



# Raising the Bar

The newsletter of the  
Young Lawyers Committee

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## Featured Articles

# Tips, Tools, and Testimonials: Advice on Business Development, Seizing Opportunities, and the Work Life Balance for Young Women Lawyers



By Kristi Lemanski

Following the presentations at the 2018 DRI Young Lawyers Seminar, and particularly the remarks from Judge Darleen Ortega from the Oregon Court of Appeals about her path to the bench, the Women in the Law Subcommittee asked some senior female DRI Young Lawyers for their tips, tricks, and thoughts about business development, making equity partner, and generally “making it” in the law firm environment.

## What advice do you have for younger female associates?

### *On business development:*

- “Stay in touch with your female law school colleagues. There’s a good chance they’ll be in-house counsel someday.”
- “Look for creative business development opportunities with your clients. Don’t be afraid to plan a family outing with kids and other family members.”
- “Do something memorable. You form strong relationships with clients when you are learning something together or sharing a unique experience.”
- “Many industries predominantly have female in-house counsel. Share these observations with your firm’s partners. Eventually, they will see it too.”
- “Make the most of your DRI experience. Get involved and make actual friends. My female DRI friends are an incredible support network for me.”
- “Take a long-term view. You aren’t going to get clients right away and that is ok. Just focus on putting the stepping stones in place, and the garden will come.”
- “Networking is easier than you think. It can be as simple as staying in touch and having fun with your law school friends. Ten years into my practice I realized (too late) that I had spent those 10 years devoting 2200+ hours annually to learning the law and learning how to be a litigator. My near-singular focus was becoming a great

lawyer. But if you intend to be in private practice, the law is a business and you are in sales. It’s not enough to be a great lawyer or a great advocate. Assume that there are lots of great lawyers and great advocates. You build your business based on trusted relationships, which take time. Now I look back and think, ‘I wish I had nurtured those intimate, real connections with my law school classmates.’ Many of them are in-house GCs or in positions to make decisions about hiring outside counsel.”

### *On seizing opportunities:*

- “You want to make yourself indispensable to your firm. Recognize the opportunities and don’t be afraid to seize them. All it takes is one big opportunity to transform your career trajectory, but you have to see it, and then you have to go for it.”
- “When it comes to the opportunities that you’re not comfortable seizing, step back and internally analyze why. If it is because you do not have the requisite experience, it’s the imposter syndrome talking. Ignore it. You can only get experience by doing it.”
- “Once you seize an opportunity, be constantly looking for the next one. Show initiative and ownership by telling your partners/superiors that you are doing XYZ unless you are instructed otherwise.”
- “Don’t lean in to someone else’s table; make your own table. Of course you need to play well with others, but don’t feel like you need to speak someone else’s language to succeed. Your ideas are valuable and insightful, albeit, historically underrepresented, which in some ways makes them even better.”

### *On setting yourself up for equity partnership:*

- “Learn the art of inserting yourself quietly but effectively into the areas of work and conversations that you want to be a part of.”

- “Figure out the nuances of your firm’s political structure and use that knowledge to help you strategically make career decisions.”
- “Know that regardless of whether you are working full-time or part-time, you will likely have to push yourself beyond what your requirements are in your two years preceding your partnership nomination.”
- “Find a female mentor and champion. She will prove to be a valuable resource time and time again as you navigate your associate career and prepare for partnership.”

### **On balancing work and personal life:**

- “Whether you are single, have a partner, or have children, fight for your personal life and make space for it. It is a fine balance between showing that you are committed and over-committing yourself to the point of burnout.”
- “Use all of your vacation time. You’ll never look back and say ‘I wish I worked more.’”
- “Choose not to feel guilty. Like any other mindset, choosing not to feel guilty can be cultivated.”
- “Recognize that perfection is not only an unrealistic goal but a dangerous one, and one that can inhibit your potential and limit your ambitions.”
- “Look at balance as a continuum—you will not be able to be everything to everyone, every day. Carve out some time for you, your family, and your professional development, but do not apologize for loving your work and your career or making sacrifices—it is something clients recognize and appreciate, and it builds your self-worth. Having it ‘all’ can only be defined by you—and what that is changes as you move through various life cycles.”
- “Embrace the calm. Life as a lawyer is hectic and oftentimes it feels like you are getting a solid B- in every aspect of professional and personal life. So when work responsibilities do calm down (they always do!) carve

that time out to go to the ball game/recital/do yoga. Don’t beat yourself up for the days you are not there and always, always be there when you can.”

