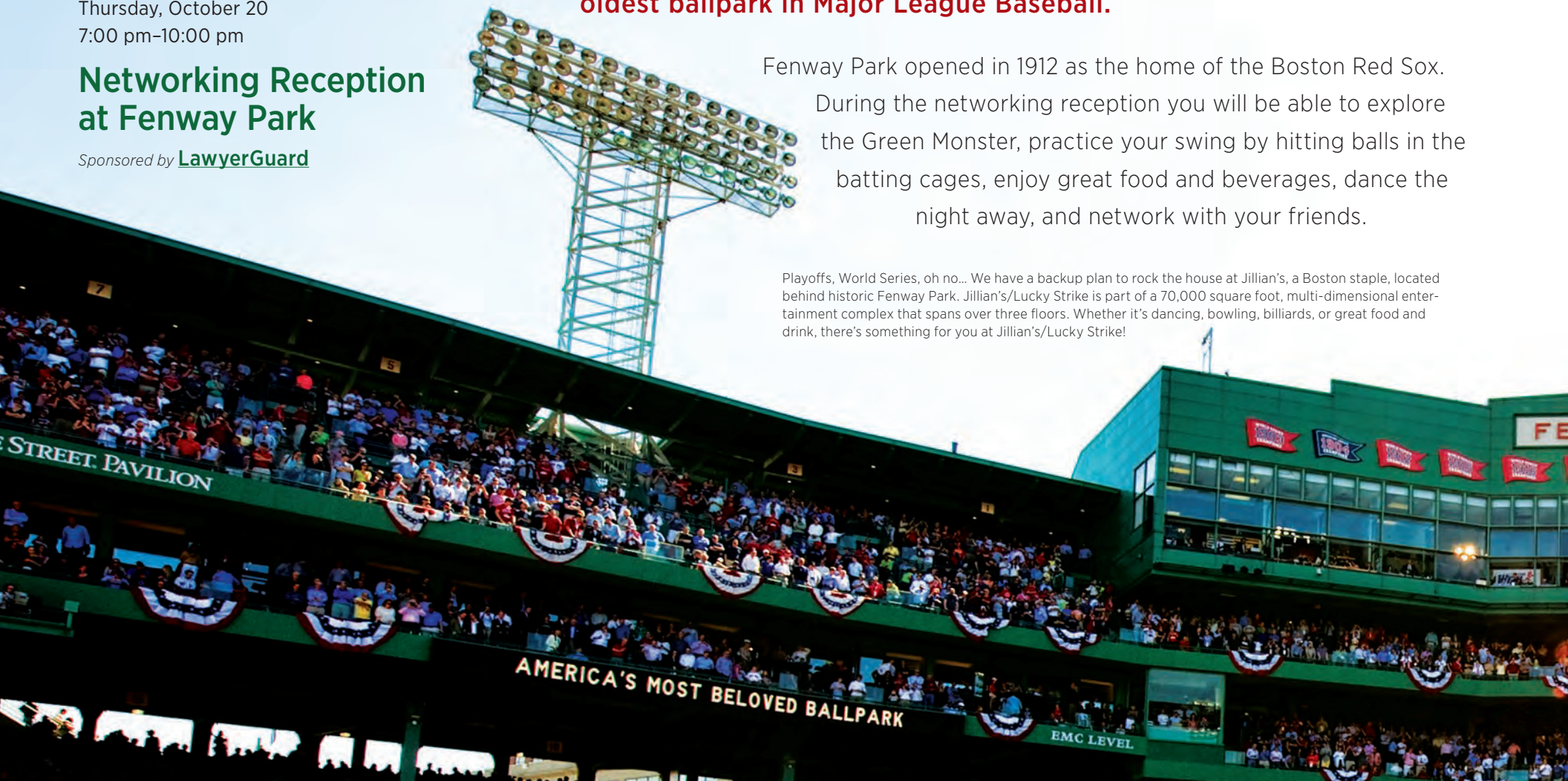
Networking Reception at Fenway Park

Sponsored by [LawyerGuard](#)

Baseball is America's pastime, where kids of all ages can root for their "home" team! Don't miss this opportunity to spend an evening in the oldest ballpark in Major League Baseball.

