



Raising the Bar

The newsletter of the
Young Lawyers Committee

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Featured Articles

Young Lawyers in ATL

By Candace Deer, Samantha Burnett, Caitlyn Haller, and Chad Burgess



On June 24–26, 2020, Young Lawyers

from across the country and Canada will descend upon the great State of Georgia to take part in the annual Young Lawyers (“YL”) Seminar. This year’s YL Seminar in Atlanta is sure to be the one you don’t want to miss—and we’re not just talking about the amazing programming the Seminar Planning Committee has lined up for you.

This year, for the first time, not only will we be having fan favorite “Dine-Arounds,” but we will be introducing “Lunch-Arounds” on Thursday. For those of you who will be attending for the first time, sit back and relax as your Activities Committee will be doing all the heavy lifting for you. We will make reservations at local hot spots where you will have the opportunity to dine with other young lawyers. All you must do is pick which restaurant appeals to you and sign up. It’s that easy! These will take place on Thursday for both lunch and dinner and are great networking opportunities. Prior YL Seminar attendees can attest that many life-long relationships have started at a YL dine-around. We will send reservation sign-ups around in early June so keep a look out for those. Whether you want to sample locally sourced cuisine, sushi, or a steakhouse, there will be something for everyone!

After dinner, join the rest of your YL colleagues from other Dine-Arounds at a local watering hole. We will scope out the best venue and send everyone in the same direction. Here you will be able to unwind with a cocktail and enjoy Atlanta’s nightlife.

As for the Big Event? Your Activities Committee is hard at work planning the perfect experience for the 2020 YL Seminar. What will it be this year? A Winery Tour? A Boat Tour? Baseball Game? Brewery Tour? For the answer to that, you’ll just have to stay tuned . . . All you need to

know right now is that you won’t want to miss it! Folks should plan on staying around Atlanta on Friday afternoon following the conclusion of the Seminar. More details to come, but go ahead and mark your calendars!

Candace M. Deer is a Senior Complex Litigation Specialist at ProAssurance Companies where she handles insurance coverage matters as well as medical malpractice appeals. She has served on the Young Lawyers Steering Committee for four years and currently serves as the Co-Chair of the Activities Committee. Candace can be reached at CandaceDeer@proassurance.com.

Samantha Burnett is an associate in the San Francisco office of Shook, Hardy & Bacon, LLP. Her practice focuses on product liability and consumer class action defense. Samantha prioritizes communicating and connecting with her clients to understand their business and litigation goals then works tirelessly to help her clients meet those objectives. She has been a member of the DRI Young Lawyers Steering Committee for four years. She can be reached at sburnett@shb.com.

Caitlyn E. Haller is an associate with Greenberg Traurig LLP, located in Chicago, Illinois, where her practice focuses on product liability, including pharmaceutical and medical device matters. Caitlyn earned her B.A. from Boston College and J.D. from Chicago-Kent College of Law. Caitlyn can be reached at hallerc@gtlaw.com.

Chad Burgess is an associate at Hill Ward Henderson in Tampa, Florida. His practice includes the defense of medical malpractice, hospital liability, products liability, and premises liability claims, along with a diverse array of personal injury cases. Prior to and during law school, Chad worked as a second-generation firefighter/paramedic. Chad earned his B.A.S. from St. Petersburg College and his J.D. from Stetson University College of Law. Chad can be reached at [Chad.Burgess@hwhlaw.com](mailto:Burgess@hwhlaw.com).

The Underestimated Power of the Female Network

By Melissa Harly Rose



To young lawyers, it quickly becomes clear that your professional success does not just depend on your practical skills as an attorney, but also depends on the relationships you develop outside of your workplace. The importance of “building your network” is a tenet pressed upon most of us since the early days of law school, even before we know what “networking” really entails. Networking can be overwhelming to all attorneys entering the workforce. (Which organizations should I join? How many commitments are *too* many?) However, it can be especially difficult for women who will face additional hurdles to achieve the same level of success in their careers compared to that of their male counterparts.