- “Be honest about your schedule. For some of us, a 7am meeting is great because the kids are still asleep; for others, it’s impossible because you are smack dab in the middle of your morning routine. Our clients have the same issues. Internally, I tell my team, I can’t be at that 4:45pm meeting because I have pick-up today. To clients, I say, that time is inconvenient for me but I can make it work if that is what everyone else needs. Of course client’s needs come first, but don’t feel like you don’t have a voice.”

### **What are your law firms doing effectively to attract, retain, and enable women to succeed within the firm?**

- “My law firm is doing more than a diversity or a women’s initiative. I’ve asked, and also pushed, to be included in management meetings where I can offer a female voice and perspective.”
- “My law firm tries really hard to actively mentor female colleagues, and I try to do the same. My firm recognizes that attracting and retaining females are two very different things and that meaningful relationships help women stay in the firm.”
- “My law firm supports my DRI involvement, which is my female support system in many respects.”

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## Dispatches from Portland

# Young Lawyers Hone Business Development Skills at Seminar's Fast Pitch Breakout



By John Dollarhide

On behalf of the Development Education Subcommittee, I want to thank everyone who signed up for Fast Pitch this year. We had a fantastic group of in-house counsel participate in the event: Christiane Fife of Daimler Trucks North America, Matt Cairns of Textron, Caren Seenauth of Buffalo Wild Wings, and Sue Glueck of Microsoft. We cannot thank these attorneys enough for their support of our program and their investment in us as a committee.

If you didn't know, the Fast Pitch program pairs young lawyer attendees with in-house counsel for a mock business "pitch." More in-depth than the "elevator speech" that many of us have honed, these 15 minute sessions allow the young lawyers to make real introductions of themselves, their practices, and their law firms. They also learn about the corporate counsel volunteers, their business, and their outside counsel needs. The success of this program is in the candid and immediate feedback that the young lawyers get from the in-house counsel about the strengths of the pitch and areas for improvement.

The Young Lawyers Seminar has long been focused on making sure our attendees return to their offices as better lawyers, not just with ideas of *how to become* better lawyers. We strive for on-the-fly skills development, and Fast Pitch works to that end. As with any skill, business development is about "reps." For the lawyers that signed up for Fast Pitch, they have one more notch in their belts and are more prepared when it comes time to make a real business development pitch.

The hidden gem of Fast Pitch is that it can double as an actual business pitch. While the in-house attorneys aren't necessarily there to interview new outside counsel, the opportunity to form meaningful connections cannot be ignored. A corporate counsel could find that a young lawyer practices in his or her company's litigation space or in a geographic area of need, or even be hiring for his or her company. Again, the opportunity to establish a real business relationship is quite rare and full of potential. We are always encouraged that we have a full roster of young lawyers who sign up to take advantage.

Next year, the DRI Young Lawyers Seminar is in Music City—Nashville, TN, June 26–28, 2019. We plan to offer the Fast Pitch Program again. If you will be a first-time attendee or haven't yet participated in Fast Pitch, please sign up. You won't regret it. If you've done it before, don't hesitate to sign up again. You are more than welcome. We want you to continue to build the most valuable skill that we lawyers have: the ability to expand our professional networks to develop business for ourselves and our firms. It will take a very small amount of the time that you devote to the seminar, but you will be well rewarded with the experience you will share with some of the finest—and most gracious—corporate counsel in North America.

See y'all in Nashville!

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*John Dollarhide is a partner with Butler Snow LLP in Jackson, Mississippi. He is a member of the firm's Commercial Litigation Practice Group and focuses his practice on financial services litigation, business torts, and trade secrets. He is past president of the Jackson Young Lawyers Association and serves on Butler Snow's Pro Bono Committee. Mr. Dollarhide has been a member of the DRI Young Lawyers Committee Steering Committee in various positions since 2013.*

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## Article of Note

# Law Firm Cybersecurity in 2018



By Natalie Baker

Law firm data breaches are on the rise. Yet, it's really no surprise why since firms contain highly sensitive financial data, confidential client business information and personally identifiable information (PII), medical records, corporate strategies, trade secrets and business transaction information—making them a lucrative target for hackers.

