

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

Name: J. Carter Thompson, Jr.

Firm/Company: Baker Donelson Bearman Caldwell & Berkowitz, PC

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Telephone: 601-351-8942

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E-mail: cthompson@bakerdonelson.com

Born (location): Memphis, TN

Education: University of Mississippi, J.D. (1984); Mississippi College, B.A. (1981)

Awards and achievements:

- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell

- Listed in *The Best Lawyers in America*® since 2007 in the areas of Product Liability, Mass Tort Litigation/Class Actions, Commercial Litigation, Professional Malpractice Law - Defendants and Personal Injury Litigation - Defendants
- Listed since 2007 in *Chambers USA: America's Leading Business Lawyers* as a leading litigation lawyer in Mississippi
- Listed since 2006 in *Mid-South Super Lawyers*, Personal Injury Defense: Products
- Listed in *The International Who's Who of Product Liability Defense Lawyers* (2011 – 2016)
- Named a 2011 Top Ten Leader in Law by the Mississippi Business Journal

Areas of practice: I am engaged in the national, regional and local defense of products liability, drug and medical device, commercial and professional liability cases. I have been lead counsel representing product manufacturers in more than 25 states from Hawaii to Massachusetts.

Years as a defense attorney: 33

Employment history:

- Associate, Butler Snow O'Mara Stevens & Canada, PLLC (1984-1989);
- Partner, Butler Snow O'Mara Stevens & Canada, PLLC (1990-2007) - served two terms on the Firm's Executive Committee, as Chair of the Drug and Device Practice Group and Chair of Recruiting Committee; and
- Shareholder, Baker Donelson Bearman Caldwell & Berkowitz, PC (2007 - Present) - serve as Chair of the Firm's Product Liability & Mass Tort Practice Group.

Noteworthy defense work:

- National product liability counsel for major health care manufacturer and asbestos defendants.
- National counsel for defendants in Phenergan®/promethazine HCl injection litigation; obtained numerous summary judgments and dismissals.
- Served as national counsel for defendants in asbestos litigation.
- Acted as a relationship partner and regional counsel for a Fortune 25 manufacturer and distributor of pharmaceutical and medical products.
- Obtained numerous dismissals of cases as national counsel in phenytoin litigation.
- Served as lead counsel for the distributor of anesthesia medication in more than 250 cases involving more than 4,000 plaintiffs in Las Vegas, Nevada.
- Represented the manufacturer of a dialysis product withdrawn from the market, and successfully resolved over 125 suits/claims worldwide.
- Served as trial counsel for a homeopathic drug manufacturer in a California putative class action alleging false drug labeling.

- Represented an over-the-counter product manufacturer in a consumer protection action brought by the Mississippi Attorney General alleging the company engaged in false and deceptive labeling.
- Represented a manufacturer of opioids in an action brought by the Mississippi Attorney General alleging over-promotion.
- Served as lead counsel for defendants in Mississippi Average Wholesale Price (AWP) Litigation.
- Represented defendants in metoclopramide litigation.
- Represented defendants in digoxin litigation.
- Represented a pharmaceutical company in isotretinoin litigation.
- Served as deputy national counsel in defense of cases relating to a mechanical heart valve withdrawn from the worldwide market.
- Served as deputy regional defense counsel in California-based multi-district litigation involving a hepatitis C infection resulting from a blood derivative withdrawn from the worldwide market.
- Represented the manufacturer of a component part of commercial refrigeration unit in product liability suits. Excluded plaintiff's expert and received summary judgment on eight of ten claims in Georgia case. Obtained unanimous jury verdict at trial on remaining claims. The case was the Featured Verdict in the February 2014 issue of Verdict Search Georgia.
- Provided successful defense in legal malpractice cases.
- Provided successful defense in nurse and pharmacy malpractice cases.
- Obtained a jury verdict in favor of the manufacturer of an industrial forklift in a catastrophic injury case.
- Defended an excavator manufacturer in a product liability wrongful death case.
- Lead counsel for a fire extinguisher and fire systems service company in litigation arising from a fire that occurred in a manufacturing facility in Newport, Tennessee. Plaintiffs asserted allegations of negligence, breach of contract, breach of warranty and other causes of action. The damages alleged by plaintiffs were in excess of \$31.5 million.

