

Declaration of Candidacy

Candidates for election as Second Vice President or Director Elected Nationally must complete this form and submit it to the Executive Director at the principal headquarters of DRI by 5:00 PM (CDT) on July 1st of the year in which the election is held.

National Director Requirements - Directors Elected Nationally or by Region must be Individual Members of the Corporation admitted to the practice of law. Each such director must meet the following qualifications at the time of election: (a) The candidate shall have been a DRI member for a total of at least five (5) years, and (b) The candidate shall have been a member of at least one DRI substantive law committee for at least three (3) years, and (c) The candidate must have registered for and attended at least one (1) DRI Annual Meeting within the previous three (3) years, and, within the three (3) years prior to the final day of the Annual Meeting, the candidate must have 1) registered for and attended at least two (2) DRI seminars, or 2) registered for and attended one (1) DRI seminar and one (1) DRI Regional Meeting.

Position sought

Second Vice President* Secretary- Treasurer National Director

*If you have declared your candidacy for Second Vice President and are not the successful candidate, will you consider the Secretary - Treasurer Officer position?

Yes No N/A

Name Alex J. Hagan

Firm/Company Ellis & Winters LLP

Address 4131 Parklake Avenue, Suite 400, Raleigh, NC 27612

Telephone 919-865-7016

Cell Phone 919-345-3917

E-mail alex.hagan@elliswinters.com

Born (location) Winston-Salem, NC

Education

BA-Journalism, University of North Carolina – Chapel Hill, 1987;
Juris Doctor with Honors, University of North Carolina – Chapel Hill, 1992.

Awards and achievements

- Chambers USA: America's Leading Lawyers for Business, "Leader in the Field" for Litigation (2016 - present); Band 1, Medical Malpractice Litigation.

- Benchmark Litigation, North Carolina Litigation Star (2016).
- The Best Lawyers in America®, Medical Malpractice Law – Defendants and Personal Injury Litigation – Defendants (2006 - present).
 - Raleigh “Lawyer of the Year” in Personal Injury Litigation – Defendants (2015).
- North Carolina Super Lawyers Magazine, Civil Litigation: Defense (2006 - present).
- Peer Review Rating of AV® in Martindale-Hubbell.
- American Board of Trial Advocates (inducted in 2015).
 - Inductees must have served as lead counsel in at least ten jury trials through verdict.
- Product Liability Advisory Counsel, Membership by invitation of client and approval by PLAC.
- International Association of Defense Counsel, Membership by nomination and vetting process.

Areas of practice

Civil Litigation: Product Liability, Professional and Medical Malpractice, Commercial Litigation, Intellectual Property, and Employment.

Years as a defense attorney: 22

Employment history

- Non-Legal employment: Secondary School Teacher, Aguthi Secondary School, Nyeri, Kenya, 1987-1988.
- Clerkship, North Carolina Supreme Court, Hon. James G. Exum, Jr., Chief Justice, 1992-1994.
- Associate Attorney, Smith Helms Mulliss & Moore LLP, Raleigh, NC, 1995-2000.
- Founding Partner, Ellis & Winters LLP, Raleigh, NC, 2000-present.

Noteworthy defense work

I have handled as lead counsel numerous state and federal trials to verdict in both tort and commercial matters.

- Defended individual health care providers in medical malpractice trials.
- Defended hospitals, laboratories, and academic institutions in professional negligence trials.
- Represented companies in design patent and trade dress suits, including successfully trying an action on behalf of a commercial cookware manufacturer to protect their product design and trade dress.
- Tried other tort and civil actions to verdict.

I have defended medical device manufacturers, equipment manufacturers, and pharmaceutical companies in product liability actions. I have served as regional counsel in the diet drug litigation, preparing company witnesses for deposition and defending company witness depositions. I have also handled noncompetition employment matters, defending both the employee and the hiring company.

Professional affiliations

DRI; North Carolina State Bar; North Carolina Bar Association; North Carolina Association of Defense Attorneys; American Board of Trial Advocates; Product Liability Advisory Counsel; International Association of Defense Counsel; Eagle International Associates, Inc.; The Fellows of the American Bar Foundation.

DRI member since March 1995.

Please describe your previous involvement in DRI, including but not limited to, leadership positions held. Projects contributed to, Committee memberships, presentations given, and written materials authored. Special accomplishments should also be noted.

I have been a member of Products Liability Committee, Medical and Health Care Law Committee, and the DRI For Life Committee.

Medical Liability and Health Care Law Committee.

- Chair: 2015-2017.
 - Have overseen three (soon to be four) very successful seminars as Chair of the committee.
 - Committee membership recruiting efforts over past two years have resulted in a net gain in committee membership.
 - Nominated for outstanding committee chair.
 - DRI President John Cuttino has invited me to author “On The Record” for the August 2017 *For The Defense*.
- Vice-Chair: 2013-2015.
- Program Chair: 2013.
 - Successfully planned and chaired the 2013 Medical Liability Seminar, which had one of the largest attendance records.
- Program Vice-Chair: 2012.
 - Coordinated finalization of 2012 seminar and oversaw all speaker submissions and responsibilities.
- Webinar Vice-Chair: 2009.
 - Planned webinar, secured speakers, and marketed webinar.
- Other DRI Involvement:
 - Authored “The Pain Drain,” which appeared in the September 2014 *For The Defense*.
 - Authored over ten other submissions to various DRI publications, including *For The Defense*, *Medlaw Update*, and *In-House Defense Quarterly*.