Although these breaches have forced the legal industry to be cognizant of the significant risks they face, many firms still fall short of “effectively protecting their clients’ data,” according to LogicForce’s fourth quarter 2017 law firm cybersecurity scorecard. Of those surveyed, only 31 percent reported formal cybersecurity training programs for their workers and just 41 percent reported that they have documented cybersecurity policies and emergency response plans to deal with a data breach.

Therefore, it’s imperative that law firms—of any size—take the necessary steps to minimize the threat of a cyber-attack. Below are pointers that can help protect against cyber intrusions:

## Use Two Factor Authentication

Two Factor Authentication, or 2FA, adds an extra layer of security, putting additional deterrence in the path of someone who wants to maliciously access email, data storage, or other systems storing confidential data. With 2FA, a password is not sufficient to gain access. Instead, a password and username is required, along with a secondary token that only the authorized user can receive—typically sent to a smartphone via SMS message. Using a username and password together with a piece of information that only the user knows makes it more difficult for potential intruders to gain access and steal data or commit identity theft.

## Risk Assess Vendors

Law firms can overlook the security systems of the third-party vendors they contract with, which is unfortunate since these companies can be a gateway that hackers enter through. So, before contracting with a vendor, ask the vendor to participate in a cyber security survey. Knowing if these companies have sufficient cybersecurity programs to

protect *their* files from intrusion will prevent your firm from being subject to undue risk and data compromise.

## Install Anti-Virus software

Anti-virus software scans your computer system and identifies risks discovered on your computer. “Patches” can be downloaded monthly to remediate discovered vulnerabilities on your systems and prevent system intrusions and compromise.

## Regularly Update Operating System(s)

Sure, update notifications that pop up can be annoying, but they do serve a purpose. Strongly recommended for security reasons, these updates will fix known bugs in the operating system that create security vulnerabilities.

## Regularly Educate Employees about Security

Hackers rely on human error, and often, cyber-attacks occur because of uninformed employees clicking on a link or opening an unsuspecting attachment in an email. Therefore, it’s crucial to ensure that all members of the law firm—both attorneys and legal staff—are educated about cybersecurity. Not only will they learn how to identify red flags, such as phishing attacks, but they will become more cautious of their own actions, as even a simple mistake could lead to a full cyber breach.

## Have a Disaster Recovery Plan in Place

As breaches become more prevalent, it’s wise to know how your firm will recover should a cyberattack such as ransomware occur. How does the firm plan on recovering? Where are backups kept? Are the backups current? How are the backups secured? When was the last time the backups were successfully tested?

## Be Prepared to Respond

Resilient firms have a well-documented and tested Incident Response Plan to serve as a roadmap at the moment of crisis. Developing cyber security playbooks and participating in table-top exercises are all vital response strategies. Consider the following during an incident: Do all

key employees understand what role they play? Are there documented breach response procedures in place? Is there a retainer with a reputable cyber response firm?

## Conduct Regular Security Risk Assessments

While it's great if a firm seems to be on top of security, its plans are only valuable if the firm stays current with the most up-to-date system patches. Hackers get better and better every day, and your firm needs to know whether its systems are open to new vulnerabilities. Consider conducting annual risk assessments and regular vulnerability assessments to understand where improvements are required to protect the integrity and availability of your business-critical systems.

## Keep up with Technology

Just because you're a small law firm doesn't mean you aren't vulnerable to cyber intrusions. After all, firms with one or two lawyers still possess a great deal of PII, medical, and confidential data that is attractive to cyber criminals. Therefore, it's crucial to acquire the appropriate technology and develop processes to remain resilient and keep from becoming a liability to your customers, as a breach could signal lawsuits from clients whose data is compromised, as well as irreparable damage to your firm's reputation.

Finally, for stronger security, implement the following practices when possible:

- Disable or encrypt USB drives to prevent sensitive data lost.

- Require at least an 8-character complex password for computer access. Do not share passwords, and change passwords every 90 days.
- Use role-based access control, so that sensitive files can only be accessed by persons in certain need-to-know elevated roles.
- Place a 15-minute idle timeout requirement on all computer systems and applications to avoid unauthorized access.
- Use firewalls to prevent unauthorized access to your network.
- Perform monthly vulnerability scanning and patching of computer OS and software.
- Perform regular backup of data and test recovery.
- Perform table top exercises using realistic cyber-attack scenarios.
- Encrypt sensitive data on mobile devices and smart-phones.
- Harden configuration on wireless access points.
- Train your employees to recognize social engineering attacks.

