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The Art of Empathy

By Paul W. Murphy

One of the most powerful, and perhaps most underutilized tools at our disposal is the power of empathy. Attorneys can and should learn how to deploy empathy strategically to help quickly and efficiently evaluate and resolve legal disputes.

“Strategy without tactics is the slowest route to victory. Tactics without strategy is the noise before defeat.”

—Sun Tzu, The Art of War

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- Cannabis Law Virtual Seminar, Thursday, September 17 and Thursday, September 24, 2020
- Retail and Hospitality Virtual Seminar, Friday, September 18, Friday, September 25, and Friday October 2, 2020
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Quote of the Week

“The world is indeed full of peril, and in it there are many dark places; but still there is much that is fair, and though in all lands love is now mingled with grief, it grows perhaps the greater.”

—[J.R.R. Tolkien](#), *The Fellowship of the Ring* (b. Jan. 3, 1892 – d. Sep. 2, 1973) Legal News

This Week's Feature

The Art of Empathy

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One of the most powerful, and perhaps most underutilized tools at our disposal is the power of empathy. Attorneys can and should learn how to deploy empathy strategically to help quickly and efficiently evaluate and resolve legal disputes.

"Strategy without tactics is the slowest route to victory. Tactics without strategy is the noise before defeat."

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Are we at war? Consider that question the next time you drive down the highway, past the stern face of yet another billboard lawyer, looking down upon passers-by, seeking "justice" for their client. We can keep utilizing the same old tactics we have been using for years, or fight smarter, not harder. One of the most powerful tactics at our disposal is empathy. Empathy can be used to help evaluate, mitigate, and resolve risk.

"Victorious warriors win first and then go to war, while defeated warriors go to war first and then seek to win."

—Sun Tzu, The Art of War

Empathy allows us to see someone else's perspective while maintaining our own sense of self. Therefore, it is important for us to identify and address our own biases, prejudices, and preconceived notions that might otherwise taint our perspective.

The world we see around us is simply a projection of the collective of assumptions, prejudgments, and prejudices we harbor deep inside. All too often, we allow our inner most thoughts to transmute into mere shadow puppets on the wall of Plato's allegorical cave. Is it possible that the things we see in others are really only projected images of something broken inside our own internal projector?

For purposes of preparing ourselves to deploy empathy as a strategic weapon, it is suggested that you start by writing down all of your preconceived notions, challenging your thoughts about each and segregating the from the work at hand.

"The supreme art of war is to subdue the enemy without fighting."

—Sun Tzu, The Art of War

Now that we have prepared ourselves for "war," the next step is something I like to call the Texas Two-Step! Here's how it works.

Step 1: Negotiation. Start by using empathy to avoid war in the first place. Begin not by talking, but by listening. Hint: When you scramble the letters to the word "Listen" it spells "Silent."

For the initial contact, we recommend an in-person meeting. A scheduled one-hour event forces a more deliberate, careful, and scaled approach to gathering crucial information and important nonverbal cues that would be lost over the phone or by email.

Consider opening up a little. Remember, vulnerability does not equal weakness. Hint: Superman had kryptonite, Indiana Jones was scared of snakes, lawyers are afraid of tort reform (joking).

In conversations with the claimant, if emotions are expressed, you need to respond in a kind, caring manner. Try an empathic statement. For instance, you could name (or label) the emotion they have expressed by simply repeating it. ("It made you angry.") You may choose to make a statement that acknowledges the claimant's emotional reaction as reasonable (also called legitimating). ("I understand why you are angry; that makes sense to me.") You may also show the claimant respect by acknowledging the claimant's plight. ("You have really been going through a lot.") Encourage the claimant to continue to share. ("Thank you for being so open with me.") What is important is to recognize the emotion and give some response. If an emotion is expressed and you don't respond, you could cause damage to the relationship, which takes us in the wrong direction.

Of course, avoiding honesty to keep the peace is a poor choice and we should always be committed to telling the truth. Demonstrating to the claimant that they can expect us to always take the moral and ethical high ground and tell the truth, whether that makes them happy, sad, or even infuriates them, is critical to resolving the claim in the

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future. If the claimant knows that we care, they will care what we know—good, bad, or otherwise.

If initial attempts at negotiation fail, avoid stepping onto the field of battle (courthouse) by moving to the mediation phase.