Take, for example, the results of a 2016 study published in the *Academy of Management Journal*, which found that women and minorities who promoted other women and minorities were perceived as less competent than white men in the same position. Stefani K. Johnson & David R. Hekman, *Women and Minorities Are Penalized for Promoting Diversity*, *Harvard Business Review* (March 23, 2016), <https://hbr.org/2016/03/women-and-minorities-are-penalized-for-promoting-diversity>. In the study, researchers asked 307 professionals to rate a hiring decision made by a fictional manager after reading a description of the position and seeing a photo of the manager revealing the manager’s race and gender. The result? Study participants rated female and minority managers as *less effective* when they hired a female or nonwhite candidate instead of a white male candidate, while white male managers were not rated worse for hiring a white male candidate. *Id.* Essentially, the study found that women and minorities are perceived as biased for hiring someone that looks like them, since the decision is thought to be one based on favoritism rather than skill. *Id.* White men, however, do not face this same prejudice, since they are simply maintaining the status quo by hiring another white man. *Id.*

Although this study is undoubtedly disheartening, to many women it might not come as much of a shock, as it does not necessarily reveal anything that many of us haven’t experienced ourselves. For example, if you’ve ever found you had to justify why a movie with a majority-female cast is “actually a good movie” and not just a “chick flick” to someone, then you’ve encountered (and likely internalized) this type of bias. So, what can we do about it?

A gut reaction to this phenomenon might be to take on an “every woman for herself” mentality and shy away from associating with other women. Young lawyers may be hesitant to attend events or join networking organizations geared specifically toward women because they may not perceive an ultimate benefit in it. More experienced female attorneys might choose *not* to promote other female attorneys and effectively “pull the ladder up behind them” once they reach positions of power for fear of being thought of as incompetent, which is a potential consequence the authors of the study expressly contemplate. See Johnson & Hekman, *supra*. However, this reaction is not only an ineffective way to combat prejudice in the workplace, but it can also be detrimental to a woman’s career in the long run.

Women Need Other Women in Their Network

For years, successful women have stressed the positive effects of female mentorship and the importance of developing bonds with other professional women. There is now new scientific data that supports these claims.

A 2019 study conducted by the Kellogg School of Management found that women need a close inner circle of women in their network to succeed. Brian Uzzi, *Research: Men and Women Need Different Kinds of Networks to Succeed*, *Harvard Business Review* (Feb. 25, 2019), <https://hbr.org/2019/02/research-men-and-women-need-different-kinds-of-networks-to-succeed>. In the study, researchers wanted to know if there was a difference between the networks of successful male and female leaders and examined what types of networks helped new male and female MBAs land executive leadership positions. The study found that men do not necessarily benefit from size of their network but from being *central* in their network, *i.e.*, connected to multiple “hubs,” or different groups of students. *Id.* Significantly, however, the study revealed that successful women maintained “dual networks”: Like men, successful women not only need to be “central” in their network, but they also benefit from being part of a close inner circle of female contacts who share gender-specific job information with one another. *Id.*

This “inner circle” allows women to share valuable insight about their experiences of an organization with one another, such as whether a firm has equal advancement opportunities for men and women, or whether an interviewer might ask a female applicant if she plans to start a family and the best way to respond. Uzzi, *supra*. The study

found that this sharing of “critical private information” among women “helps strengthen women’s job search, interviewing, and negotiation strategies” when trying to find a job. *Id.* The study ultimately established that women who were central in their network *and* had a close inner circle of other women were almost *two-and-a-half times* more likely than women who do not have this same support system to land a better job. *Id.* The authors also found that the gender composition of men’s networks did not matter for job placement and attributed this to the fact that men do not need the same gender-related private information that women need to navigate male-dominated professions. *Id.*

Takeaway

At first glance, the two studies discussed above may seem inconsistent with one another. Do women benefit from associating with other women or not? However, it is important to note that the purpose of the first study was to highlight the massive barrier women and minorities face throughout their careers. It does not pose a solution to that problem and does not conclude that women should completely disassociate with other professional women. Such a response would be absurd. As the second study reveals, although women will face additional hardships to achieve success in their careers, they can attempt to counteract this bias by networking strategically.