Professional affiliations:

- Member – Product Liability Advisory Council (PLAC)
- Member – Lawyers for Civil Justice (LCJ)
- Partner – National Foundation For Judicial Excellence (NFJE)
- Member – International Association of Defense Counsel (IADC)
- Member - Litigation Counsel of America
- Chair – Mississippi Law Institute (1991)
- Member – Mississippi Defense Lawyers Association

DRI member since: 1996

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.

- Member – Defense Research Institute (Chair, Drug and Medical Device Committee, 2015 – 2017; Vice Chair, Drug and Medical Device Committee, 2013 – 2015; Program Chair, Drug and Medical Device Committee, 2011 – 2013; Program Vice Chair, Drug and Medical Device Committee, 2009-2011; Marketing Chair, Drug and Medical Device Committee, 2007-2009; Steering Committee, Drug and Medical Device Committee, 2003-2009; Steering Committee, Corporate Counsel Roundtable, 2017 – 2018)
- Speaker - “How to Defend a Punitive Damages Case,” DRI’s Annual Young Lawyers Seminar, Miami Beach, Florida (June 2010)
- Lead author - “How to Defend a Punitive Damages Case,” co-authored for Defense Research Institute with Ceejaye Peters (2010)
- Presenter - “Human Factors Experts in Medical Device Cases: A Trial Demonstration,” Defense Research Institute Drug & Device Conference, New York, New York (May 15, 2009)
- Lead Author - “The FDA’s Role in Incorporating Human Factor Engineering in Medical Device Design,” published by Defense Research Institute in connection with its Drug & Device Conference in New York, New York (May 15, 2009)
- Speaker - “Punitive Damage Defense in Drug & Medical Device Case,” Defense Research Institute Drug & Device Seminar, San Francisco, California (May 11, 2007)
- Speaker - “No Longer Chasing the Paper Tiger: The Paperless Law Practice,” Defense Research Institute Annual Meeting, San Francisco, California (October 2006)
- Lead author - “Defending a Punitive Damages Claim: A Proactive Approach Before, During, and After Trial,” published by Defense Research Institute (February 2006)
- Co-author - “Mediation in Multi-District Litigation,” Defense Research Institute publication, For the Defense (September 2003)
- Speaker - “Defending a Punitive Damages Claim: A Proactive Approach,” Defense Research Institute Drug & Device Seminar, New Orleans, Louisiana (May 2003)

List any leadership roles in other defense organizations.

Served as Director of the Mississippi Defense Lawyers Trial Practice Academy (1989)

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

Networking is one of the most important benefits of DRI. I would like to help DRI focus more on increasing the involvement of our in-house and corporate members in an effort to foster more networking and referral opportunities. I would also like to see DRI become more involved in

educating our members on the changing role of defense counsel and the need to fully embrace new technology if we are to remain relevant in today's litigation environment.

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

The vanishing jury trial has been a concern for years, but recent publications I have read and meetings I have attended have convinced me that new and developing technology (i.e., artificial intelligence) is an equal or more serious threat to the continuation of defense practice as we know it. DRI needs to fully educate our members on these important issues in order to prepare them for upcoming changes that will make "the way we've always done it" obsolete.

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

I have been a member of the Federation of Defense & Corporate Counsel (FDCC), and am currently a member of the International Association of Defense Counsel (IADC), but I consider DRI to be the bellwether of the defense bar. DRI has the size and organization to lead all others in service to its members and advocacy on behalf of our clients in court and in federal and state legislatures.

Hobbies and/or interests: Reading and collecting southern literature.

Family: Wife - Wendy Keith Thompson, Of Counsel with Denton's Chicago office; Son - Alston Thompson (24); Son - Julius Keith Thompson (10); Son - George Carter Thompson (10)

Respectfully submitted,

J. Carter Thompson, Jr.

June 30, 2017