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*A former practicing attorney, Natalie Baker now provides business development for Medical Research Consultants (MRC), a litigation support and healthcare compliance provider that specializes in record retrieval and nurse review services. For more information on MRC, please visit [www.mrchouston.com](http://www.mrchouston.com).*

## Career/Practice Article

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### Start Working on Building a Book of Business Now

## Six Tips to Build and Sustain a Strong Practice



### By Quinten J. Whiteside

Let's face it. Getting your own clients is hard. Maintaining a solid caseload is even trickier, especially with the growing competition in today's legal field. As many lawyers know, business development takes time, experience and, frankly,

a little luck. Fortunately, there are several steps you can take early in your career to give yourself a leg up.

**1. Learn to market yourself:** Understanding business development is the first step to becoming better at it. Take advantage of free resources like blog posts, podcasts, seminars, continuing education programs or hardbound

books. Ask your law school mentors or partners at the firm for advice on how they built their practice. Tweak this guidance to make a personalized game plan with concrete tactics for achieving your goals. Instead of waiting until you make partner to start marketing your services, develop your business incrementally. Set aside 15 to 30 minutes each week to research new opportunities or uncover ways you can provide additional value to clients. Depending on your personal goals, you may want to consider temporarily discounting your rates or working on a fixed-fee arrangement. In certain cases, you may even decide to take a small matter on pro bono in order to secure a longer-term or more lucrative client relationship for the future. No matter the route you choose, always be courteous and show your willingness to work hard. This will help build goodwill and trust when those larger cases do arise.

**2. Seek out referrals:** Referrals are the backbone of any lawyer's book of business. Whether through private practice attorneys, corporate counsel, family members or friends, you want to be the first person someone thinks of when the need for legal advice or assistance arises. Without being a loathsome lunch or dinner date, let other attorneys or business contacts know about your practice and areas of expertise. Many clients face multiple issues. You can serve as a resource for their general counsel or as the outside law firm if a conflict of interest or unexpected issue arises. Give other attorneys or professional acquaintances referrals, too. If you know a lawyer with a certain skill set that your client may benefit from, refer the case their way. They may decide to return the favor in the future.

**3. Focus on specializing your practice:** We often hear our colleagues say, "The practice of law is not what it used to be." Gone are the days of attorneys wanting to be a "Jack of Many Trades, Master of None." Specialization is key. Look for areas where you can become an expert or drill down into the topics you find interesting. If you're feeling intimidated by the process, ask one of the partners in your firm to guide you through the process. Or find someone who has recently served as a thought leader on an emerging legal trend and ask for advice on how you can get started. But never be afraid to switch it up. If you realize an area isn't right for you, stop working on it. As attorneys, we understand the value of time. If your gut is telling you to move from one issue to another, do it. Soon, you'll find the one that works best for you.

**4. Get involved:** You've likely heard this cliché phrase since junior high. But it rings as true today as it did then. If you want to build your business, there's no better way than getting involved in local, regional and national organiza-

tions. Don't be a passive bystander who just fills the membership rolls or stops by for the occasional board meeting. Volunteer for or take on leadership positions. This will allow you to show your strong work ethic, attention to detail and drive to succeed—all the qualities that make you a good attorney. As you dedicate yourself to the cause, people within the organization will begin to trust you. Soon, these fellow volunteers may become your future clients.

**5. Network (and then network more):** From chamber of commerce events to rotary clubs to after-work cocktail events, there's no shortage of local opportunities to network. Participate in civic and social clubs for young professionals around town to engage with individuals of diverse backgrounds. For regional or national engagement, join groups like DRI or its Young Lawyers Committee to meet with others who have similar career goals and experiences. While it's easy to hang in the corner with friends or acquaintances, step outside of your comfort zone to meet as many new people as possible. With time, you may find individuals who have mutual interests or are interested in partnering on cases in the future.