Fenway Park opened in 1912 as the home of the Boston Red Sox. During the networking reception you will be able to explore the Green Monster, practice your swing by hitting balls in the batting cages, enjoy great food and beverages, dance the night away, and network with your friends.

Playoffs, World Series, oh no... We have a backup plan to rock the house at Jillian's, a Boston staple, located behind historic Fenway Park. Jillian's/Lucky Strike is part of a 70,000 square foot, multi-dimensional entertainment complex that spans over three floors. Whether it's dancing, bowling, billiards, or great food and drink, there's something for you at Jillian's/Lucky Strike!



Mark your calendar for a date with the **Green Monster**. DRI is headed to Fenway for our special networking event at the 2016 Annual Meeting.

“Take me out to the ballgame” will have a whole new meaning after you have experienced Fenway Park, so don’t miss it!

Note: Dress casually and don't forget to wear comfortable shoes. Buses will begin departing the Sheraton Boston Hotel at 6:30 pm and will run continuously throughout the evening for transfer to and from Fenway Park.



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National Program for State and Local Defense Organizations

Public Service Project

The DRI Annual Meeting features programs specifically dedicated to today's state and local defense organizations (SLDOs). All state representatives, SLDO officers, and executive directors are strongly encouraged to attend.

Thursday, October 20, 2016

7:30 am–8:45 am

Executive Directors Program: Coffee Talk Tips to Help with the Daily Grind

Join fellow SLDO executive directors over coffee and a Danish to share tips on how you survive the daily grind managing multiple priorities, deadlines, email overload, and more, all with a smile in your voice while interacting with your members!

3:00 pm–4:00 pm

SLDO Program Making the Most of Your Substantive Committees

Thomas J. D'Amato, DRI Pacific Region Director

Anne M. Talcott, DRI Product Liability Committee Chair

Michael J. Sandmire, Oregon Association of Defense Counsel Past President and DRI Oregon State Representative

Relationship Building Through Community and Foundation Projects

John J. Burke, DRI Philanthropic Activities Committee

Sidney R. Steinberg, DRI Employment and Labor Law Committee Vice Chair

Maggie S. Sweeney, Washington Defense Trial Lawyers Executive Director

DRI for Life: Why and How to Implement Similar Programs in Your SLDOs

Brett A. Ross and Susan E. Gunter, DRI for Life Chair and Vice Chair

Sarah E. Madsen, DRI Young Lawyers Committee Chair

4:00 pm–5:00 pm

Breakouts

5:00 pm–5:30 pm

Regional Meetings

Friday, October 21, 2016

7:00 am–8:15 am

SLDO Leadership Breakfast



General Angela Salinas, U.S. Marine Corps (Ret), and CEO for Girl Scouts of Southwest Texas

A Marine Who Wore Heels

Leadership is leadership. Major General Angela Salinas served for 39 years as a U.S. Marine, rising from Private to Major General.

Her service to corps and country has given her a unique perspective of leadership. As a groundbreaker, she was the first woman to command the Marine Corps Recruit Depot in San Diego, and the first Latina selected and promoted to the Marine Corps general officer ranks. She continues her service after retirement, serving as the CEO for Girl Scouts of Southwest Texas.

12:30 pm–4:00 pm

Executive Directors Networking Luncheon and Program

12:30pm -1:00pm

Lunch

1:00pm–2:00pm

Membership Trends

Maria Berg-Stark, DRI Director of Membership Strategy

2:00 pm–4:00pm

Become the Master of the “Fab Five”

The Fab Five Topics will guide you on composing a survey, managing membership, gathering sponsors, negotiating hotel contracts, and handling general management demands of an executive director.

Support the New England Paralyzed Veterans of America

Sponsored by **Coughlin Betke LLP**



DRI is asking 2016 Annual Meeting attendees to donate to the New England Paralyzed Veterans of America (NEPVA).

