This seminar will set the standard for how trucking companies and their drivers will be perceived in the future:

- Take advantage of all of the networking opportunities.
- Chris Spear, President of the American Trucking Associations, will get us ready to change the narrative and to humanize the trucking industry.
This seminar will be a first for trucking lawyers and industry personnel! Presentations include insiders talking about the state of trucking and humanizing our ever-changing industry to appeal to juries and the public. Chris Spear will share inside-industry information and efforts to communicate the importance of trucking to the everyday public. Following Mr. Spear will be a compelling presentation from a trucking company safety director and truck driver about the daily perceptions that they face and how to humanize them and their concerns to the public and a jury. Day two will include regulatory updates from Jim Mullen, General Counsel for the Federal Motor Carrier Safety Administration.

Terrence L. Graves  
Program Chair

Matthew S. (Matt) Hefflefinger  
Committee Chair

M. Garner Berry  
Program Vice Chair

Stephen G. (Steve) Pesarchick  
Committee Vice Chair

Christopher T. Sheean  
Law Institute

PRESENTED BY DRI’s Trucking Law Committee

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What You Will Learn

- How to utilize the “empathetic approach” to try your cases
- How to address issues that arise when plaintiffs sue more than just the motor carrier and the driver in trucking accident litigation
- How to deal with cases involving significant punitive damages exposure
- How to attack the plaintiff’s life-care plan and when to counter with a life-care plan of your own
- What standardize neuropsychological tests really measure and how they can be used in defense of TBI claims
- What the trucking industry is doing to respond to the “opioid epidemic” and the marijuana dilemma

“In addition to learning several key points that I will use in my defense practice, I was able to meet and interact with some terrific people.”

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PROGRAM SCHEDULE

WEDNESDAY, APRIL 29

6:00 p.m.  Registration

6:00 p.m.  Networking Reception  
SPONSORED BY Rimkus Consulting Group Inc.

7:30 p.m.  Dine-Arounds | Join colleagues and friends at selected restaurants for dinner (*on your own*). More details to be sent in advance of seminar.

THURSDAY, APRIL 30

Wireless Access  
SPONSORED BY Robson Forensic Inc.

7:00 a.m.  Registration

7:00 a.m.  Continental Breakfast  
SPONSORED BY Exponent

8:00 a.m.  Welcome and Introductions  
Christopher T. Sheean, Swanson Martin & Bell LLP, Chicago, IL  
Terrence L. Graves, Sands Anderson PC, Richmond, VA

8:15 a.m.  Changing the Narrative: Issues Confronting the Trucking Industry  
Chris Spear delivers a keynote address on the state of trucking and its effect on the world economy. His presentation details the efforts of the ATA to change the public narrative, humanize trucking, and communicate the message!  
Chris Spear, American Trucking Associations, Arlington, VA

9:10 a.m.  Humanizing the Truck Driver and the Motor Carrier  
Our country and our economy run on the back of trucking and the men and women that make the industry go round. Every day, these hard-working and self-sacrificing individuals endure undue criticism and critique from the general public and juries. Now you will hear what they really want you to know about them—that they are human just like you and me!  
Christopher E. (Chris) Cotter, Roetzel & Andress, Akron, OH  
Monica Gardner, MS, CSP, McLane Company Inc., Temple, TX  
DeRay Johnson, McLane Company Inc., Temple, TX

10:05 a.m.  Refreshment Break

10:35 a.m.  The Rise of Women in Trucking: Practical and Ethical Considerations  
While the numbers of truckers on the road is at an all-time high, a driver shortage still remains. Women are now taking a prominent role as executives, drivers, and litigators in the defense of the trucking industry. Speakers will address the rise of women in the trucking industry and the positive influence that it is creating.  
Melody Kiella, Drew Eckl Farnham LLP, Atlanta, GA  
Carole Ridgeway, Maverick Transportation LLC, North Little Rock, AR  
Ellen Voie, Women in Trucking, Plover, WI

11:35 a.m.  Like Diamonds in the Sky: How Lawyer Advertising and Media Coverage Influence Jury Perceptions  
Attorney advertising and media coverage can be destructive and unfairly characterize your motor carrier and driver. This session examines how lawyer advertising and media coverage can drive and affect jury perceptions of motor carriers and truck drivers, and what we can do to bring the case back to reality.  
John C. Trimble, Lewis Wagner LLP, Indianapolis, IN

12:25 p.m.  Lunch (*on your own*)
12:25 p.m. Women’s Networking Luncheon | Join your fellow women attendees at the conveniently located Cedar Door, 201 Brazos Street in Austin, for great conversation, networking, and lunch. Please contact Tara Cross via email at tcross@kslnlaw.com for more details and to secure a spot. Registration is limited to the first 40 registrants.