Step 2: Mediation. I encourage a “two-step” mediation process (see what I did there?). The first mediation is scheduled well before all of the facts and evidence are compiled and reserves are set. Hint: This suggestion might make you feel funny because it is a paradigm shift.

The first mediation is a chance for everyone to meet and for the claimant and his or her attorney to be seen and heard. The claimant might just mirror your behavior and be honest about what he or she really wants. Armed with that, you can formulate a clear and concise, agreed-to discovery plan to get relevant information. Once compiled, risk can be assessed, reserves can be set, settlement offers can be authorized, structured settlement plans can be built, and a second mediation can be scheduled.

For the second mediation, the parties should attend with full information as detailed in the first mediation. This gives

the parties the best opportunity for a successful mediation. If, however, the second mediation does not resolve the dispute, bow to your dance partner, walk away, and prepare for trial. If you’ve been using empathy effectively as a tactical strategy and conducted relevant discovery already, you should be prepared for the war that you’ve done everything in your power to prevent.

Empathy will allow you to maximize the information you have for settlement, or if needed, for trial. The only cost is the time and energy expended to understand the person on the other side.

Paul W. Murphy served in the Air Force and was a member of the Presidential Honor Guard in Washington, D.C. He obtained his Juris Doctorate from South Texas College of Law. Over the past twenty years as a trial lawyer, Mr. Murphy has obtained numerous verdicts on behalf of individuals and corporations. He is Board Certified by the Texas Board of Legal Specialization and represents a wide variety of clients with claims involving death, catastrophic injuries, personal injuries, and business disputes. Mr. Murphy is also a Certified Mediator.

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COVID-19

Friendships and Connections During COVID

By E. Ford Stephens, DRI National Director

This week, my wife and I are helping our youngest child move into her first-year dorm. Technically, she already is a college student, having started attending classes by Zoom over a week ago. Her university had postponed the move-in date once, so we were on pins and needles, especially as we watched some nearby peer institutions go all online and close down their on-campus housing. But, the leaders of her university sent out an email last Friday, noting that “critical parts of a college education cannot be replicated online,” including the opportunity “to form friendships that will sustain them for many years, if not a lifetime.” Amen.

E. M. Forster famously used as the motto of *Howards End* the admonition: “Only connect!” And connections continue to play an important role as we wait for a vaccine or effective treatment for COVID-19.

Soon after the pandemic was upon us, I took my first Zoom deposition. I was in my Richmond office (social distancing, mind you), the court reporter—and his dog—were in a nearby county, the plaintiff’s lawyer was in his Virginia Beach office (near a naval air station), and the plaintiff deponent was at her house (which had dodgy Wi-Fi). I knew the plaintiff’s lawyer, and when I pre-sent my deposition exhibits to the court reporter and him the night before, I asked that he not look at them or allow his client to look at them until the deposition started. The plaintiff’s lawyer readily agreed.

I have no question that he kept his word. The deposition went off without a hitch, aside from some occasional barking, jets screaming overhead, and pixilation. I am not so certain that the outcome would have been the same if

the plaintiff’s lawyer and I had not had a connection before the deposition.

Soon after that deposition, I participated in a Zoom call with members of my “home” substantive law committee at DRI. The call took place shortly after we were to have convened in New Orleans for our annual seminar, which had been cancelled by COVID-19. The occasion of the call

was bittersweet; we gathered to mourn the death of a much beloved member of our committee community, while we also celebrated our good fortune to have known such a wonderful person. There were over 50 people on the call, from all around the country, and many of us shared uplifting stories of what a thoughtful, caring, and encouraging person our friend had been to us.

Toward the end of the call, a participant

who had already offered one such story returned to the main screen. “I have to tell you,” she said, “I really miss you guys.” That short, heartfelt statement struck a chord, expressing the sentiment that we all felt.

To me, that is the essence of DRI. We connect and form lasting relationships by participating in committees and the other terrific opportunities that DRI offers, and by working together for the betterment of our organization. We are a community, one that is not confined to a particular, region, time zone, or even country.

During my years attending DRI functions, volunteering on SLCs, and now serving on the board, I have had the great fortune to meet and get to know good lawyers who are even better people. This has happened while planning



COVID-19

webinars, working on 50-state compendia, and participating in committee calls. Over the phone and through the internet, such opportunities continue today.

Pre-COVID, attending the DRI Leadership Conference and DRI board meetings also were opportunities for me to connect. But, nonwork moments have provided some of the best introductions. They have come at DRI seminar breakfasts, cocktail hours, and dine-arounds; at receptions, evening events, and in the hospitality suite at DRI Annual Meetings; and during impromptu conversations while walking back after dinner, meeting in hotel lobbies, and taking the Blue Line to O'Hare.