The Paralyzed Veterans of America - New England Chapter was created in 1947, a year after the National Paralyzed Veterans of America, by a small group of paralyzed veterans living in the area. The organization's primary focus is veterans' issues, notably quality health care for veterans with spinal cord injuries and dysfunction, such as Multiple Sclerosis. NEPVA is interested in all issues affecting the lives of persons with disabilities. The New England Chapter has eight defined programs: Advocacy & Legislation, Community Outreach, Hospital Liaison, Wheelchair Sports & Recreation, Scholarship Assistance, Peer Mentoring, and Spinal Cord Research.

Debra Freed, NEPVA Executive Director, will be present during the Annual Meeting to accept donations. Credit card donations are welcome. Or you can make a contribution by credit card at www.nepva.org. All donations are tax deductible.

This public service project is co-sponsored by the DRI Veterans Network Committee and the DRI Philanthropic Activities Committee.

DRI Business Meetings

Tuesday, October 18

- 8:30 am–5:00 pm **Law Institute**
5:00 pm–5:30 pm **2016 Annual Meeting Steering Committee**

Wednesday, October 19

- 8:00 am–12:30 pm **DRI Board of Directors**
12:45 pm–2:45 pm **NFJE Board of Directors**
2:30 pm–4:00 pm **Committee Chairs and Vice Chairs**
2:30 pm–4:00 pm **Law Institute, Program Chairs, and Vice Chairs**
3:00 pm–4:00 pm **Membership Committee**
4:00 pm–4:30 pm **Corporate Counsel Committee**
4:00 pm–4:45 pm **Committee Membership Chairs and Vice Chairs**
4:00 pm–5:00 pm **Committees Communities Chairs**
5:00 pm–5:30 pm **Substantive Law Committees**
 - Commercial Litigation
 - Data Management and Security
 - Fidelity and Surety
 - Government Enforcement & Corporate Compliance
 - Trial Tactics
 - Women in the Law
 - Workers' Compensation
 - Young Lawyers

5:00 pm–5:30 pm **First-Time Attendees Orientation**

Thursday, October 20

- 8:30 am–12:00 pm **Nominating Committee**
(Member appointments)
1:45 pm–5:00 pm **Nominating Committee**
(Member appointments)
4:15 pm–4:45 pm **Substantive Law Committees**
 - Alternative Dispute Resolution
 - Appellate Advocacy
 - Aviation Law
 - Diversity and Inclusion
 - Employment and Labor Law
 - Intellectual Property Litigation
 - Life, Health and Disability
 - Product Liability
 - Retail and Hospitality
 - Toxic Torts and Environmental Law

5:00 pm–5:30 pm **SLDO Regional Meetings**

Friday, October 21

- 8:30 am–12:30 pm **Nominating Committee**
(Member appointments)
1:30 pm–5:00 pm **Nominating Committee**
(Member appointments)
4:30 pm–5:00 pm **Substantive Law Committees**
 - Construction Law
 - Drug and Medical Device
 - Governmental Liability
 - Insurance Law
 - Law Practice Management
 - Lawyers' Professionalism and Ethics
 - Medical Liability and Health Care Law
 - Professional Liability
 - Trucking Law

5:00 pm–5:30 pm **Substantive Law Committees**
 - DRI International™

Saturday, October 22

- 8:00 am–9:15 am **2017 Annual Meeting Steering Committee**
12:00 pm–3:00 pm **DRI Board of Directors**



Networking Events

Network, relax and have fun.

Wednesday, October 19

5:00 pm–5:30 pm

First-Time Attendee Orientation and Mentoring Program

First-time Annual Meeting attendees, please join us for a brief get-together to learn more about the depth and breadth of DRI, how to get the most out of your membership, and opportunities for leadership. Come and meet other members who have been involved with DRI over the years and will introduce you to fellow members and programs that might be of special interest to you. This 30-minute program is designed to give you a head start on the Annual Meeting and to maximize DRI opportunities.

As a first-time attendee, DRI will pair you with a DRI member who will help you navigate the Annual Meeting, meet new people, and answer any questions you may have about DRI and the Annual Meeting. This mentoring program doesn't end when the Annual Meeting concludes; it is the beginning of new friendship and networking opportunities for you at DRI.