The author of the second study, Brian Uzzi, provided two points of advice for women looking to network smarter: First, women should “*seek quality over quantity*” in their network, as centrality “is less a function of how many people you know but who those people are.” Uzzi, *supra*. Second, women should “*beware a closed inner circle*” and welcome connections from diverse background and experiences, as a homogenous inner circle will “fail to generate key insights and opportunities” in job placement. *Id.* Ultimately, by developing this inner circle, “women can continue to find meaningful advancement options, while helping their peers and more junior contacts do the same.” *Id.* Young lawyers should therefore embrace—not reject—the benefits of the female network, as it is through these relationships that they find the necessary support system to attain success in their careers.

Melissa Harly Rose is an associate in the products liability and warranty group at Wilson Turner Kosmo LLP in San Diego, California, which was recently ranked the top law firm in Law360’s 2019 Glass Ceiling report for “The Best Law Firms For Female Attorneys” in the small firm category (20–49 lawyers). Melissa serves as Vice-Chair of DRI Young Lawyers Committee, Women in the Law Subcommittee and is an active member of the Lawyers Club of San Diego, the city’s largest specialty bar association whose mission is to advance the status of women in the law and society. She can be reached at mrose@wilsonturnerkosmo.com.

Article of Note

Understanding Basic Technology Terms Can Mean Winning Your Motion to Compel

By David A. Nasrollahi



Technology has spread into every aspect of life, including the practice of law. For most of us, we have always practiced law with technology. We do our legal research through software systems not books. We electronically file our pleadings. Our firm’s documents are scanned and uploaded to the cloud. We erase metadata from electronic discovery before uploading our e-discovery to a shared file for production to opposing counsel. For us young lawyers, technology and the practice of law are a happy marriage.

However, the legal community continues to struggle to keep up with the ever-changing technology. Although the use of technology in the practice of law is ubiquitous, lawyers are losing their cases because they don’t understand the technical intricacies of what they are arguing. Garrett M. Graff, *Government lawyers don’t understand the Internet. That’s a problem*, Washington Post (September 23, 2016, 11:48 AM), <https://www.washingtonpost.com/posteverything/wp/2016/09/23/government-lawyers-dont-understand-the-internet-thats-a-problem/>. Technology continues to develop and change faster than ever. Courts throughout the country are grappling with high tech legal issues every day. These issues can involve

anything from international cyber-currency trading, to intellectual property in computer coding, personal data storage, and event-data recorders used in courtrooms. These complex, high-tech issues can wiggle their way into even the simplest of cases.

But it is on the attorneys in these matters to possess the technological sophistication to flesh out these arguments and issues. Attorneys have an ethical obligation to maintain an understanding to the changes in the law and its practice which includes benefits and risks associated with relevant technology. Marla N. Greenstein, *Judges Must Keep Up with Technology: It's Not Just for Lawyers*, ABA (November 1, 2014), https://www.americanbar.org/groups/judicial/publications/judges_journal/2014/fall/judges_must_keep_up_with_technology_its_not_just_for_lawyers/#1. Unfortunately, only a small number of law schools are preparing their graduates with the skills and knowledge necessary to understand the technological basics. Since we are the generation that grew up with technology, it is expected that we young lawyers know the basics of technology.

How Understanding the Basics in Technology Can Help Win Discovery Motions

E-discovery issues are probably the most common area where most lawyers will face technological issues. Lawyers view the discovery process as one of the most important processes in the litigation of a case. With electronic discovery and better technology, attorneys are now handling larger and larger amounts of electronic data. However, as noted above, with the evolving technology being used attorneys need to continue educating themselves on how the technology works. As a preliminary exercise, which is larger—a kilobyte of documents or a petabyte of documents? Understanding the differences between bits, bytes, kilobytes, megabytes, etc., can be a useful tool in your back pocket for one of the most common motions a lawyer will argue: the motion to compel discovery.

For example, you represent a sophisticated corporate client in a contract dispute with one of their contractors. Opposing counsel has requested your corporate client to produce all their computer data for a period of five years. They have also requested your client to produce all the emails that your client's board has sent in the last five years. Your client's analysis of the information requested shows that opposing counsel's requests would require you to review and produce over one terabyte of data. You object to this request for production as overly broad and unduly burdensome, and then opposing counsel files

their motion to compel discovery. The trial court judge is now tasked with determining whether the number of documents requested is reasonable for production. If you go into a courtroom and try arguing that it is unduly burdensome to turn over a terabyte of e-discovery to a trial court judge, it will most likely fall on the proverbial deaf ears. However, taking a step back to learn how much data one terabyte actually is and how unduly burdensome and costly producing one terabyte of data would be for your client will ultimately help you argue your position to achieve a more favorable outcome for your client.