**6. Continue to invest in your practice:** As any attorney knows, practicing law isn't a nine-to-five job. If you're serious about business development, you'll need to dedicate time outside of your normal caseload to strengthen your knowledge base. Sign up to attend conferences, seminars or continuing education programs. These forums may have the added benefit of connecting you to potential referral sources or clients. You may even want to consider obtaining an additional educational certificate or degree to reach your end goal.

When you're new to the legal field, it can feel as if you're always juggling your caseload. Forget thinking about new business; you're simply trying to stay afloat. But remember, your firm's partners won't always be there to provide you with new projects. Start your business development efforts now, and you'll be set up for success in the future.

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*Quinten J. Whiteside is an associate with Wright Lindsey Jennings in Little Rock, Arkansas. He is an active litigator with a focus on insurance defense, premises liability and professional liability. He serves on DRI's Young Lawyers Steering Committee as Legislative Liaison Subcommittee Chair. Quinten can be reached at [qwhiteside@wlj.com](mailto:qwhiteside@wlj.com).*

## The Chair's Corner

## When You're at Your Worst, Be Your Best



By Shannon M. Nessier

When I was an undergrad, my professor for American Novel II started the first day of class by asking us to look around at each other. She pointed out how for our first day of class, we were all dressed well, hair styled, well rested, with happy, excited faces. She then let us know that on the day each essay was due, she wanted to see us looking like this. No showing up in PJs, coffee stains on our clothes, eyes glazed from all-night writing. She would see our faces that day, and try as she might, her impression of the sad, haggard us that day might sneak into her subconscious and shape her assessment of our work. She wanted to see us at our best, so she could only think the best of us.

I got her point, and made sure I never failed to put my best foot forward on due dates. Who knows if it really helped my grade or her vision of me, but one thing that did happen, I found that forcing myself to give others the best version of myself, even when every fiber of my being was screaming in exhaustion or anger or disappointment, was itself the way to pull myself out of that low point.

It isn't easy, but it is worth it. I challenge each of you to dig deep when you are tired, bored, frustrated, or angry, and find the best version of yourself to show others. You tell me if things don't turn around after that:

- When the line is long, be extra nice to the checkout person. Your frustration will go away when you see how relieved your compassion makes that person, whose day was probably even worse than yours.
- When someone at work screws up and comes to you with their mistake, swallow every instinct you have to scream, and remind them you are a team and you will

figure it out together. The annoyance you feel will wash away as you see that poor colleague's anxiety and fear wash away with your understanding.

- When your client suddenly changes their mind about a strategy after you've already started to implement the prior one, stifle the instinct to email about out how the new position isn't what you planned, and instead send an email that outlines all the strengths in the new plan. Once your client sees you are willing to pivot, and you both start to rally behind the new plan, the new work will be more exciting and less taxing.
- When you have that annoying seatmate who just wants to chat on your cross-country flight despite your universal sign of solitude via Bose noise-cancelling headphones, take a break from your screen to give them even a short stint of real listening. That person might be your next big client, impressed by your warmth to a stranger.

Over the past nine years, it has been a pleasure to know all of you at your very best, and I challenge you to keep that going in your everyday life, whether dealing with obstacles big or small. Sure, being your best self for others will make their lives easier and better, but it will do the same for you. It will stifle your annoyance, quiet your anger, and open you to new connections.

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*Shannon M. Nessier is a partner at Hanson Bridgett LLP in San Francisco and currently serves as the Second Vice Chair of the Young Lawyers Committee. She can be reached at [snessier@hansonbridgett.com](mailto:snessier@hansonbridgett.com).*

## Member Spotlight

## Kevin McCarthy



Kevin McCarthy is an associate at Larson • King, LLP in St. Paul, Minnesota. Larson • King specializes in litigation and provides senior level trial experience in complex products liability, professional liability, insurance law, class

action and mass torts, employment and all areas of commercial litigation. Kevin handles a variety of professional, products, personal injury, and insurance litigation.

Kevin graduated *summa cum laude* from Michigan State University College of Law, where he was the class



salutatorian, finishing second in his class. He was active in Moot Court competitions and a member of the academic honor program, the Dean Charles H. King Scholars. Kevin also served as a judicial extern at the 16th Judicial Circuit Court in Macomb County, Michigan.

During his undergrad studies at Lehigh University in Pennsylvania, Kevin played NCAA Division I varsity basketball and rowed for the varsity crew team. He was also an active member of the Student Athlete Council.