5:30 pm–6:30 pm

Reception for New and Prospective Members

Sponsored by **Plunkett Cooney PC**

Are you a new member or nonmember of DRI, or a first-time attendee of the Annual Meeting? Come meet the DRI leadership and learn the benefits of DRI membership and the Annual Meeting at a networking reception in the Exhibit Showcase! All DRI members are also encouraged to attend and mingle with DRI leadership, newcomers, and nonmembers and share your DRI experiences. Also, please take the opportunity when picking up your registration materials to visit the exhibitors.

6:30 pm–8:00 pm

Welcome Reception

Sponsored by **Carr Allison, Morrison Mahoney LLP, Rimkus Consulting Group, Inc., Shively & Lannin PC LLO, Social Media Investigations, and Spilman Thomas & Battle PLLC**

Just arrived and looking for old friends to reconnect with? There is no better meeting place than the Welcome Reception, where you are sure to find those old friends and colleagues, as well as make new acquaintances. Experience the best Boston has to offer and enjoy delicious food, beverage, and great conversation along the way.

Thursday, October 20

12:15 pm–1:30 pm

Awards Luncheon—Celebrating DRI's 2016 Top Honors

TICKETED
EVENT

Sponsored by **Hill Ward Henderson, Lederer Weston Craig PLC, and Nelson Mullins Riley & Scarborough LLP**

Each year DRI presents its top honors to the “Best of the Best” during the Annual Meeting Awards Luncheon. Join colleagues and celebrate those individuals recognized for their outstanding achievements.



Featured Speaker: Ronald Kessler Washington Secrets

U.S. Secret Service agents act as human surveillance cameras and observe everything that goes on behind the scenes in the president's inner circle. *New York Times* bestselling author Ronald Kessler reveals what Secret Service agents have seen, providing startling inside stories about presidents from John F. Kennedy to Barack Obama, as well as their vice presidents, families, Cabinet officers, and White House aides.

As a journalist Mr. Kessler has penetrated the wall of secrecy that surrounds the Secret Service. He portrays the dangers that agents face, how they carry out their mission, how they are trained, and how they spot and assess potential threats.

Mr. Kessler broke the story that Secret Service agents who were to protect President Obama hired prostitutes in Cartagena, Colombia. He explains why the Secret Service has become so lax, endangering Obama and future presidents.

Mr. Kessler also reveals the FBI's most closely guarded privileged information and the secrets of celebrities, politicians, and movie stars uncovered by agents during their investigations. He explains why we have not had a successful foreign terrorist attack since 9/11. For the first time, he reveals how FBI agents on secret TacOps teams break into homes, offices, and embassies to plant bugging devices without getting caught.

Tickets to the Awards Luncheon are \$65/individual ticket. Please purchase tickets by notation on the registration form or online at dri.org.

Thursday, 7:00 pm–10:00 pm

Networking Reception at Fenway Park

Sponsored by **LawyerGuard**

Don't miss this opportunity to spend an evening in the oldest ballpark in Major League Baseball, Fenway Park. [See page 14 for details.](#)

Friday, October 21

12:30 pm–1:45 pm

DRI Veterans Network Luncheon *(Invitation only)*

Sponsored by **Goldberg Segalla LLP** and **Dickinson Wright LLP**

The DRI Veterans Network will provide a forum for DRI's veterans to memorialize their service, network, and engage in service work for veterans in need.



Debra Freed, Executive Director of the Paralyzed Veterans of America—New England Chapter (NEPVA) will speak. NEPVA was created in 1947, a year after the National Paralyzed Veterans of America, by a small group of paralyzed veterans living in the area. The organization's primary focus is veterans' issues, notably quality health care for veterans with spinal cord injuries and dysfunction, such as Multiple Sclerosis. NEPVA is interested in all issues affecting the lives of persons with disabilities. The New England Chapter has eight defined programs: Advocacy & Legislation, Community Outreach, Hospital Liaison, Wheelchair Sports & Recreation, Scholarship Assistance, Peer Mentoring, and Spinal Cord Research.