The smallest increment of data storage on a computer is known as a bit. *Bits and Bytes*, <https://web.stanford.edu/class/cs101/bits-bytes.html> (last visited Dec. 2, 2019). Generally, bits are rarely used because they are so small, which is why bits are grouped together in groups of eight to make bytes. *Id.* Computers use binary (base two) math instead of the decimal system (base ten). Archived: *What are bits, bytes, and other units of measure for digital information?*, <https://kb.iu.edu/d/ackw> (last visited Dec. 2, 2019). Therefore, a kilobyte ("KB") is 1,024 bytes, instead of 1,000 bytes. *Id.*

Two of the most common computer storage and memory measurements are megabytes ("MB") and gigabytes ("GB"). *Id.* One MB is 1,024 kilobytes or 1,048,576 (1024×1024) bytes. For example, 1 MB of information equates to roughly a medium-sized novel. *Id.* One GB is 1,024 MB, or 1,073,741,824 ($1024 \times 1024 \times 1024$) bytes. A terabyte ("TB") is about the same amount of information as all of the books in a large library, or roughly 1,610 CDs worth of data, or 75,000,000 pages. *Id.* A petabyte ("PB") is 1,024 TB. One PB of data is so large that if burned on DVDs it would create roughly 223,100 DVDs, *i.e.*, a stack about 878 feet tall, or a stack of CDs a mile high. *Id.* This is just a small preview of the technological intricacies that we young lawyers need to understand. The difference between turning over 12 GB of data or 12 PB of data could cost your client millions in litigation.

Now that you understand the size differences between a kilobyte of documents and petabyte of documents, next time you have a motion to compel discovery argument, explain to the trial judge the additional facts that shed light on exactly how burdensome and overly broad a terabyte of information truly is to your client. You could say: "Judge, opposing counsel is requesting that my client produce a terabyte of documents, which is the equivalent to all of the books in a large library or 75,000,000 pages. If a lawyer read 120 pages an hour, it would take 625,000 hours to review the documents for privileged information before

production alone.” The additional information given to the trial judge establishes how large a terabyte is in layperson’s terms and shows how costly and unduly burdensome production of such a large of an amount of information truly is for one’s client. It also displays to the trial judge that you are not making frivolous discovery objections.

This is just an example as to why understanding basic technological jargon is important for young lawyers to advocate for their clients. Judges will tell you their decisions are only as good as the legal analysis that is given to them by the attorneys. With technology reaching every aspect of life, the legal community will continue to

face challenges interpreting and analyzing the developing technological world. If we young lawyers take the time to understand the basics of the information that we are arguing and then educate the decision makers, we are more likely to obtain the outcome desired.

David A. Nasrollahi is an associate in the Wall Templeton & Haldrup P.A.’s Charleston, South Carolina office. David concentrates his practice on Commercial Litigation, Insurance Coverage and Defense, Product Liability, Premises liability, and Construction law. David can be reached at David.Nasrollahi@WallTempleton.com.

Leadership Note—The Chair’s Corner

No Time for New Year’s Resolutions, Just Get Doing

By Shannon Nessler



This year, I have one New Year’s resolution: I am NOT making any New Year’s resolutions. I know, I know. That’s hardly an original concept. But, hear me out, because I think you might find the reason worth your time. The reason I will not make any New Year’s resolutions is that I refuse to spend even 30 minutes of this exciting new year dwelling on my past failures or mistakes. And, 99 percent of the time, that’s what New Year’s resolutions become—a way to relive all the things from the last year that you think you didn’t do well enough, and then make proclamations about how “this year you will be better.”

You know what, no thanks. As young lawyers, we already spend so much time beating ourselves up: every draft that could have been better, every argument that could have been clearer, every presentation that could have been crisper. We promise we will start things earlier, we will leave time to proofread with clearer eyes, we will practice the pitch at least twice before we give it—or whatever version of such a resolution you have made in your life. But, in the end, we usually find ourselves back in the same spot a year later, lamenting and re-resolving. They say insanity is doing the same thing over and over again, but expecting different results; well, I don’t want to be insane any more, do you?

