

[This Week's Feature
And The Defense Wins](#)

[DRI News](#)
[DRI Cares](#)

[LegalPoint
On-Demand](#)
[Upcoming Seminars](#)
[Upcoming Webinars](#)

[DRI Membership—Did
You Know...](#)
[State Membership Chair/
State Representative
Spotlight](#)

[New Member Spotlight](#)
[Quote of the Week](#)

This Week's Feature



Consumer Protection Acts and Professional Liability

By Katrina L. Smeltzer and Stephen M. Murphy

The Hawaii Supreme Court recently ruled in *Goran Pleho, LLC v. Lacy* that the provision of legal services is not necessarily exempt from Hawaii's unfair and deceptive trade practices statute. 439 P.3d 176 (Haw. 2019). This recent ruling reminds defense practitioners to be mindful of such claims that are routinely latched onto professional negligence claims. Plaintiffs favor these claims because they commonly allow for an award of civil penalties in addition to compensatory damages and attorneys' fees.

Article continues on page 4.



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- Keep The Defense Wins Coming!
- Edward B. Ruff III and Mimi K. Moon

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DRI Cares

- AADC Collects Supplies for “Family Packs”
- Bags4Kids Thank You!: DeHay Elliston

[MORE](#)

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- Auto Claims in Nevada Parts One-Three

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- Talc Litigation, September 19-20, 2019
- Bootcamp for New Life, Health, and Disability Lawyers, November 8, 2019
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- Lateral Hiring and Separation, August 27, 2019, 12:00 pm-1:00 pm CST
- Leading with G.R.I.T., September 12, 2019, 12:00 pm-1:00 pm CST
- The Value of Hiring a “Credible” Attorney, September 18, 2019, 12:00 pm-1:00 pm CST

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Quote of the Week

“We all come from the past, and children ought to know what it was that went into their making, to know that life is a braided cord of humanity stretching up from time long gone, and that it cannot be defined by the span of a single journey from diaper to shroud.”

Russell Baker ([b. Aug. 14, 1925](#)), *Growing Up* (1982).

This Week's Feature

Consumer Protection Acts and Professional Liability

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The Hawaii Supreme Court recently ruled in *Goran Pleho, LLC v. Lacy* that the provision of legal services is not necessarily exempt from Hawaii's unfair and deceptive trade practices statute. 439 P.3d 176 (Haw. 2019). This recent ruling reminds defense practitioners to be mindful of such claims that are routinely latched onto professional negligence claims. Plaintiffs favor these claims because they commonly allow for an award of civil penalties in addition to compensatory damages and attorneys' fees.

This article will discuss the applicability of statutory consumer protection claims in a professional malpractice case.

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Three Approaches

Every state has adopted a consumer protection act (CPA). The statutes and their discreet parts vary from state to state, but they are generally intended to protect consumers from unfair or deceptive trade practices. They usually provide a consumer with a private cause of action and cover a broad range of consumer activities.

As will be discussed below, state courts have adopted one of three approaches when addressing a CPA claim within the professional liability context. The majority of cases addressing the issue have done so within the attorney malpractice context. However, some states have addressed CPA claims against other professionals, and notably, some have applied the analysis differently to professionals other than attorneys.

The First Approach: Statutory Exclusion or Immunity

A few states have statutorily excluded application of their CPA to professionals such as attorneys, certified public accountants, architects, engineers, insurance producers, real estate brokers, and medical providers. See, e.g., Md. Code Ann. Com. Law §13-104; N.C. Gen. Stat. §75-1.1; Ohio Rev. Code Ann. §1345.1.

Attorneys hold blanket immunity against CPA claims in other states. See, e.g., *Cripe v. Leiter*, 703 N.E.2d 100 (Ill. 1998); *Vort v. Hollander*, 607 A.2d 1339 (N.J. Super. Ct. App. Div. 1992). But see *Blatterfein v. Larken Assoc.*, 732

A.2d 555 (N.J. Super. Ct. App. Div. 1999) (finding that architects do not necessarily hold the same immunity); *Born v. Hosto & Bucham, PLLC*, 372 S.W.3d 324 (Ark. 2010); *Jamgochian v. Prousalis*, No. 99C-10-022, 2000 WL 1610750 (Del. Super. Ct. Aug. 31, 2000). These courts reason that the attorney-client relationship, unlike other consumer relationships, is heavily regulated by the judiciary, and therefore, the legislature could not have intended for the CPA to also regulate the conduct of attorneys.