- Currently serving as DRI For Life Liaison.

List any leadership roles in other defense organizations.

International Association of Defense Counsel (Membership by invitation).

- Foundation of the International Association of Defense Counsel, Board of Directors (2015 - present).
 - Oversee Foundation's involvement in several civic organizations to preserve and educate the public on the rule of law.
 - Assisted in the selection of Foundation Forum speakers, such as Ari Shapiro and Andrew Young, for presentation at IADC Midyear and Annual meeting.
- Intellectual Property Committee.
 - Chair (2016-present).
 - Vice-Chair (2014-16).
 - Recognized for significantly advancing IADC's newest substantive law committee.
 - Recognized for exceeding new member recruitment goal for committee.
 - Planned and coordinated two seminar programs and a webinar.
- Membership Committee (2015-present).
 - Responsible for researching and vetting membership nominees and presenting recommendations to IADC Membership Committee.
- Trial Academy Faculty (2015).
 - Selected by IADC Board of Directors to serve on 2015 faculty in intense week-long academy.
 - Trained eight junior lawyers in trial practice, including openings, closings, and witness examinations.
- Annual Meeting CLE Steering Committee, Chair (2015).
 - Planned and supervised four days of CLE programming.
- Technology Committee, Chair (2013-14).
 - Organized seminars on use of technology in trial to present evidence.
 - Presented seminar and webinar on successful use of I-Pad in trial practice.

Eagle International Associates, Inc.

- Board of Directors, 2007-2015.
- Assisted in membership drive and seminar programming.

Product Liability Advisory Council, Member.

The Fellows of the American Bar Foundation, Member.

Describe your goals if you are elected to the above position.

If elected as a National Director, my goals would be to help increase DRI membership, help retain and integrate new members, and help increase networking opportunities for DRI membership.

An increasing membership is paramount to a strong DRI. None of the various DRI activities would exist without a strong, sustained, and expanding membership. It is that membership from which we draw our volunteers. As a Committee Chair, I made efforts to reach out to first-time attendees and new members to discuss DRI's offerings. Our committee worked to integrate new members into committee activities and to provide them with substantive roles. This was especially important with young lawyers who were looking for active roles in committee work. If elected as a National Director, I will work with DRI to develop and implement initiatives to increase DRI's membership and also to increase diversity within the membership. As Committee Chair, I tried to create a diverse committee leadership to help us attract and retain diversity in the organization. I also worked to involve our newest members in various committee activities so that they become connected to our DRI community. As a National Director, I would like to work with individual committees to develop programs to involve new members immediately in committee programs so that they become further invested in DRI.

DRI reaches a large population of the defense bar, addressing the needs of numerous practice areas. Not only does it successfully provide cutting edge CLE for its members, but also some of the best networking opportunities. DRI program steering committees do an excellent job identifying and developing CLE topics. In my discussions with committee members, several have mentioned their interest in seeing more networking and business development opportunities within DRI events and seminars. These types of opportunities make it much easier for them to justify to themselves and their firms attending and participating in DRI. I believe we will be able to retain a greater number of DRI members and keep them active in the organizations' activities. If elected as National Director, I would like to work to increase networking opportunities for DRI members.

What do you believe is the most important issue confronting the defense bar?

While trials in today's practice may be a rarity, the understanding of the trial and the ability to try a case is an essential part of being a strong and effective advocate for our clients. We must remain prepared to defend our client's interest in court, either before the jury or before the judge, at all times.

Ensuring our young lawyers have essential trial advocacy skills and can defend their client's interests in the courtroom is critical for the defense bar. Clients need and deserve to have representation that understands the trial process and is prepared to carry a matter through verdict. In my discussions with clients, it is clear that while clients often select their counsel based on the individual successes and experience of a particular lawyer, the client is also interested in the depth of the firm. Defense firms and defense organizations need to recognize the importance of depth and experience and also need to recognize that requires a

commitment to training young lawyers to provide the skills needs to try cases. Programs like the DRI Deposition Institute, in which I would like to become involved, show a commitment to this training.

I have spent a great deal of my practice mentoring younger lawyers, taking them to trial, and exposing them to all aspects of trial practice so that they can develop the experience, depth, and instinct required of a trial lawyer. I have taught trial advocacy and am committed to my continued involvement in this important area.

A related and important component of trial advocacy is making sure our profession stays current with fast-paced technology. We must recognize that the art of trying cases has evolved and continues to evolve rapidly with each technological advancement. Juries expect lawyers to stay current with the times, and to utilize current technology in trial presentation. This presents a unique opportunity to meld the trial advocacy talents of older lawyers with the technological skills of younger lawyers.

Define the appropriate role for DRI as the national defense bar organization.

DRI is perhaps the only defense organization with a large membership comprising so many practice areas. DRI should continue to set the standard for providing a variety of resources to defense lawyers, including cutting-edge CLE and cross-marketing opportunities. DRI should also continue to serve as the leader in initiatives to maintain the integrity and excellence of our profession.

Hobbies and/or interests

I am an avid swimmer, biker, and runner. I refer to myself as a recovered triathlete. While I still enjoy doing all three activities, I am no longer as inclined to do them all at once. I also enjoy fly-fishing and traveling.

Family

I am married to Kim Hostetter Hagan, whom I met in law school. Kim is both a lawyer and a professional violinist. Despite my lack of any musical talent, we have been married for 24 years.

Kim and I have three children: Claire, 20; Eva, 17; and Nate, 13.