Kevin is currently admitted in Minnesota and is applying for admission in Iowa, North Dakota, and Wisconsin. He is active with the Minnesota Defense Lawyers Association, serving as the Outreach Coordinator for the Law Student Mentor Program Outreach Coordinator, and with DRI serving as the Young Lawyer Liaison Vice-Chair to the Commercial Litigation Committee, and as a member of the Issues and Advocacy Committee. Aside from legal organizations, Kevin is involved with the Leadership St. Paul program, serving as his group's community service leader. Kevin also is involved with Catholic Charities, a national group that seeks to aid the homeless, and enjoys spending his free time volunteering at the organization's shelters in the Twin Cities.

### **How and why did you first get involved with DRI?**

Several Larson • King attorneys are long time DRI members and encouraged me to join. They universally and enthusiastically shared the value of joining DRI early in my career. Many of the firm's partners were heavily involved with the Young Lawyers Committee and, most importantly, have built deep and longstanding friendships with other members. They all told me that DRI was a great organization to not only build business relationships, but also friendships.

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

Given my practice area, I am particularly interested in the Product Liability committee. However, I have enjoyed my time as the Young Lawyer Liaison Vice Chair to the Commercial Litigation Committee, as well as my time on DRI's Issues and Advocacy Committee, and I look forward to continuing to further my involvement with both committees this year.

### **What is your favorite part about being a lawyer?**

My favorite part of being a lawyer is working with clients to help them face changing risks and solve new problems

daily. I love the feeling of being part of a team and helping clients achieve their goals while managing risks.

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

I love any outdoor activity. I could be ice fishing with friends in the winter, pheasant hunting in the fall, or sitting by a lake in the summer. I am happy as long as I am outside.

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

Continually building friendships with clients and other lawyers while I grow as a young lawyer. The practice of law is much more rewarding when you gain friends along the way because it allows all of us to support one another as we grow as lawyers. In terms of legal success, I was part of a national trial team in an out-of-state chemical exposure case. I was deeply involved with preparing our summary judgment motion, which the judge granted two weeks prior to trial.

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

The practice of law is just that—a practice. A lawyer always should be learning but should also recognize that everyone is different, and each lawyer will have a unique style. Be a sponge and develop your own style.

### **What is the greatest concert you've ever been to?**

The Mötley Crüe Finale Tour. It was the last concert I saw with my Michigan friends before leaving Detroit to start my career in St. Paul.

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

Game 7 of the 2002 NHL Western Conference Finals. As a lifelong Red Wings fan, it was a dream to watch them beat the Avalanche 7-0 on home ice.

### **What was your very first job?**

I worked as a grocery bagger at a grocery store in Southeast Michigan in high school. I am now one of the most efficient shoppers in the self-checkout line.

## Seminar Spotlight

# Experiencing the Young Lawyers Seminar for the First Time



By Sara R. Lui

In June, I attended DRI's Young Lawyers Seminar in Portland, Oregon. As a first-time attendee of this seminar, I was eager for the new experience and to make connections within DRI. I was not disappointed. The seminar far surpassed my expectations. I spent the entirety of my time in Portland meeting interesting and impressive people, learning new things, and having a great time along the way.

The seminar kicked off on Wednesday with a community service project at The Children's Book Bank in Portland. This started the seminar off on a good note as I got to interact with a smaller group of DRI Young Lawyers while we volunteered for a great cause—cleaning and repairing used books to donate to children in need.

I had another great opportunity to meet and connect with DRI members in a small group setting during the dine-around dinners on Wednesday and Thursday evenings. The dine-around dinners were more intimate with 10 to 12 people per dinner and provided me with a great chance to get to know fellow DRI members in a casual and fun setting, while enjoying some of Portland's delicious cuisine.

On Thursday, I had the privilege of hearing the Honorable Darleen Ortega (Oregon Court of Appeals) present on how to be an effective advocate by providing attendees with helpful insight from a judge's perspective. Later that day I was able to meet Judge Ortega when I attended the *Women in the Law and Diversity and Inclusion Luncheon*

where Judge Ortega led a discussion on diversity's role in the legal field.

The last day of the seminar started early with a wellness event at 6 a.m. The Wellness Committee hosted a guided hike around the famous Blue Trail Loop, which surrounds Mount Tabor and gave the participants a great vista of downtown Portland. The hike was beautiful and well worth the early wakeup call as we got to enjoy the scenery and stretch our legs before the remainder of the seminar's lectures that day, which included a live demonstration of an oral argument from experienced appellate counsel with the opportunity for live audience polling and participation throughout.