The Second Approach: Blanket Application

Another minority view has taken the approach that the CPA applies to professionals across the board. These states read their CPA liberally or find the hybrid approach discussed below problematic, or both. See, e.g., *DeBakey v. Staggs*, 605 S.W.2d 631 (Tex. App. 1981); *Crowe v. Tull*, 126 P.3d 196 (Colo. 2006); *Moore v. Bird Engineering Co., P.A.*, 41 P.3d 755 (Kan. 2002) (involving an engineer).

The Third Approach: Hybrid Application

The majority of courts have adopted a hybrid approach. Under this approach, the CPA does not apply to conduct that is considered the "pure" provision of professional services, but it does apply to a professional's conduct that is "business, commercial, or entrepreneurial." These courts reason that only the commercial aspects of the practice of law could fall within the "trade and commerce" requirement of CPAs, whereas questions of competency and knowledge could not. Things such as billing and client-relation practices have been found to be "commercial," while discretionary, case-specific decisions are considered the "pure" practice of law. Questions on the "pure" professional services are left for a common law professional negligence claim. Which category certain conduct falls into remains a somewhat undefined and litigated area. See, e.g., *Short v. Demopolis*, 691 P.2d 163 (Wash. 1984); *Nelson v. Ho*, 564 N.W.2d 482 (Mich. Ct. App. 1997) (involving medical providers); *Haynes v. Yale-New Haven Hosp.*, 699 A.2d 964 (Conn. 1997) (involving medical providers).

Defending a CPA Claim Against a Professional

A practitioner faced with defending a professional against a CPA claim should first learn which approach the applicable state court has adopted. Notably, the approach adopted for attorneys may not necessarily apply to other professionals. If the state court has adopted the first approach or the third approach for attorneys, discussed above, but it has not addressed the application to other professionals, the practitioner should ask whether an argument could be made that the same approach should be extended to other regulated professionals. To support such an argument, the practitioner should do his or her homework on regulation of the subject profession compared to the legal profession and educate the judge on the similarities.

If the state court has adopted the third, hybrid approach, the defense practitioner should get a clear list from the plaintiff of the alleged deceptive practices. This may require pointed discovery. To the extent possible, the defense practitioner should paint these allegations as a question of competency, training, or knowledge because those items do not fall within the scope of the CPA under the hybrid approach.

Defense practitioners should be cognizant that the two separate causes of action for violation of the CPA and professional malpractice may have different statutes of limitations. There may also be a different point at which the statute of limitations began to run for each claim.

Statutory interpretation of a state CPA is usually a question of law for a court. Therefore, dispositive motion practice is ideal for resolving issues of law arising from application of the CPA.

If the claim survives, the defense practitioner should anticipate presenting a full defense of the CPA claim that may differ from that for the malpractice claim. Because these claims have different elements, a different presentation of evidence may be necessary, depending on the case.

[Katrina L. Smeltzer](#) is an associate in the Kansas City, Missouri, office of **Sandberg Phoenix & von Gontard PC**. She is part of the firm's business litigation practice group, focusing her practice on representing professionals and representing and assisting insurance carriers. She is an experienced litigator, representing clients from many different industries on varied matters. She handles matters from the pre-suit investigative stage through trials. Ms. Smeltzer is a member of the DRI Professional Liability Committee.

[Stephen M. Murphy](#) is a shareholder in the St. Louis, Missouri, office of **Sandberg Phoenix & von Gontard PC**. He focuses his practice in the areas of business litigation, professional liability, and insurance law (primarily coverage and bad faith). He has handled all phases of litigation—claim investigation, commencing litigation, discovery, motions for summary judgment, mediation, and trials. Mr. Murphy has also often successfully resolved cases through arbitration.

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.