12:30 pm–1:45 pm

Women's Networking Luncheon

Sponsored by **Hinshaw & Culbertson LLP**, **Lightfoot Franklin & White LLC**, and **Shook Hardy & Bacon LLP**

Join DRI's women leaders and share your tips for networking successes in an interactive forum over lunch, designed to advance women lawyers' professional goals.

Tickets to the Women's Networking Luncheon are \$45.

Please purchase tickets by notation on the registration form or online at [dri.org](#).



Friday, 6:00 pm–7:00 pm

Diversity and Inclusion Networking Reception

(Open to all) Hosted by the Diversity and Inclusion Committee

Sponsored by **Dinsmore & Shohl LLP**, **Saul Ewing LLP** and **Shook Hardy & Bacon LLP**

The DRI Diversity and Inclusion Committee is proud to host our Friday Night Networking Reception and welcome you to join your colleagues for a great time before you head off for your committee, state, or regional dinners. Partake in lively conversation while enjoying delicious hors d'oeuvres and refreshing cocktails. This reception is open to all and will provide another opportunity to engage with attendees.

Saturday, October 22

6:00 pm–10:00 pm

President's Gala

Sponsored by **Gallivan White & Boyd PA**

You are cordially invited to join us Saturday night for the President's Gala as we celebrate the end of a successful week, recognize our new leaders, and say thank you to those who have served the organization so well. Enjoy a cocktail reception, a live auction, and elegant dining you won't want to miss. Business attire is requested.

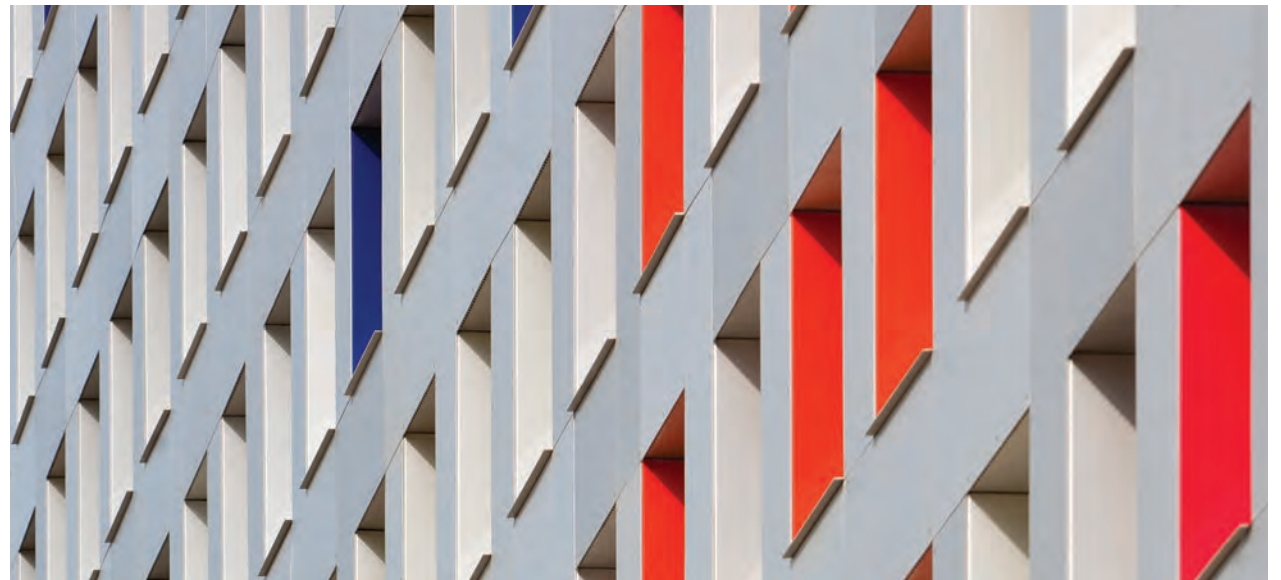
Tickets to the President's Gala are \$100/individual ticket.

Please purchase tickets by notation on the registration form or online at [dri.org](#).



