



## 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 1<sup>st</sup> 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 Amy L. Miletich

Firm/Company Miletich PC

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Born (location) Moline, Illinois

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## **EDUCATION**

- B.S. - Arizona State University
- J.D. - University of Denver College of Law

## **AWARDS AND ACHIEVEMENTS**

- Colorado Super Lawyers in Employment Defense from 2007 to 2017
- Recognized as Colorado "Top 50 Women Super Lawyers"
- The Best Lawyers in America – Employment Litigation Defense – 2015 to 2017
- Awarded Law Week Colorado's Barrister's Best and People's Choice Awards for "Best Disability Law Lawyer" - 2015
- Peer Review AV Preeminent Rated, Martindale-Hubbell

## **AREAS OF PRACTICE:**

- Employment Litigation
- Trade Secrets Litigation
- Insurance Defense
- Insurance Coverage

**YEARS AS A DEFENSE ATTORNEY:** 28 years

## **EMPLOYMENT HISTORY:**

Miletich PC, Denver, Colorado (2012-present) (formerly known as MiletichCohen PC); Miletich Pearl LLC, Denver, Colorado (2008-2012); Miletich & Ricca, LLC, Denver, Colorado (2003-2008); Langhoff & Miletich, LLC, Denver, Colorado (2001-2003); Tilly & Graves, P.C., Denver, Colorado (1990-2001); Rothgerber, Appel, Powers, & Johnson LLP, Denver, Colorado (1986-1990)

**NOTEWORTHY DEFENSE WORK:** My practice focuses on the defense of employment and insurance law related matters. With respect to my

employment defense practice, in addition to litigated matters, much of my firm's work consists of client counseling on claims prevention and the representation of employers in governmental agency proceedings. Some recent litigated employment cases that I have defended include the following:

- *Wells Fargo Insurance Services USA, Inc. v. McQuate, et al.* - (the allegations and claims against my clients consisted of misappropriation of trade secrets, breach of contract, breach of the duty of loyalty, intentional interference with contracts, civil conspiracy, and intentional interference with prospective business advantage) - After over two years of litigation, plaintiff sought approximately \$4 million in damages at trial. The jury returned a defense verdict on all eighteen claims against my clients. A judgment for Defendants entered and no appeal was taken;
- *Brown v. Food Bank of the Rockies* – (wrongful termination in violation of public policy and discrimination) Colorado District Court granted Defendant's motion to dismiss Plaintiff's claim for public policy wrongful termination and later granted Defendant's motion for summary judgment on Plaintiff's discrimination claim;
- *King v. Westlake Services LLC, et al.* – (fraud) The Colorado District Court granted Defendant's motion to dismiss Plaintiff's claim, and the dismissal was affirmed by the Colorado Court of Appeals;
- *Ortega v. Southern Colorado Clinic, P.C.* – (discrimination and other tort claims) The U.S. District Court for the District of Colorado granted Defendant's motion to dismiss Plaintiff's FMLA claim and later granted Defendant's motion for summary judgment on all other claims;
- *Simpson v. Colorado Christian University* - (employment and tort claim) - Received a partial directed verdict, and then judgment for Defendant.

**PROFESSIONAL AFFILIATIONS:**

- Defense Research Institute
- Colorado Defense Lawyers Association
- Federation of Defense and Corporate Counsel
- International Association of Defense Counsel
- American Bar Association
- Colorado Bar Association
- Denver Bar Association
- Colorado Women's Bar Association

- Faculty of Federal Advocates
- National Association of Minority and Women Owned Law Firms
- National Institute of Trial Advocacy (NITA) National Program

**DRI MEMBER SINCE 1993**

**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.**

Below is a summary of my DRI activities:

**Leadership Roles**

- National Director, DRI Board of Directors (2014-Present)
  - Board Liaison, Women in the Law Committee (2014-present)
  - Committee Engagement Committee, Chair
  - Committee Engagement Committee, Vice Chair
- Center for Law and Public Policy
  - Issues and Advocacy Committee (2013, 2015, and 2017)
- Managing Partner Advisory Task Force (2017)
- Annual Meeting Steering Committee (2015)
- Chair, DRI Employment and Labor Law Committee (2012-2014)
- Vice-Chair, DRI Employment and Labor Law Committee (2010-2012)
- National Foundation for Judicial Excellence, Program Committee (2016 and 2017)
- Committee Member
  - Employment and Labor Law
  - Women in the Law
  - Diversity and Inclusion