Edward B. Ruff III and Mimi K. Moon



DRI members [Edward B. Ruff III](#) equity partner, and [Mimi K. Moon](#), partner, of **Pretzel & Stouffer, Chartered**, Chicago, Illinois, achieved a not guilty jury verdict

in Cook County, Illinois, for a defendant cardiologist who discharged a 61-year-old female patient from a renowned teaching hospital, who collapsed and died 12 hours later as a result of an intra-abdominal bleed.

In the case *Shamona P. Nichols, individually and as Independent Administrator of the Estate of Sarah A. Crayton v. the University of Chicago Medical Center, et al.* (Circuit Court of Cook County, IL), the plaintiff’s allegation against the cardiologist was that he failed to keep the patient in the hospital for observation after a number of cardiac procedures, resulting in complications, and discharged her on full-dose blood thinners. The plaintiff alleged that the cardiologist should have anticipated the bleed. The defense contended that the teaching attendant physician was reasonable in discharging.

The plaintiff’s final demand was \$2 million just before trial. No offer was made on behalf of the cardiologist. The plaintiff requested damages from the jury in the amount of \$4.5 million. The jury returned a not guilty verdict for the defendant cardiologist, but nevertheless found negligence against the co-defendant physician and hospital for \$3 million.

DRI News

How Will You Become Partner in Your Firm?

DRI's **Pathway to Partnership** [webinar](#) series consists of six webinars designed to help mid-level associates, senior associates, and young partners learn how to advance to partner while managing the responsibilities of their careers as practicing lawyers.

Learn from DRI's finest managing partners, law firm leaders, and newly appointed partners how to navigate the road from junior associate to partner.

Sessions include the following:

- How Do I Become a Partner? Different Roads, Same Destination
- The Partner's Skill Set

- Best Practices: Drafting an Individual Business Development Plan
- Making Oprah Proud: Becoming a Public Speaker Extraordinaire
- Leading from Where You Are
- You've Become a Partner: Now What?

For as little as \$100, DRI members have **24/7 access** to watch all six sessions at their convenience. If you would like to purchase the sessions a la carte, they are \$25/session. Nonmember pricing is also available. Click [here](#) for details and to purchase the series today!

National Foundation for Judicial Excellence

Sails Are Hoisted: We Need Your Wind!

By Tom Segalla



In a [prior article](#) published in *For The Defense* (February 2018), I indicated that my professional sails had been adjusted and set in the right direction to make a change and a difference. Following that commitment to engage in activities to better the legal profession and not me individually, recently I was honored to be appointed to the board of directors of the **National Foundation for Judicial Excellence** (NFJE). A review of the NFJE's website (www.nfje.net) will enlighten you to the reason why I chose to be involved, and it will provide you with a historical perspective of the foundation and its recognized mission:

Address important legal policy issues affecting the law and civil justice system by providing meaningful support and education to the judiciary, by publishing scholarly works and by engaging in other efforts to continually enhance and ensure judicial excellence and fairness for all engaged in the judicial process.

Founded in 2004 as a 501(c)(3) charity, the NFJE relies upon financial contributions by various individual members of the legal profession, as well as corporations that are dedicated to "Promoting Excellence/Affirming Justice." These contributions help support the NFJE's Annual

Judicial Symposium, its scholarly work, and activities that enhance judicial excellence. The 2019 Annual Judicial Symposium was recently conducted and attended by 150 judges from across the country. One only has to review the 2019 program topics to develop a clear understanding of how the NFJE has and can continue to affect the legal profession and strengthen our civil justice systems.

As part of my personal commitment to the NFJE and to continue to make a change and a difference, I have agreed to spearhead a committee to raise funds from individual and corporate entities, including the insurance industry. The following quotation is important to our fundraising endeavors:

"...we feel strongly that to really do something well, you have to get a lot of people involved."

Linus Torvalds

Please be included and get involved!

This is where we need "Your Wind" to help fill our sails and set and continue our course for success. Personally,

DRI News

and on behalf of the NFJE, I would appreciate your reviewing the NFJE's website and consider making a financial contribution. Donations will have a direct impact on the NFJE's continued efforts to support a strong and independent judiciary that is responsive to the needs of the legal profession, individual litigants, and corporate America. If you have any questions, please reach out to me at tsegalla@goldbergsegalla.com or contact Nancy Parz at nparz@nfje.net.