Hang in there: this pandemic will not last forever. As we wait to travel once again without quarantines, DRI's staff and volunteers are providing valuable content and events that can benefit us all. Their efforts have been Herculean, and the results extraordinary. As just a small sampling: the website has a detailed DRI Coronavirus Information Center with an amazing number of links to helpful information; and from now until the end of the year, I count nine virtual

seminars (including the Annual Meeting) on DRI's schedule, as well as and seven dates for serial education.

So take part in DRI's upcoming [Virtual Annual Meeting](#), and in as many DRI online series and seminars, video "Fly-Ins," and telephonic meetings as you can this fall. You can never tell what friends you might meet online, and then later see in person after we get the "all clear" signal.

And, in these days when connectivity and community are so important, what better time could there be to reach out to a friend, a colleague, or someone at your firm about joining DRI? Even if some managing partners are scaling back on their financial support, individual lawyers will find that paying the dues themselves is a small price to pay to be become part of the DRI community.

The founder of the university that my daughter attends was eminently quotable. And about friendship, he once said: "Friendship is precious not only in the shade but in the sunshine of life: and thanks to a benevolent arrangement of things, the greater part of life is sunshine." Amen.

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My Heart Is Heavy

By Tiffany Taylor



My heart is heavy from the recent loss of individuals like Congressman John Lewis, C. T. Vivian, and Chadwick Boseman. They gave us hope and the strength to continue fighting as icons in the black community. My heart is

heavy for those growing number of families affected by the loss of a loved one due to police brutality. We honor the lives lost by recognizing both their existence and humanity in saying their names: George Floyd, Breonna Taylor, Philando Castile, Eric Gardner, Walter Scott, Freddie Gray, Tamir Rice, and Jamarion Robinson. My heart is heavy for the America I know.

You see, the America I know, with all of its bells and whistles, has an ongoing, deep-seated issue with racism. For some, when they hear the word racism, they think of the gruesome images of the civil rights movement. Those images include the white hoods of the Ku Klux Klan, streams of water gushing from fire hydrants used to knock people down, and black and brown bodies bloody and bruised from being beaten like Emmitt Till. Those images reflect the racism of the past. But what about the racism of the present? This form of racism continues to inform black and brown bodies that they are worth much less than their white counterparts.

The America I know engages in historical negationism like the blatant denial that the Civil War was not about slavery but about state's rights (*including the right to own slaves*). The cornerstone speech given by the vice president of the Confederacy, Alexander H. Stephens, provided the reasons for the revolution. Stephens identified the "foundation of the new government" as resting upon the idea that "the negro is not equal to the white man." Thus, "slavery subordination to the superior race is his natural and normal condition." This was the "cornerstone" of the revolution and of the Confederacy. And while it is common knowledge that the Confederacy lost the Civil War, a stranger to

our country's history could easily presume the opposite. There are colossal monuments dedicated to Confederate war heroes displayed in prominent places in towns. Main individuals of the Confederacy are celebrated through the naming of streets and schools.

The America I know appears to have more Karens than Anthony Hubers. The name "Karen" has become synonymous for a particular type of personality and conduct. Karens are entitled and unnecessarily call the police on individuals of color. That is, they wield their race to obtain

something or as authority to do something, or even as a weapon against someone. In a recent incident, Karen (Amy Cooper) went viral after a shindy with a man in Central Park who asked her to put her dog on a leash. What he asked of her, of course, was simply to follow the

park rules. But Karen got offended. So she told the man that she was going to call the police and tell them that a black man was threatening her life. This was a threat. As so eloquently explained by host of the *Daily Show*, Trevor Noah, this woman uniquely understood the issues between black men and police. She knew how police would view him and how they would view her, a white woman. She then took this understanding and calculated the potential outcome that if she called the police, this man would most likely end up losing in some manner.