**Presentations**

- Moderator: Employment and Labor Law Seminar, Defense Research Institute, Austin, Texas, April 27-29, 2016, "Judicial Panel: Views from the Federal Bench."
- Speaker: Diversity for Success Seminar, Defense Research Institute, Chicago, Illinois, June 11-12, 2015, "Leading the Charge: What Small and Mid-Size Firms Do Well to Advance Diversity and Inclusion."
- Moderator: Employment and Labor Law Seminar, Defense Research Institute, San Francisco, California, October 22-26, 2014, "Emerging Employment and Labor Law Challenges in the Retail and Hospitality Industry."
- Speaker: Young Lawyers Seminar, Defense Research Institute, Las Vegas, Nevada, June 20-21, 2013, "Taking and Defending Depositions."
- Speaker: Diversity for Success Seminar, Defense Research Institute, Chicago, Illinois, June 7-8, 2012, "How to Manage a Successful Minority and/or Women-Owned Law Firm."
- Moderator: 2012 Annual Employment Law Conference, Defense Research Institute, May 2-4, 2012, Chicago Illinois, "Who is the Client? Ethical Considerations Arising Out of Joint Representations."
- Moderator: 2011 Annual Employment Law Conference, Defense Research Institute, Scottsdale, Arizona, May 18-20, 2011, "How to Work with and Not Against Your Client's EPLI Carrier."
- Speaker: Religious Accommodation in the Public and Private Workplace, Defense Research Institute Webconference, August 21, 2008, "Religious Accommodation in the Public and Private Workplace." (Rebecca Bruch, Esq. and Patricia Ponder, Esq., Co-presenters.)
- Speaker: 2005 Annual Employment Law Conference, Defense Research Institute, Scottsdale, Arizona, May 4-6, 2005, "Taking and Defending Depositions in Employment Cases."

## **Publications**

- From the Chair: *Farewell DRI Employment and Labor Law Committee*, THE JOB DESCRIPTION, October 16, 2014.
- From the Chair: *Preparing for an Active and Challenging 2014*, FOR THE DEFENSE, January 2014, at 24.
- *Can You Represent Both?* FOR THE DEFENSE, May 2012, at 68. Co-Author.
- From the Chair: *A Useful, Relevant, and Precious Resource*, FOR THE DEFENSE, February 2013, at 36.
- DRI – A Supportive Environment: *Einstein, My Mother, and Balance*, FOR THE DEFENSE, December 2012, at 1.
- *Transgender Discrimination in Employment*, FOR THE DEFENSE, October 2006, at 47. Co-author.
- *Privacy Issues in Employee Communications*, FOR THE DEFENSE, March 2004, at 53. Co-author.
- *English-Only Rules in the Workplace May Lead to Employer Liability under Title VII*, THE JOB DESCRIPTION, Fall 2001. Co-author.

**LIST ANY LEADERSHIP ROLES IN OTHER DEFENSE ORGANIZATIONS.**

- Federation of Defense and Corporate Counsel
  - Vice Chair of the Admissions Committee
  - Vice-Chair of the Employment Practices and Workplace Liability Section (2014 to Present)
  - U.S. Coordinator – West of the P & O Committee
- International Association of Defense Counsel
  - Employment Law Committee, Vice Chair of Diversity

**DESCRIBE YOUR GOALS IF YOU ARE ELECTED TO THE ABOVE POSITION.**

As I have frequently stated, I believe that DRI membership can be a life-changing opportunity for those who embrace it. I will continue to promote DRI and encourage others to share in this experience. My primary goal is to therefore assist in the continuing success of the organization by increasing the membership of DRI, strengthening the participation of current members, and generating alternative income sources for the organization. In order to

accomplish these objectives, I would propose the following concepts for further exploration and consideration:

- The development of a marketing campaign to introduce DRI to the uninformed and the post Baby-Boomer generations. A campaign can be undertaken to introduce the organization to defense attorneys of all experience levels. DRI ambassadors can be appointed to work in conjunction with their State and Local Defense Organizations and with local bar associations, and perhaps law schools, to co-organize and/or co-sponsor mixers and charitable events at which DRI can be introduced and promoted.
- In addition to an introduction to the organization, the messaging campaign of DRI should continue to focus on creating a sense of invigoration throughout the DRI organization by informing members of what it means to be “involved” and the advantages to be attained if individual lawyers devote a portion of their valuable time to our wonderful organization. The presentation of real world scenarios of how existing DRI members have contributed to DRI and their personal and professional successes achieved by becoming involved, is believed to be an effective way in which to encourage others to become more active in DRI.
- Evaluate what is working with local, regional and national efforts so that DRI can benefit from sensible and proven activities that have moved the organization forward. As part of this effort, perhaps conducting surveys to obtain candid feedback as to what has been effective and ineffective with DRI members in order to determine potential new programs as well as those, if any, that should be eliminated.
- Increase the relationships with cultural organizations, charities, and vendors. Relationships with vendors that deliver legal support services, as well as other non-legal services, can be further developed, providing benefit to the vendors and DRI members. DRI for Life can assist with these relationships, including those with health clubs and food services and similar organizations.
- Consideration should be given to providing seminars to assist with the training of DRI member support staff concerning matters such as electronic billing and new technology resources (such as searching tools, electronic devices and similar processes that are being required to be utilized by clients) that assist in the practice of law.

- Incentives for firms to support DRI participation by their less experienced attorney employees should be further developed. For example, consideration should be given to a series of continuing legal education webcasts for the less experienced attorney that cover topics such as the basics of being a successful associate, the anatomy of a basic case, discovery, the taking of depositions and dispositive motions. Depending on the particular law firm's membership and activity in DRI, perhaps incentives for the program can be offered. These programs could be presented through the collaboration of various DRI committees.
- Establish a "mentor" system so that less experienced members may be paired with more senior attorneys to discuss the trials and tribulations of law practice and law practice management, with the intent to inform less experienced attorneys that this incredibly demanding profession has equally rewarding benefits – and that dignity, professionalism and a sense of humor will, in the end, establish their legacies.

#### **WHAT DO YOU BELIEVE IS THE MOST IMPORTANT ISSUE CONFRONTING THE DEFENSE BAR?**

There are several important issues confronting the defense bar and it is challenging to describe any one as the most important. In 2014, when I submitted my Declaration of Candidacy for the position of National Director, I identified funding of the judiciary as the most important issue facing the defense bar at that time. I continue to believe the issue to be critically important and firmly believe, as I stated then, that a vibrant and successful defense bar must depend upon and support reforms that enhance the talent and capabilities of the judicial sector. Defense clients deserve and have the right to rely upon the best legal minds our country has to offer. This continues to be an extremely important issue and one critical to our clients' access to justice.

I also believe, however, that an equally important issue confronting the defense bar concerns the changes in the manner in which we are being required to practice. Technology and the commoditization of defense work is rapidly changing the way we practice law and our relationships. Defense practitioners struggle to balance staying abreast with technology and achieving results with the ever increasing economic restrictions placed upon them in representing their clients. Defense practitioners are being evaluated by big data but are still expected to ensure results as though there are no limitations placed upon them. The defense bar now, more than ever, faces significant internal and external challenges. The internal stressors experienced by lawyers can be significant,



which can lead to mental health issues and physical health problems. As for the external challenges to the defense bar, perhaps the greatest relates to the increasing lack of civility, which can surface in all aspects of the defense attorney's practice.

#### **DEFINE THE APPROPRIATE ROLE FOR DRI AS THE NATIONAL DEFENSE BAR ORGANIZATION.**

An odd dichotomy in the law exists today. While there are a growing number of organizations in the legal profession, it appears that the numbers reflect a depressing decline in the active involvement of members in traditional legal bar associations and organizations. DRI must remain the pinnacle of legal professionalism and employ its considerable clout and clear voice to project the soul of the defense bar across the nation. Individual members should understand that DRI is not only instrumental in being able to achieve desired educational and networking objectives for its members, but that it provides a vital and necessary voice to broadcast the interests of both the defense bar and our clients in general.

#### **HOBBIES AND/OR INTERESTS**

Art, Cooking and Reading

#### **FAMILY**

My husband Joe Kovarik is a patent lawyer and also a member of DRI. We have been married for 23 years. We have two children, Katie (17) and Carter (15).