The Young Lawyers Seminar provided me with a variety of valuable experiences and was a fantastic way to meet fellow attorneys from all across the country. Since the seminar's conclusion last month, I have been in touch with people I met at the seminar by phone and email, and we unanimously look forward to our reunion at our next DRI meeting!

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## Membership Minute

# Recruitment 101: Invite and Encourage!

By Gayatri R. Deodhar

As lawyers, we meet people every day: judges, opposing counsel, clerks, plaintiffs, defendants, and co-counsel, just to name a few. And among all of those people, we are sure to meet other young defense attorneys who have not \*shock, horror\* joined DRI Young Lawyers. In fact, some of

them \*more shock, more horror\* may not even know what DRI is. And that's where you come in!

**REACH OUT:** There are so many ways to get in touch with an attorney who hasn't joined DRI Young Lawyers but should. Feel free to reach out to them in whatever way

you think best! Facebook, text, e-mail, and LinkedIn are just some of the ways to get in touch. Every attorney likes getting a friendly message from another attorney, and this is the perfect opportunity to tell your potential new recruit all about DRI. Which brings us to the next step...

**TELL THEM ABOUT DRI:** *You* know the benefits of DRI. Now's your time to pass that information along! Let your potential new recruit know all about what you've gotten out of DRI—social and business contacts, training, CLE credit, etc. Did you meet your new recruit at the Young Lawyers Annual Meeting in Portland? Reach out and encourage them to join, now that they've seen first-hand the benefits of membership!

**INVITE AND ENCOURAGE:** If your potential new recruit still needs some encouragement to join, invite them to the next conference—especially the Young Lawyers Annual Meeting! Let them know not only about the trainings but also about all the fun activities involved: the dine-arounds, networking receptions, and activities. And, most importantly, offer to introduce them to other members!

For each new member you recruit, you will receive a \$100 CLE credit toward your registration fee for any DRI seminar.

We are having a big recruitment push leading up to Annual Meeting in San Francisco. The person who recruits the most new members between June 25 and October 12 will receive an **EXTRA \$100** CLE credit *and* a **\$100 gift card** to San Francisco-based rideshare company, Lyft.

To qualify for these fantastic prizes, though, you **MUST** ensure that your recruit properly completes the referral section of the DRI application. To receive recruiting credit, your recruit *must* write *your name* above “Referred by” and *must* write “Young Lawyers” above “Committee” in the box on top right side of the application.

Your recruits do *not* have to be young lawyers themselves; they simply have to indicate on their application that they were recruited by the Young Lawyers Committee.

Now go forth and **recruit!**

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## Timeout for Wellness

# Ice Cream, You Scream: Who Doesn't Want Good Tasting, Low-Cal Ice Cream?



By Laura J. Gard

Is devouring a pint of ice cream more tempting than you would prefer? Does the guilt of indulging prevent you from enjoying a sweet, cold treat from time to time? Now, you can enjoy ice cream without any of the guilt.

A recent survey was conducted at the law office of Kightlinger & Gray, LLP, located in Indiana, wherein five of the most commonly marketed low-calorie ice creams were taste tested. During the taste testing and voting, the participants were not aware of the brand of the ice cream. Also, the flavors were as similar as the current market would provide.

The contending ice creams were as follows:

- Halo Top
- Arctic Zero
- Breyers Delights
- So Delicious – Coconut Milk
- Lifeway

The nutritional statistics, based on one-half cup (64 g) per serving, included the following:

Halo Top	
Calories	60
Total Fat	2 g
Sodium	110 mg
Total Carbs	13 g
Dietary Fiber	3g
Sugars	5g
Protein	5g

Arctic Zero	
Calories	35
Total Fat	0 g
Sodium	65 mg
Total Carbs	7 g
Dietary Fiber	2g
Sugars	5g
Protein	3g

Breyers Delights	
Calories	135
Total Fat	4 g
Sodium	100 mg
Total Carbs	33.5g
Dietary Fiber	1.5g
Sugars	10.5g
Protein	10g