[Thomas F. Segalla](#) is a founding member of **Goldberg Segalla LLP** in Buffalo, New York. He is a nationally recognized authority on bad faith, reinsurance, and insurance and an ARIAS-U.S.-certified arbitrator and mediator. In addition to his service the NFJE Board of Directors, Mr. Segalla is a former DRI national director and a past chair of the DRI Insurance Law Committee. He was the 2017 recipient of the DRI Louis B. Potter Lifetime Professional Service Award.



NATIONAL
FOUNDATION
FOR JUDICIAL
EXCELLENCE

DRI Cares

AADC Collects Supplies for “Family Packs”

The **Arkansas Association of Defense Counsel (AADC)** held its Annual Meeting in Fayetteville on August 2–3, 2019, which included AADC’s inaugural #DRICares community service project! Their efforts benefited [Arkansas Children’s Northwest](#) in Springdale, Arkansas, by gathering Family House Wish List Items and “family packs.” The Family House is a place for family members of hospitalized patients and infusion center patients to “get away” and relax. A “family pack” is a Ziploc bag (7–8 inches or 1 quart) full of small toiletries and personal hygiene items. These are of tremendous assistance to the families of patients at Arkansas Children’s Northwest, especially the many families who have unexpected stays. AADC’s goal was to provide as many “Family House Wish List Items” as possible, and to provide at least 35 “family packs.” Ideally, they wanted each attendee’s law firm to provide at least one bulk item on the Family House Wish List and for each attendee to provide as many items as possible that can be used to make “family packs.”

The project proved to be a tremendous success! Thanks to many individual AADC and DRI members, their law firms, vendor sponsors, and local friends in the community (especially Heather Adams Dentistry), Arkansas Children’s Northwest was able to secure supplies for approximately

48 “family packs,” including backpacks. They also collected significant materials for the Family House. In addition, they received generous cash contributions from the AADC and DRI colleague Melissa Roeder! Special thanks go out to Steve Bingham, DRI Arkansas State Representative, who helped organize this project and joined Jason B. Hendren, AADC past president and current DRI Southwest Regional Director, in accepting AADC’s financial contribution during President-Elect Bradley Runyon’s reception on Friday evening; Bryan Burns, AADC president (2018–19), who wholeheartedly supported and encouraged this project; Tracey Cline-Pew, AADC’s longtime executive director, who assisted tirelessly (as always); Thomas J. Hurney, Jr., DRI keynote speaker and newly certified “Arkansas Traveler”; and Rebecca Neely at Arkansas Children’s Northwest for her help in organizing and guiding AADC in connection with this project. AADC sincerely appreciates DRI and #DRICares for planting the seed of this idea! They were honored as an organization to be able to show their support in this way for Arkansas Children’s Northwest and its mission of helping children and their families in Northwest Arkansas and throughout the region.



DRI Cares



Bags4Kids Thank You!: DeHay Elliston

#DRICares wants to thank **Jennifer Green** and her firm, **DeHay Elliston**, for donating 1,000 notepads—weighing in at 636 pounds!—for the 2019 DRI Annual Meeting [Bags4Kids](#) backpack public service project. These notepads will help kids keep a personal diary, assist with school work, or serve as a sketchpad for aspiring artists. Thank you, DeHay Elliston, for supporting #DRICares!



dri™ 2019 ANNUAL MEETING
Bags4Kids
Community Service Project

DRI and #DRICares is delighted to be partnering with **Bags4Kids**, fulfilling 1,000 backpacks of personal items for foster children throughout the New Orleans area.



The majority of children placed in foster care come into the system with the clothes on their backs and nothing more. DRI is thankful for your generosity in providing providing these kids with toiletry items, small toys, and personal items. All items have been accounted for, **but we still need backpacks**. Thank you for working with DRI and #DRICares in making the lives of others just a little bit better.