The America I know has systemic racism embedded in its fundamental structures. It's the public school system that always seems to be better in neighborhoods that are more affluent. It's over-penalizing black and brown children in the school system, creating a school to prison pipeline. It's the harsher sentences handed down to people of color in the criminal justice system for the same or similar offences committed by their white counterparts. It's the mass incarceration of black and brown bodies and the over-policing of their communities. It's the made up excuses like "black-on-black crime" to sidestep racial issues in policing and

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DRI Voices

criminal justice, despite studies and statistics showing crime as an intra-racial phenomenon, meaning most crime is committed by the same race as the victim. It's the theoretical concept that "justice is blind," yet overlooking the fact that everyone who is a part of the system has eyes and their own prejudices. It's a healthcare system that unconsciously views black and brown bodies as somehow experiencing less pain and the high maternal mortality rate for women of color. It's a law school professor at a prestigious university using the "N" word in class. It's the law partner who treats black and brown associates as disposable and replaceable. It's the failure to acknowledge that "Black Lives Matter."

For these reasons and so many more, my heart is heavy. I hope that the America I know will change or else I fear more cities will be set ablaze.

Tiffany Taylor is an Associate in the Atlanta office of **Gordon Rees Scully Mansukhani LLP**. She is a member of the Employment Law practice group and a graduate of Emory University School of Law. Prior to joining Gordon & Rees, Ms. Taylor served as a law clerk to a federal district court judge. Ms. Taylor is named in the inaugural edition of *Best Lawyers: Ones to Watch for Labor & Employment Law – Management*.

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And The Defense Wins

Keep The Defense Wins Coming!

Please send 250–500 word summaries of your “wins,” including the case name, your firm name, your firm position, city of practice, and e-mail address, in Word format, along with a recent color photo as an attachment (.jpg or .tiff), highest resolution file possible (*minimum* 300 ppi), to DefenseWins@dri.org. Please note that DRI membership is a prerequisite to be listed in “And the Defense Wins,” and it may take several weeks for *The Voice* to publish your win.

Terry A. Sides and Timothy P. Donahue



DRI members [Terry A. Sides](#), a member of **Hale Sides LLC** in Birmingham, Alabama, and [Timothy P. Donahue, Sr.](#), owner/partner of **Donahue & Associates LLC**, also

in Birmingham, successfully defended several police officers against claims that they violated plaintiff’s constitutional rights against involuntary servitude and substantive due process.

One of the officers made a traffic stop of the plaintiff (a convicted felon) because his car had no license plate. The plaintiff didn’t have a driver’s license and his front seat passenger (also a convicted felon, who had outstanding warrants for his arrest and was in possession of a gun) had no identification at all. Moments later the passenger ran from the scene into a nearby neighborhood.

The plaintiff claimed that the officers threatened to impound his car, put him in jail, and criminally charge him if he did not participate with and help them find and arrest the passenger. The plaintiff claimed that he feared physical harm by the officers, so he involuntarily agreed to help them.

As the officers instructed, the plaintiff used his cell phone to call his passenger and persuade him to meet at a designated pick-up location. The passenger agreed, and

after picking him up, the plaintiff drove to a nearby area where the officers told him they would be waiting to stop his car and apprehend the passenger. But upon seeing the officers, the passenger, while still in the car with plaintiff, began shooting at the officers, striking one of them in the chest. The officers shot back. Both the plaintiff and his passenger were injured in the gunfight.

Regarding the 13th Amendment claim, the district court, after recognizing that no court has decided this issue, concluded that it couldn’t be said that the law was clearly established that the officers’ challenged conduct was unconstitutional. The plaintiff did not dispute that he may have been guilty of some motor vehicle offenses that warranted legal action against him, nor did he dispute that he had been carrying a felon with a gun as a passenger in his car. The court concluded that under these circumstances, the officers had a right to threaten to tow the plaintiff’s car and file certain criminal charges against him, rather than allow plaintiff simply to drive away.

The case was *Trinell King, et al. v. Ricky Pridmore, et al.*

The 14th Amendment claim was that the officers acted with deliberate indifference to the safety risks posed to the plaintiff by allegedly forcing him to participate in their sting operation. In holding that the doctrine of qualified immunity barred this claim as well, the court concluded that although the officers’ acts may have left the plaintiff with the belief that he had no choice but to participate in the sting, the same acts (all of which were mere verbal as opposed to physical acts) would not have been plainly or obviously coercive to a reasonable officer.

The plaintiff appealed, but the Eleventh Circuit Court of Appeals affirmed the summary judgments, concluding not only that the police officers did not violate the plaintiff’s 13th or 14th Amendment rights, but even if they did, those rights were not so clearly established that every reasonable police officer would have known that the officers’ actions were unconstitutional.