Instead, I think we need to try something new: Accept and Get Doing! Instead of re-living the past year’s issues, and making generic promises that you won’t repeat them

next year, accept who you are and how you practice. Only then can you start doing things that will help you be successful, and more importantly, happy!

- Accept that you write best a few days before you need to have a draft done.
 - Then do what you can to move other smaller tasks out of the way.
 - Don’t keep resolving that you will become an early worker.
- Accept that you will thrive off the thrill of a spontaneous presentation to clients.
 - Then do make sure your colleagues are aware of your plans and that they are ready however they need to be so the team will thrive.
 - Don’t just resolve to force yourself to prepare boring slides to fill up space.
- Accept that you are better at *in person* than email.
 - Then do set your cases up to have major discussions over the phone or in person.
 - Don’t resolve to study how to write better emails and lose one of your best lawyering skills.
- Accept that you are going to make mistakes no matter how many years you have been practicing.

- Then do make sure you share those learning lessons with young lawyers at your firm.
- Don't resolve to keep these mistakes from others who would really learn from your wisdom.

Alright, I know, the “Doings” seem a little like resolutions. But they aren't the same. The Doings require you to *first* accept truths about yourself, your skills, your talents, your habits, and *then* plan around those truths, rather than trying to change things that might just be too engrained by now. You have tried time and again to change, using the same old methods, and you are still here—it would be insane to do it again. Instead, accept who you are and live your life in a way that accommodates your truths.

In the end, you will find yourself much more at peace with this process. And, truth be told, you were already pretty great last year, even with the stumbles, missteps, and yup, the mistakes, so cut yourself a break, and GET DOING!

Shannon M. Nessier is an experienced litigator at Hanson Bridgett LLP in San Francisco, who focuses on the defense of product manufacturers, suppliers, and retailers as well as premises owners in personal injury and defective product/premises litigation. In addition, she provides advice and litigation defense on product and food labeling claims, Organic labeling issues under COPA, and Proposition 65 claims.

DRI Young Lawyers Member Spotlight

Adam R. Durst



How and why did you first get involved with DRI?

I first became a member of DRI through the encouragement of senior attorneys at my firm.

They indicated it was a great organization to join for the purpose of meeting professionals within my field, which itself offers substantial opportunities to grow professionally, as well as contribute to the growth of others.

What DRI committees (other than Young Lawyers) are you most interested in, and why?

I am most interested in DRI's Insurance Law Committee because it aligns substantively with my area of practice and provides an incredible resource for me to stay current on all things insurance coverage related.

What is your favorite part about being a lawyer?

My favorite part about being a lawyer is my interaction with clients and the trust they have in my ability to resolve some of their most complicated issues, often with significant exposure.

When you are not practicing law, what do you enjoy doing?

I enjoy wining and dining at new local establishments with my wife, as well as wrestling with our two dogs in our backyard (and living room, but my wife is not a huge fan of that). As a retired gym class hero, I also enjoy staying fit by

working out and competing in local CrossFit competitions from time to time.

What has been your biggest success in your legal career thus far?

I have had several successes at New York's Appellate Division, wherein I obtained reversals of trial courts' decisions on dispositive motion and saved my clients on cases with seven-figure exposure.

What is most important piece of advice you have been given related to practicing law?

Keep it simple. Often, as coverage lawyers (or as lawyers generally), we are confronted with complicated issues that require an intimate understanding of our area of practice that those not engrossed in this practice every day may not possess. The better we are able to articulate our arguments in a concise manner, and in layman's terms, the more persuasive we will be in our arguments, and the more successful we will be in litigation.

What is the greatest sporting event you've ever been to?

As a relatively young Buffalo Bills fan (I was about six years old the last time they went to the Super Bowl), this is not really a fair question given recent experience. However, I had the opportunity to attend the “Snow Bowl” in 2017, where the Bills beat the Indianapolis Colts in overtime during a blizzard. The best part about the game was not that the Bills won, nor was it the broken tables in the

parking lot. The best part was how excited Bills fans were over the whiteout conditions and nine inches of snow that fell during the course of the game alone. Only in Buffalo. Go Bills!