Any items ordered should be shipped, to arrive no later than October 9, to:

Foley Mansfield PLLC
 650 Poydras Street
 New Orleans, LA 70130

Backpacks still needed:
<http://bit.ly/Bags4KidsDRIAM>



Each backpack will include:

- Shampoo
- Conditioner
- Shower Gel
- Lotion
- Toothbrush
- Toothpaste
- Deodorant
- Chapstick
- Water Bottle
- Stuffed Animal
- Gel Pens
- Notepad/Journal
- Crayons
- Playing Cards

#DRI2019AM

LegalPoint

Preparing Nursing Homes and Assisted Living Facilities for the Unexpected When Mother Nature Unleashes Her Fury

All states and facilities have strict regulations and procedures for handling emergency situations, yet some emergencies are simply, in truth, too devastating to be prepared to handle. One such example is Hurricane Irma in Florida, during September of 2017. However, we can study these extreme emergencies and learn new best practices or update existing ones.

It's important that nursing homes and assisted living facilities consider both natural and man-made disasters while creating their emergency preparedness plans. It is also important to make sure that this plan abides by all the legal requirements established by your state's governing organization. Additionally, these governing organizations learn from past disasters, and thus, legal requirements are continually changing and updated, so it's important to keep up to date.

Please take advantage of one of the many offerings that [DRI LegalPoint™](#) has to offer and review this September

2018 DRI seminar [paper](#) because its content is still extremely relevant. Additionally, if you would like even more information on this topic, be sure to register for the DRI Nursing Home/ALF Litigation [Seminar](#) by clicking [here](#).

DRI LegalPoint™ (formerly DRI Online) is a DRI members-only service that provides exclusive access to a vast online library of DRI articles, books, and materials. Members can search thousands of documents and filter them by practice area and resource. DRI LegalPoint™ includes content from:

- *For The Defense*
- *In-House Defense Quarterly*
- Committee newsletters
- Defense Library Series (DLS)
- Seminar materials
- DRI Defense Wins Reporter

On-Demand

Auto Claims in Nevada Parts One-Three

This is a three-part series that is created specially for frontline adjusters and claims managers who handle auto claims in Nevada. This series revolves around exploring the key considerations involved in auto claims as well as the nuances and standard issues that may occur.

Among a large variety of topics, take a deep dive into the specific differences in legal issues surrounding owners' policies compared with operator policies in Nevada. Addi-

tionally, explore the law of permissive use and learn how it can directly affect auto claims.

If this [On-Demand](#) offering from DRI sounds valuable to you, click [here](#) to take advantage and check back regularly in *The Voice* for a newly featured item. If you are looking for even more information on this subject and more, attend DRI's Strictly Auto Seminar, September 12-13, 2019, at the Sheraton Columbus at Capitol Square. Click the event title or [here](#) to learn more.

Upcoming Seminars

Managing Partners and Law Firm Leaders Conference, September 5-6, 2019

dri	Managing Partners and Law Firm Leaders Conference
	September 5-6, 2019 Denver REGISTER TODAY

DRI proudly presents this unique program specifically for managing partners and future law firm leaders. The keynote address will be by Craig A. Thompson, a partner at Venable LLP, who has more than two decades of experience handling civil cases in federal and state courts. He represents clients in the areas of commercial litigation, product liability, premises liability, and personal injury. Mr. Thompson also is active in leading law firm inclusion and diversity initiatives and served for five years as chair of Venable’s Diversity Committee. He will share his unique insight about law firm leadership and the tools necessary to lead in today’s challenging legal environment. Join us in the Mile High City for a high-value experience with those who most clearly understand your chal-

lenges and are, therefore, best able to provide you with solutions. Click [here](#) to view the brochure and to register for the program.

Strictly Automotive, September 12-13, 2019

dri	Strictly Automotive Seminar
	September 12-13, 2019 Columbus, OH REGISTER TODAY

Come join your colleagues and peers for two days of interactive learning at the DRI Strictly Automotive Seminar. Hear directly from manufacturers on what is important right now in automotive litigation and what is on the horizon with the advancement of new technology. For the first time ever, participants will travel off-site to attend a live crash test and learn alongside experts as they show the latest ways to help defend your automotive cases. Click [here](#) to view the brochure and to register for the program.