Substantive Law Committee Practice Area Networking Events

Enjoy opportunities to network with other members of your substantive committee, including practice area CLE sessions, committee dine arounds, and business meetings, just to name a few. These events are great ways to stay involved with your committees, meet new colleagues, and have fun. Watch your Committee Community page leading up to October for more information about the what, when, and how to sign up for these activities. If you are not currently a member of a committee and would like to become involved, sign up at [dri.org](#) or contact the committee's leadership. There are plenty of opportunities for everyone to get involved.





General Information

CLE Accreditation

The Annual Meeting has been approved for Mandatory Continuing Legal Education (MCLE) credit by the State Bar of California in the amount of 11.25 hours, including up to 3.25 hours of ethics. Accreditation has been requested from every state with MCLE requirements. Certificates of Attendance will be available for each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Credit availability and requirements vary from state to state; please check our website at dri.org for more information on your state.

Counsel Meetings

DRI's counsel meetings incentive program provides corporations and insurance carriers with the opportunity to meet with their invited counsel before or after DRI events. The program is based on the premise that the majority of the attorneys representing these companies are most likely DRI members planning to attend the Annual Meeting. DRI's program makes it easy and enticing for companies to hold counsel meetings at the Annual Meeting. Companies such as AIG, Boston Scientific, CNA Insurance, Coach USA, LP Building Products, and Tri Health already are committed to holding meetings at the Annual Meeting. A complete schedule of counsel meetings will be distributed on-site. **As an added incentive, any DRI member who secures a first-time counsel meeting will earn \$200 DRI Dollars to use towards any DRI Annual Meeting, DRI Seminar, or DRI Publication.** To find out more about the DRI member incentive program or how your company can benefit from the counsel meetings incentive program, please contact Corinne Tanda at DRI by calling 312.698.6254 or emailing ctanda@dri.org.

DRI For Life

As part of the DRI For Life initiative to focus on the well-being of our members to include health and work/life balance, the Annual Meeting will again offer yoga, Pilates, and running. Each morning, Thursday through Saturday, will feature activities to get your day started on the right foot, no pun intended! Check the daily Schedule-At-A-Glance to learn what is happening when.

DRI Philanthropic Activities Committee Silent Auction

Please join us as we host the annual Silent Auction to benefit the National Foundation for Judicial Excellence (NFJE). Chances to bid on fabulous prizes will be available to you on Wednesday and Thursday in the Exhibit Showcase area at Hynes Convention Center, with the final night of bidding to take place Thursday evening at Fenway Park!

The Silent Auction raffle is another great way to support NFJE during the Annual Meeting. The more tickets you purchase, the better your chances of winning. Raffle tickets are \$10 each but if you buy five tickets, you get a sixth ticket for free. **You can pre-purchase your raffle tickets at the same time you register for the Annual Meeting by indicating how many tickets you want to buy on the registration form.** It is simple and easy and will save you time onsite.

Information on the many exciting items up for auction can be found on both the NFJE (nfje.net) and DRI (dri.org) websites. If you have an item that you would like to donate to the auction, please contact Tiffany Caldwell at DRI by calling 312.698.6230 or emailing tcaldwell@dri.org.

Exhibit Showcase

Wednesday through Friday, October 19-21

Maximize your time at the Annual Meeting by visiting the Exhibit Showcase! Mingle with exhibitors, friends, and colleagues. Discover new technologies, products, and services geared toward assisting you in representing your clients and building your practice. DRI will host a New and Prospective Members Reception in the Exhibit Showcase on Wednesday, October 19, from 5:30 PM-6:30 PM. Continental breakfasts, refreshment breaks, and exhibitor raffles will be held in the Exhibit Showcase area. For help with your smartphone, tablet, or any of the DRI apps, please visit the DRI Booth. Be sure to visit the exhibit booths to become eligible to enter the exhibitor raffles. Drawings will be held during the morning refreshment break on Friday. Attendees must be present in the Exhibit Showcase area to win. Great prizes will be awarded!

Register now at dri.org

Family Fun in Boston

Boston is a world-class destination with endless possibilities for exploration of history, culture, shopping, dining, and nightlife. History around every corner, and so much more! Boston's rich art, music, theater, and cultural attractions abound. The city's downtown neighborhoods, each with its own personality, offer unique experiences and its proximity to other must-see sites all around New England make it one of the country's most diverse and exciting locales.