What was your very first job?

My very first job was as a line cook at a semi-fast food restaurant called Bill Gray's in Rochester, New York, known for the "World's Greatest Cheeseburger" (it was pretty good).

If someone is visiting your city, where is it essential that they go to eat?

While I live in Buffalo, New York, I consider my city the one in which I was born and raised, Rochester, New York. If

visiting Rochester, it is essential that you go to Nick Tahou's and treat yourself to Rochester's delicacy, the Garbage Plate. This artery-clogging goodness consisting of two cheeseburgers, home fries, macaroni salad, hot sauce, mustard, and onions will change your life (for better or worse).

Adam R. Durst focuses his practice on insurance coverage law and coverage litigation in state and federal courts. His practice involves counseling insurers and policyholders on their respective coverage obligations or entitlements under first-party and liability policies, including occurrence-based and claims-made coverages, and handling complex coverage litigation.

Membership Minute

Happy New Year from Membership

By Thomas H. Wyatt



As the calendar turns to 2020, the time is right to spotlight what makes DRI Young Lawyers so great—people like you! I know I would not be as involved in DRI as I am now, nor would I have been able to experience all of the benefits that it has provided to me so far, if other Young Lawyers did not take an interest in me and encourage me to get involved.

My journey began when a partner of my firm left a flyer for DRI's Trial Tactics Seminar on my desk with a note that read, "You need to start doing stuff like this." I had no idea what it meant. Worse, my firm had already sent me to a similar seminar the year before. I now had no idea what to do. I visited the DRI website and saw an upcoming seminar in Portland, Oregon for Young Lawyers. The partner approved my request to attend and told me that I would not regret it. I could not have prepared for what was in store for me.

I first met Baxter Drennon, former Young Lawyer Committee Chair and fellow Arkansas resident, at our state's annual bar meeting a month before the seminar. He noticed that I was a new member of Young Lawyers and told me about all of the exciting events that were planned. If he had not been so intentional, I would not have met the people that I did at my first Dine Arounds, the small group dinners held each night at the seminar. At the seminar, I had the

pleasure of meeting so many of you, as well, and heard what DRI had done for your careers. By the time I had to return home, I was hooked. I applied for Steering Committee and now I serve as a Vice-Chair for Membership. It has been a wonderful journey, but I wish that I had known about DRI sooner.

I mention all of this to show just how much it means to feel welcomed and included in all that DRI has to offer. It can be intimidating without it. So, as we gear up for a new year, I wanted to remind you of all the benefits that new members receive and that you can, too, if you recruit just one person from your firm, your practice area, or your local state or local defense organization to join Young Lawyers.

Every new DRI Young Lawyer that has practiced for less than five years will receive a certificate to attend a substantive DRI seminar free of charge. This is a great way to provide potential members with a "selling point" to their firms for budgeting as the year begins. No matter how long you have been with DRI, however, you can still take advantage of these great member benefits:

- **Laurel Road Student Loan Refinancing:** DRI members receive an additional 0.25 percent rate discount of the life of their student loans.
- **TicketsatWork.com:** Enjoy access to exclusive savings on movie tickets, theme parks, hotels, tours, shows, and more!

- Membership renewal discounts when attending two or more seminars within your first five years of practice.

If you recruit a new member to Young Lawyers, be sure to fill out their application, place your name in the “Referred By” line above Young Lawyers as the referring committee, and ask if you can send the application to DRI on their behalf. DRI will send an invoice for the membership fee. You will be rewarded with a \$100 DRI CLE credit for every new member that you recruit. This is a great deal!

The year ahead has lots of exciting activities planned for Young Lawyers. Be sure to mark your calendars for the following events so you do not miss out:

- **June 24–26, 2020:** Young Lawyers Seminar (Atlanta, Georgia)

- **October 21–24, 2020:** DRI Annual Meeting (Washington, D.C.)

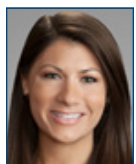
Thank you for all that you do for Young Lawyers. I look forward to seeing all of you in 2020!