Amicus Update

DRI Files Amicus Brief with U.S. Supreme Court in *Henry Schein, Inc. v. Archer and White Sales, Inc.*

Case involves whether arbitrability delegation clauses must be enforced under the Federal Arbitration Act despite carve-out language in arbitration agreement.

DRI has filed an amicus brief with the U.S. Supreme Court in support of petitioner Henry Schein, Inc. in *Henry Schein, Inc. v. Archer and White Sales, Inc.* The brief was filed through DRI's Center for Law and Public Policy.

The purpose of the Federal Arbitration Act (FAA) was to overcome the hostility of the courts to arbitration and to require them to enforce arbitration agreements according to their terms to ensure streamlined and efficient dispute resolution. This purpose applies equally to agreements to delegate to the arbitrator the preliminary issue of whether the parties' dispute is even arbitrable.

In this case, plaintiff Archer and White Sales, Inc. sued defendant Henry Schein, Inc. and others, alleging an antitrust conspiracy to exclude Archer and White from the distribution market for dental supplies. Henry Schein sought to compel arbitration of Archer and White's claims and argued that, under Archer and White's arbitration agreement, the arbitrability of the lawsuit must be decided

by the arbitrator. Archer and White argued that language in the arbitration agreement exempted its claims from this delegation of decision-making to the arbitrator. The Fifth Circuit Court of Appeals affirmed the district court's ruling, agreeing with Archer and White. The U.S. Supreme Court has once again taken up the case.

DRI's amicus brief argues that arbitrability delegation

clauses are an increasingly common method of maximizing the efficiency of arbitration and avoiding the costs and delays of litigation. DRI's brief then shows that U.S. Supreme Court precedent requires that valid arbitrability delegation clauses (i.e., those accompanied by clear and unmistakable evidence of the parties' intent to delegate arbitrability to the arbitrator) must be enforced regardless of

any separate language carving out particular issues from the scope of arbitrability. In other words, even if it is likely that the dispute is not arbitrable, a delegation of arbitrability to the arbitrator must still be honored.

The brief was co-authored by DRI members **David M. Axelrad**, **Felix Shafir**, and **John F. Querio** of Horvitz & Levy in Burbank, California. For the full text of the amicus brief, [click here](#).



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DRI Extends Application Deadline for Its Diversity Law Student Scholarship Competition to September 15

DRI has extended the application deadline for its **Law Student Diversity Scholarship Competition** in which two \$10,000 scholarships will be awarded. The new deadline is September 15.

The program is open to students who will be in their second or third year of law school in the 2020–21 academic year. Eligible are African American, Hispanic, Asian, Native American, LGBT, and multi-racial students. Also eligible are female law students, regardless of race or ethnicity, and law students who come from backgrounds that would add to the cause of diversity, regardless of race or gender.

The goal of these scholarships is to provide financial assistance to two worthy law students from ABA-accredited law schools to promote, in a tangible way, the DRI Diversity and Inclusion Statement of Principle.

To qualify for this scholarship, a candidate must be a full-time student. Evening students also qualify for con-

sideration if they have completed one-third or more of the total credit hours required for a degree by the applicant's law school.

Two scholarships in the **amount of \$10,000 each** will be awarded to applicants who best meet the following criteria:

- Demonstrated academic excellence
- Service to the profession
- Service to the community
- Service to the cause of diversity

Click [here](#) to access the scholarship application and information or go to www.dri.org. Applications must be received by DRI no later than **September 15, 2020**.

DRI Cares

WDTL'S 2020 Back to School Drive in Support of Treehouse

While COVID-19 has many wondering what this school year will look like for students in Washington, one thing remains the same: **Washington Defense Trial Lawyers'** commitment to **Treehouse** and its annual [Back to School Drive](#).

For those of you unfamiliar with Treehouse, it was founded in 1988 and is Washington's leading nonprofit organization that provides academic and other essential support for youth in foster care. Treehouse is committed to closing the academic achievement gap between youth in foster care and their peers.

High school graduation rates for youth in foster care are below 50 percent in Washington State and nationwide, and less than three percent will earn a bachelor's degree. With your help, Treehouse will achieve its goal by 2022 for every youth in foster care throughout the state to graduate from high school at the same rate as their peers.



Treehouse helps more than 7,500 youth each year who are in need of support. Kids achieve academically when they feel confident. Your support will not only allow youth in foster care to start this school year in style, but will also provide the necessary supplies for their success in the classroom

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Nora Czerwinski

Why is it important to help other people who need our help?