Whether it's the famous sights of The Freedom Trail, a cruise on the Boston Harbor, a game at Fenway Park, a Boston Symphony Orchestra performance, or a shopping spree through unique stores at Faneuil Hall Marketplace, there will be no shortage of activities to make your visit to Boston memorable. For more information, visit www.bostonusa.com.

Hotel Facility

Sheraton Boston Hotel
39 Dalton Street
Boston, MA 02199
617.236.2000

sheratonbostonhotel.com

Network with other attendees and exhibitors also staying at the hotel! DRI has secured a limited number of rooms at discounted group rates. A small portion of your room rate offsets the costs of the Annual Meeting. Please make your room reservations online at dri.org or directly with the hotel, and be sure to mention the DRI 2016 Annual Meeting to be eligible for this special rate: **\$299 Single/Double Occupancy**.

Rooms are limited and available on a first-come, first-served basis. **Reservations must be made by Tuesday, September 20, 2016, to guarantee these special rates.** If room block capacity is reached on or before **September 20**, the DRI rate will not be guaranteed and may no longer be available. All reservations require a credit card guarantee or a deposit of the first night's room and tax. This deposit is nonrefundable if canceled within 72 hours of the arrival date.



Meeting Attire

Business casual attire is appropriate for all DRI functions, except that casual attire is encouraged for the Thursday night reception at Fenway Park, and business attire is proper for the President's Gala on Saturday night.

Registration Information

Save \$200 when you register on or before September 20, 2016!

Registration fee includes the following:

- Admission to all CLE programs
- Admission to all non-ticketed events
- Continental breakfast each morning
- Refreshment breaks
- Networking receptions
- Opportunity to purchase tickets to the Awards Luncheon, Women's Networking Luncheon, and the President's Gala.
- Access to the DRI App—take notes on sessions, access course materials, message attendees, personalize your schedule, and more!

To ensure that you receive the electronic link to the course materials in advance and that your name is listed in the Annual Meeting App and on the advance registration list distributed at the Annual Meeting, **DRI must receive your registration, either by mail, online, or by facsimile, on or before October 12, 2016.** For more information, visit dri.org or call 312.795.1101.

Refund and Cancellation Policy

The registration fee is fully refundable for cancellations received on or before **August 23, 2016**. Cancellations received between **August 24** and **September 20** will receive a refund, less a \$200 processing fee. No refunds will be issued for cancellations made after **September 20**. All cancellations and requests for refunds must be made in writing. Substitutions may be made at any time without charge. All refunds will be processed and mailed within four weeks of the conclusion of the Annual Meeting.

Special Airline Rates

DRI is pleased to announce that discounted air fares are available on various major air carriers for DRI Annual Meeting attendees. To receive these discounts, please contact Direct Travel Ltd., DRI's official travel provider, at 800.840.0908. If you would like to have access to the DRI online travel booking tool, you must complete a Business Travel Profile form at www.dt.com. Within 24 business hours, you will receive information on accessing the system.

Weather

The average high temperature for Boston in October is 68F; however, the nights can be cooler. To be comfortable, a jacket or coat is recommended.



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Dan K. Worthington
McAllen, TX

Matthew E. Yde
Wausau, WI

Anthony R. Zelle
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Past Presidents

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Charleston, WV

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Syracuse, NY

Josh H. Groce (1961–1964)
San Antonio, TX

William E. Knepper (1965)
Columbus, OH

Merritt Lane, Jr. (1966)
Newark, NJ

John M. Moelmann
(1966–1968)
Chicago, IL

Thomas A. Ford (1969–1970)
Albany, NY

Willis Smith, Jr. (1971)
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Merrick, NY

Edward F. Seitzinger (1973)
Des Moines, IA

Rudolph A. Janata (1974)
Columbus, OH

Paul W. Brock (1975)
Mobile, AL

William H. Wallace (1976)
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Chicago, IL

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Oklahoma City, OK

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William T. Birmingham
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Kensington, CA

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(1988)
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Dallas, TX