So Delicious Coconut Milk	
Calories	160
Total Fat	9 g
Sodium	35 mg
Total Carbs	20 g
Dietary Fiber	3g
Sugars	16g
Protein	1g

Lifeway	
Calories	90
Total Fat	1g
Sodium	60 mg
Total Carbs	17g
Dietary Fiber	0g
Sugars	16g
Protein	4g

The ice creams were thawed for fifteen minutes prior to the taste testing to reach full flavor and texture potential. The ice creams were ranked from best to worst based upon a cumulative score of the following factors: taste, texture, consistency and appearance. The taste testers did not find out the nutritional value until after their votes were secured. A tally of the votes reveals that the ice creams were ranked as follows:

- First (Best) – Breyers Delights
- Second – Halo Top
- Third – Lifeway
- Fourth – So Delicious
- Fifth (Worst) – Arctic Zero

After the votes were collected, the taste testers were provided with the nutritional information but continued to be without the brand names of the products. Upon learning of the difference in nutritional content between Breyers Delights and Halo Top, the taste testers unanimously selected Halo Top as their low calorie ice cream of choice. The primary difference between Breyers Delights and Halo Top was the richness in the flavor of the Breyers Delights ice cream. The voters were unanimous in the opinion that Arctic Zero was the worst of the ice creams due to a cardboard-like aftertaste; however, it was mentioned that it was the most keto-diet friendly option of the group. In fact, one voter said, “As someone who regularly maintains a keto diet lifestyle, at times I’m desperate for ice cream, so in that case, I would eat the [Arctic Zero] ice cream without any complaints.”

So, there you have it. The next time you have a craving for ice cream, grab a low-calorie option such as Halo Top and enjoy it without any (or most) of the guilt.

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*Laura J. Gard is a Partner in the Merrillville office of Kightlinger & Gray, LLP. She is admitted to practice in both Indiana and Illinois. Her practice currently focuses on Employment, Workers’ Compensation, Insurance Coverage and Bad Faith, and General Insurance Defense Litigation. Laura regularly handles and responds to Equal Opportunity Employment Commission (EEOC) and Indiana Civil Rights Commission (ICRC) charges. She also provides workers compensation advice and guidance to employers and insurance carriers on pre-litigation matters such as compensability, settlement value, and independent medical examination (IME) referrals. Once in litigation, she defends claims before the Indiana Workers’ Compensation Administrative Law Judges and Boards. Laura routinely practices in all state and federal courts in Indiana in other matters of Insurance Defense, including but not limited to Insurance Coverage and Bad Faith and Transportation matters. Laura is the Chair of the firm’s Diversity and Inclusion Committee. She is active in several organizations including DRI, for which she serves as the Workers Compensation, Vice-Chair of Communications; Young Lawyers, Steering Committee, Chair of Wellness Sub-Committee; and Diversity and Inclusion, Steering Committee. Laura can be reached at [lgard@k-glaw.com](mailto:lgard@k-glaw.com).*

## And The Defense Wins!

### Stephanie Wurdock Secures Medical Malpractice Defense Verdict

On June 7, DRI Young Lawyers Steering Committee member **Stephanie Wurdock** and her partner (DRI Southern Regional Director **Pat Moloney**) obtained a defense verdict in a medical malpractice trial in Lexington, Kentucky. The plaintiff, who sought \$1.4 million in damages, claimed his orthopedic surgeon failed to timely diagnose and treat a post-operative wound infection. Stephanie and Pat successfully argued that the surgeon met the applicable standard of care and that the plaintiff's outcome was unpreventable. Following a four-day trial, the jury deliberated fewer than ten minutes.

Have you or one of your fellow young lawyers recently received an honor, a promotion, or a defense win? Contact the editors Candace Deer ([CandaceDeer@Proassurance.com](mailto:CandaceDeer@Proassurance.com)), Shelley Napolitano ([SNapolitano@maronmarvel.com](mailto:SNapolitano@maronmarvel.com)), Taryn Harper ([harpert@gtlaw.com](mailto:harpert@gtlaw.com)), Anna Tombs ([Anna.Tombs@mcmillan.ca](mailto:Anna.Tombs@mcmillan.ca)), and Daniel Furshpan ([Daniel.Furshpan@suffolkcountyny.gov](mailto:Daniel.Furshpan@suffolkcountyny.gov)) so we can share it in *Raising the Bar*!