Thomas H. Wyatt is a litigation attorney with Quattlebaum, Grooms & Tull PLLC in Little Rock, Arkansas. Tom’s practice focuses on commercial litigation and property litigation. He has experience in cases involving breach of contract, class actions, condemnation, landlord-tenant disputes, and products liability. He has practiced before the United States Court of Appeals for the Eighth Circuit, the United States District Court for the Eastern District of Arkansas, the Arkansas Court of Appeals, and numerous circuit courts in the State of Arkansas. Tom can be reached at twyatt@qgtlaw.com.

Timeout for Wellness

New Year’s Resolutions

By Kelly R. Ferrell



It happens every year. You make a resolution. You join a gym, start a diet, quit a bad habit, the list goes on. At first, you’re all in—you’re excited about the change, the clean slate the New Year brings, the idea of a new and better you. But, inevitably, and rather quickly—life happens and the excuses for not following through are too overwhelming to ignore. Oh well, you’ll try again next year, right? No need to wait until next year. Get it right *this* year by following these helpful tips:

1. Start with Micro Changes to Gradually Accomplish Your Macro Goal

There’s a reason why crash diets never last. It’s too difficult to stick with a drastic change for the long term. However, the same is not true for micro changes. Try implementing micro changes into your daily routine with the goal of gradually building up to a larger goal over time. For example, if your New Year’s resolution is to work out for an hour five days a week, but you currently don’t workout at all—it’s unlikely that going from zero hours to 5 hours a week is going to last. Instead, build up to your goal by starting with 1-2 days/week of 20-minute workouts and gradually

add more time and days of the week into your workout schedule.

2. Remove and Create Obstacles

Remove unnecessary hurdles so that achieving your resolution is simple and requires no additional effort. For example, if your resolution is to go to the gym more frequently, choose a gym that you have to pass by on your way to or from work, such that it requires no extra effort to get there. Conversely, if your resolution is to kick a bad habit, create obstacles for yourself, such that it would require more energy and effort for you to engage in the bad habit than not (*e.g.*, put the junk food on the top shelf, very back of the pantry—or better yet, don’t keep it in your house at all).

3. Try a Holistic Approach

When choosing your resolutions, try to include a resolution for each area of your life: physical, financial, professional, social, emotional, and spiritual.

4. Hold Yourself Accountable by Tracking Your Progress

Use a habit tracker to monitor your progress and keep yourself accountable. There are some great apps that allow you to customize and chart the daily habits that you want to achieve. By physically inputting and seeing your progress, you will be motivated to keep going. When tracking your daily habits, include some easy habits that you can check off the list each day so that you feel a sense of accomplishment.

Some of these strategies are derived from James Clear's *New York Times* bestselling book, *Tiny Changes, Remarkable Results: Atomic Habits—An Easy & Proven Way to Build*

Good Habits & Break Bad Ones. For more strategies on how to accomplish long-term habits, and the science behind habit forming, James Clear's book is an excellent resource.

Kelly Ferrell is an associate with Porter Hedges LLP in Houston, where she consults with and represents clients in commercial litigation, including employment issues, in both state and federal courts and domestic arbitrations. She represents clients in cases involving FLSA allegations, discrimination claims, misappropriation of trade secrets, and noncompete agreements. Her commercial litigation experience also includes oil and gas contract disputes, financial litigation, and construction defect cases. She has assisted with several trials and appeals.

News & Announcements

Stephanie M. Wurdock Promoted



Sturgill, Turner, Barker & Moloney, PLLC is pleased to announce that **Stephanie M. Wurdock** has been promoted to Member of the firm. Stephanie's practice focuses on defending physicians, hospitals, nursing homes, and other health care providers against claims of negligent care, wrongful death and violations of resident's rights. Stephanie is the Vice Chair of the DRI Young Lawyers Committee and is a member of the Medical Liability and Health Care Law Committee.

Congratulations to Stephanie on her elevation to partnership!

Have Other Good News to Share?

Have you or one of your fellow young lawyers recently received an honor, a promotion, or a defense win? Do you have any announcements for DRI Young Lawyers? Please contact the Editors, **Darin M. Williams** (dwilliams@laner-muchin.com), **Natalie Baker** (nbaker@mrchouston.com), **Ashlyn Capote** (acapote@goldbergsegalla.com), **Carmen Weite** (cweite@friedman-lawyers.com)!