Nursing Home/ALF Litigation, September 19-20, 2019

dri	Nursing Home/ALF Litigation Seminar
	September 19-20, 2019 Chicago REGISTER TODAY

Join us in the Windy City for unparalleled programming and networking for defense practitioners, in-house counsel, claims specialists, and other professionals involved in the defense of claims against nursing homes, assisted living facilities, and other long-term care providers across the country. This year, we will hear firsthand the current regulatory challenges facing post-acute operators, including an in-depth analysis of the state of affairs in the assisted living industry. With our panel counsel meetings, Women in the Law lunch, and other networking opportunities, there will be ample time for individuals to connect and collaborate. Register now to ensure your spot at the preeminent program in the field. New this year are two workshops designed to help you build your

practice: The Art of the 30(B)(6) Deposition Litigation Skills Workshop, and Defining Your Career Professional Growth Workshop, both on Wednesday. Click [here](#) to view the brochure and to register for the program.

Upcoming Seminars

Talc Litigation, September 19–20, 2019

	<p>Talc Litigation: Medical and Scientific Issues</p>
	<p>September 19–20, 2019 Washington, DC</p> <p>REGISTER TODAY</p>

Over the past 24 months, there has been an avalanche of new cases involving allegations that there were measurable concentrations of asbestos in talc and that those fibers were allegedly responsible for causing mesothelioma. As has been claimed for 20 years, plaintiffs’ experts often stated that any exposure to asbestos above background could be causal (e.g., “every fiber counts”) or that “every fiber contributes to the disease.” Defendants claim that this is inaccurate and irrelevant since there is ample information that no measurable concentrations of genuine asbestos fibers over 5 μm were detected in bulk samples of talc of the era. Interestingly, defendants have been losing a significant number of cases, and juries have, at times, concluded that huge awards were appropriate.

How can this seemingly “implausible” legal conflict over a product that was historically considered harmless have happened, and where is it headed? Click [here](#) to view the brochure and to register for the program.

Bootcamp for New Life, Health, and Disability Lawyers, November 8, 2019

	<p>Boot Camp for New Life, Health, and Disability Lawyers</p>
	<p>November 8, 2019 Chicago</p> <p>REGISTER TODAY</p>

The DRI Life, Health, and Disability Committee is once again sponsoring a program for lawyers who are new to the practice. This program, taught by highly experienced attorneys, aims to provide a basic understanding of the concepts applicable to life, health, and disability litigation. This program receives rave reviews each year that it is held and sells out quickly. Young lawyers and older lawyers who are new to the practice or who wish to brush up on their skills are encouraged to attend! To encourage the classroom atmosphere, registration is limited to 50 people. Click [here](#) to view the brochure and to register for the program.

Asbestos Medicine, November 14–15, 2019

	<p>Asbestos Medicine Seminar</p>
	<p>November 14–15, 2019 Boston</p> <p>REGISTER TODAY</p>

Head down the pike to join new friends and old in the cradle of liberty this November! The 2019 DRI Asbestos Medicine Seminar will bring together a superb lineup of experts in the science and medicine of asbestos and top-flight litigators to the city on a hill—Boston, Massachusetts. With updates on recent U.S. Supreme Court and state court rulings that affect our ever-changing litigation, the latest on genetics in causation, and insights into cross-examination and deposition taking, this seminar has more touchdowns than Brady to Gronk. And do not miss out on the opportunities for business development during the breaks, mixers, and receptions, or even those over a cup of Dunk’s coffee before the day starts. Attendees at the 2019 DRI Asbestos Medicine Seminar will depart this city, which played a crucial role in American history, with the latest and greatest information to ride home and be revered by their peers! Click [here](#) to view the brochure and to register for the program.

Upcoming Webinars

Lateral Hiring and Separation, August 27, 2019, 12:00 pm–1:00 pm CST



The presenters will discuss ethical considerations when hiring a lateral attorney as well as considerations when a lateral attorney leaves the firm. Participants will learn limitations on what laterals can do and not do before leaving a firm regarding the firm clients; firm communications when a key lateral is leaving the firm; conflict checks, ethical screens, and other considerations when hiring laterals; and the ABA rules pertaining to lateral hires. Click [here](#) to register.