Thomas M. Crisham (1989)
Chicago, IL

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San Jose, CA

Robert D. Monnin (1991)
Cleveland, OH

Stephen J. Paris (1992)
Boston, MA

Claude H. Smart, Jr. (1993)
Stockton, CA

James S. Oliphant (1994)
Columbus, OH

Stephen G. Morrison (1995)
Columbia, SC

Patrick E. Maloney (1996)
Chicago, IL

Robert L. Fanter (1997)
West Des Moines, IA

Robert E. Scott, Jr.
(1998–1999)
Baltimore, MD

Lloyd H. Milliken, Jr.
(1999–2000)
Indianapolis, IN

Neil A. Goldberg (2001)
Buffalo, NY

P.N. Harkins III (2002)
Jackson, MS

Sheryl J. Willert (2003)
Seattle, WA

William R. Sampson (2004)
Kansas City, MO

Richard T. Boyette (2005)
Raleigh, NC

David E. Dukes (2006)
Columbia, SC

Patrick A. Long (2007)
Santa Ana, CA

John H. Martin (2008)
Dallas, TX

Marc E. Williams (2009)
Huntington, WV

Cary E. Hiltgen (2010)
Oklahoma City, OK

R. Matthew Cairns (2011)
Concord, NH

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Pittsburgh, PA

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Bloomfield Hills, MI

J. Michael Weston (2014)
Cedar Rapids, IA

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Registration Form

2016 Annual Meeting | October 19-23, 2016 | Sheraton Boston Hotel and the Hynes Convention Center
Advance Registration Deadline: **September 20, 2016**

NAME _____

NAME AS YOU WOULD LIKE IT TO APPEAR ON BADGE _____ SPOUSE/GUEST BADGE NAME _____

FIRM/COMPANY _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

PHONE _____ FAX _____ EMAIL _____

HOME ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

ARE YOU A FIRST TIME DRI ANNUAL MEETING ATTENDEE? YES NO

PLEASE LIST ANY SPECIAL NEEDS _____

Please send completed registration form with payment to:

DRI—The Voice of the Defense Bar
72225 Eagle Way
Chicago, Illinois 60678-7252
312.795.0747 (fax)—credit card payments only

For more information:
P: 312.795.1101
E: annualmeeting@dri.org

Annual Meeting Fees

REGISTRATION FEES	On or before Sept. 20	After Sept. 20
Member	<input type="checkbox"/> \$895	<input type="checkbox"/> \$1,095
Nonmember	<input type="checkbox"/> \$1,095	<input type="checkbox"/> \$1,295
Member In-House Counsel*	<input type="checkbox"/> \$200	<input type="checkbox"/> \$200
Nonmember In-House Counsel*	<input type="checkbox"/> \$1,095	<input type="checkbox"/> \$1,295
Total Registration Fees		\$ _____

TICKETED SOCIAL EVENTS	Number of Tickets	
Awards Luncheon (Thursday)		
Individual Tickets	_____ \$65/ticket	\$ _____
Women's Networking Luncheon (Friday)		
Individual Tickets	_____ \$45/ticket	\$ _____
President's Gala (Saturday)		
Individual Tickets	_____ \$100/ticket	\$ _____
Total Ticketed Events		\$ _____

SILENT AUCTION RAFFLE TICKETS		
Individual Tickets (up to four)	_____ \$10/ticket	\$ _____
Book (buy five tickets, get one free)	_____ \$50/book	\$ _____

TOTAL AMOUNT DUE \$ _____

* In-house counsel is defined as a licensed attorney who is employed exclusively by a corporate or other private sector organization, for the purpose of providing legal representation and counsel only to that corporation, its affiliates and subsidiaries.

Payment Information

My check for \$ _____ is enclosed. Please charge my credit card for \$ _____
(Please make checks payable to DRI.
US funds only.)

Check One: VISA MasterCard American Express.

Card # Exp. Date -

Authorized Signature _____

OFFICE USE only

Date received _____

FC _____

By _____

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Spend an evening in the oldest ballpark in Major League Baseball, Fenway Park.

Networking Reception at Fenway Park

Thursday, October 20, 7:00 pm-10:00 pm *See page 14 for details.*

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