It is important to help people because we don't want people to get sick. Helping people makes them feel happy.

What do you like daydreaming about?

I daydream about going to the beach all the time.

Tell me something about you that you think I might not know.

I can do a round off back handspring!

What's a memory that makes you happy?

Playing with my dog Zoey who passed away about a year ago.

What do you look forward to when you wake up?

I look forward to going to school.

At what age is a person an adult.

18.

Do you think animals can talk?

Yes, animals can talk because they make noise to communicate.

What is the hardest thing about being a kid?

The hardest thing about being a kid is not being able to do what you want.



If you could give one gift to every kid in the world, what would it be?

If I could give one gift to every kid in the world, I would give them money so they could buy something that would make them happy or help them.

If you could make one rule that everyone in the world had to follow, what rule would you make?

If I can make one rule that everyone in the world had to follow, the rule would be everyone would have to go to church.

What is your perfect meal?

The perfect meal is macaroni and cheese with ketchup, candy, bananas cut up, Twizzlers, Reese cups, with blue raspberry Gatorade.

What do you want to be when you grow up?

When I grow up I want to be a fourth grade science or history teacher.

How can you make the world a better place?

I can make the world a better place by not littering.

Nora is the daughter of Betsy and Pete Czerwinski. [Ms. Czerwinski](#) is a senior claims specialist for DRI corporate member **Great American Insurance Group**.

Upcoming Seminars



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[Click here](#) for details.



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Federal Court Jurisdiction: Removal Complexities and Common Pitfalls to Avoid in the Process, October 7, 2020, 2:00–3:00 pm CDT

[Click here](#) for details.

DRI Membership—Did You Know...

DRI Dividends: Reward Yourself

Who doesn't love finding money in a coat or jean pocket? Have you checked your DRI member dashboard lately? There's some unfound treasure there for you now. Thousands of active DRI members have earned DRI Dividend Points, which are just like money in the bank. How so? You accrue Dividend Points and redeem them for a reward for yourself. How many points have you earned? [Log in](#) to your DRI account and click on the "My DRI" at the top of the homepage. Next, click on "DRI Dividends," and you can view the number of points that you have earned so far. Did you know that you accumulate Dividend Points year after year by simply being a DRI member and using your benefits? You earn points by

- leading a substantive law committee or standing committee;
- attending a DRI seminar, the Annual Summit, or a regional meeting;
- recruiting a member;
- speaking at a DRI program or writing an article for *For The Defense*, *In-House Defense Quarterly*, or a newsletter;
- being a DRI member in good standing for five years or more; or
- participating in a DRI public service project at a DRI event.



What do you do with your Dividend Points? Well that's up to you: keep saving or start spending! Click on [this link](#) to view the Reward Tiers. Contact DRI Customer Service (312) 795-1101 when you are ready to redeem your points.

We know that your DRI membership is an investment and that's why DRI pays you dividends.

New Member Spotlight

Shannon N. Proctor, Hollingsworth LLP



Shannon N. Proctor is a litigation associate at **Hollingsworth LLP** in Washington, D.C. Her practice focuses on personal injury litigation involving pharmaceutical products, complex litigation, and toxic torts and product liability.

Before joining Hollingsworth, she worked at a local law firm in its global FDA practice advising clients on various FDA regulatory matters. Ms. Proctor grew up in Florida where she graduated from Jacksonville University with a BS in Chemistry. After spending some time working in pharmaceuticals and teaching, she went on to graduate from Emory University School of Law. After graduation, she clerked at the Court of Federal Claims (OSM) and U.S. Dis-

trict Court for the District of Columbia. Ms. Proctor is admitted to practice law in Georgia, D.C., and Florida. She is also licensed to practice before the Fifth Circuit Court of Appeals, United States District Court for the District of Columbia, and United States Court of Federal Claims, but has participated in litigation across the country.

When she is not preparing trial, Ms. Proctor enjoys cooking, hiking, competing in her bowling league, reading, watching sports, and especially cheering for the Jacksonville Jaguars. Ms. Proctor can be reached at sproctor@hollingsworthllp.com.

Quote of the Week

“The world is indeed full of peril, and in it there are many dark places; but still there is much that is fair, and though in all lands love is now mingled with grief, it grows perhaps the greater.”

—[J.R.R. Tolkien](#), *The Fellowship of the Ring* (b. Jan. 3, 1892 – d. Sep. 2, 1973)