Leading with G.R.I.T., September 12, 2019, 12:00 pm–1:00 pm CST



This webinar will provide a unique and easier way to lead yourself and others, leading with G.R.I.T. (Generosity, Respect, Integrity, and Truth). This leadership style will teach you how to home-in on what's most important at work and in life; discover the key to authenticity and getting results; respect differences and know how to communicate effectively to gain buy-in and align the team; and feel less stressed and a renewed energy to lead your team to quality results. Click [here](#) to register.

The Value of Hiring a “Credible” Attorney, September 18, 2019, 12:00 pm–1:00 pm CST



Attorney credibility and its influence on courtroom verdicts has been a topic of interest to attorneys for quite some time. Some attorneys believe that their credibility matters, while others believe that only the evidence matters. The purpose of this webinar is to take an in-depth look at the definition of attorney credibility, discuss the ways in which attorney credibility can influence verdicts, and identify the ways in which attorneys are hurting their credibility. Click [here](#) to register.

DRI Membership—Did You Know...

DRI's New Young Lawyer Membership Package—Get More for Less

Click [here](#) to take advantage of DRI's new Young Lawyer Membership Package—“*One Ask*.”

Did you know that DRI's new membership package *One Ask for Young Lawyers* is designed specifically for young lawyers who are within five years of their bar date, ready to renew their DRI membership, and plan to complete CLE credits for their coming year?

The *One Ask* membership package makes it easy to make **one ask** of your firm administrator to renew your DRI membership and save your firm (or your wallet) **up to 20 percent off the registration fees** for DRI's renowned Annual Meeting and seminars.

With **One Ask**, you pay your membership dues and lock in reduced registration fees for DRI's Annual Meeting and seminars.

Choose from two packages.

- **Package 1:** Young Lawyer Renewal Membership and the Annual Meeting and seminar discount combined: Your cost is \$1,500, and your saving is \$455.
- **Package 2:** Young Lawyer Renewal Membership and two seminars combined: Your cost is \$1500, and your saving is \$435.

Designed by DRI young lawyers for young lawyers.

State Membership Chair/State Representative Spotlight

New York



State Membership Chair

Margot Wilensky, Partner, Connell Foley LLP

Areas of Practice: Product liability, general liability, intellectual property.

DRI member since 2013.

Margot's experience with DRI: "I started going to DRI events with my dad when I was a kid. The relationships he formed and the amazing opportunities he created through his involvement in this organization were inspiring, and I have loved following in his footsteps. I started in the DRI Young Lawyers Committee six years ago and am very committed to making sure that young lawyers have the tools needed to transition to 'big' DRI and to continue on with their involvement through membership."

Fun Fact: "I have a slight obsession with tennis."



State Representative

Eileen E. Buholtz, Attorney, Connors Corcoran & Buholtz PLLC

Areas of Practice: Insurance defense litigation (premises, lead paint, auto) and estate litigation

DRI member since 1991.

Eileen's experience with DRI: "I edit the DRI Life, Health and Disability News (non-ERISA) newsletter. I chair the Alcohol/Dram Shop Specialized Litigation Group of the DRI Retail and Hospitality Committee. I am also the DRI Diversity and Inclusion Philanthropic Activities Liaison. I chaired the recent DRI Solo and Small Firm Initiative."

Fun Fact: "I have a bachelor of music degree from the Eastman School of Music, where I was a clarinet major."

New Member Spotlight

Rebecca Wagner



[Rebecca Wagner](#) is a partner with **Campbell Wagner Frazier & Dvorchak LLC** in Greenwood Village, Colorado. She is admitted to the Colorado Bar, as well as the United States District Court for the District of Colorado. Ms. Wagner handles civil litigation cases and focuses on insurance

defense matters, including, but not limited to, bad-faith litigation, coverage disputes, personal injury, and premises liability. In her free time, she enjoys exploring the beautiful mountains of Colorado with her family.

Quote of the Week

“We all come from the past, and children ought to know what it was that went into their making, to know that life is a braided cord of humanity stretching up from time long gone, and that it cannot be defined by the span of a single journey from diaper to shroud.”

Russell Baker ([b. Aug. 14, 1925](#)), *Growing Up* (1982).