1:45 p.m. What You Always Wanted to Know About Trucking Coverage (But Were Afraid to Ask)
Have you always wanted to know more about insurance coverage issues affecting the trucking industry but been too afraid to ask? Even if you don’t practice in coverage, these are tools necessary for every trucking lawyer to know. This session is your opportunity to learn the fundamentals of insurance coverage and get answers to your questions from an experienced industry professional and seasoned litigator.

Kristen Nowacki, Canal Insurance Company, Greenville, SC
Laurence J. (Larry) Rabinovich, Barclay Damon, New York, NY

2:30 p.m. Refreshment Break
SPONSORED BY Laffey Leitner & Goode LLC
Ragsdale Liggett PLLC

3:00 p.m. Breakouts (see page 4)
5:15 p.m. Adjourn
5:30 p.m. Trucking Law Committee Business Meeting | Come and get involved. Have you ever wanted to have more say in what the DRI Trucking Law Committee does and the types of projects we put our energy into? Now’s your chance. There’s a place for everyone.

6:30 p.m. Networking Reception
7:30 p.m. An Evening at Speakeasy (see page 6)

FRIDAY, MAY 1

Wireless Access
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7:00 a.m. Registration
7:00 a.m. Continental Breakfast
8:00 a.m. Announcements
M. Garner Berry, Heyl Royster Voelker & Allen PC, Ridgeland, MS
Stephen G. (Steve) Pesarchick, Sugarman Law Firm LLP, Syracuse, NY

8:05 a.m. FMCSA’s New Crash Preventability Determination Program
The discoverability and admissibility of post-accident “preventability” determinations are often hotly disputed in truck accident cases. It is well known that plaintiffs’ attorneys try to construe a classification of an accident as “preventable” as an admission of “fault” in litigation. Adding to this complexity, the FMCSA announced on August 5, 2019, plans to make permanent its Crash Preventability Determination Program. This session will delve into what motor carriers should know about the FMCSA’s new program, and how defense attorneys should best handle preventability determinations in their cases.

Patrick E. Foppe, Lashly & Baer PC, Saint Louis, MO
Jim Mullen, Federal Motor Carrier Safety Association (FMCSA), Washington, DC

8:50 a.m. The Amazon Effect: When Plaintiffs Sue More than Just the Motor Carrier
Increasingly, plaintiffs are not just suing motor carriers and drivers in trucking accident cases, but also shippers, brokers, and equipment owners. The unique legal issues and challenges involved include theories of vicarious liability, contractual matters, and other considerations. This presentation will provide practical insight to navigate this complex battlefield.

Eric J. Miersma, Balestreri Potocki & Holmes, San Diego, CA
Scott L. Turner, Scott L. Turner Consulting LLC, Naples, FL

“Excellent content, speakers, and opportunities to interact with outside counsel.”
9:35 a.m. I’ll Make You an Offer You Can’t Refuse: The Dark Underworld of Fraud in Trucking Litigation

In today’s world of trucking litigation, the chance of handsome paydays from bodily injury awards cause more and more plaintiffs’ attorneys to resort to medical referral rings, unethical litigation funding, and the flat out staging of accidents. The goal is to obtain nuclear verdicts so that they can advertise and solicit more clients. It’s time to put an end to the fraud and to stop the barratry.

Teanna L. Buchner, Clark Hill PLC, Los Angeles, CA

Debra D. Houston, FirstFleet Inc., Murfreesboro, TN

10:25 a.m. Refreshment Break

BREAKOUTS

Thursday, April 30, 3:00 p.m.–5:15 p.m. (choose one)

LIABILITY

3:00 p.m.

To Admit or Not to Admit: Admissions of Negligence

Explore instances when admitting negligence may be your best strategy and learn the tactical advantages of such an admission.

Jerry Hill, AAA Cooper Transportation Inc., Dothan, AL

Renea E. Hooper, Scopelitis Garvin Light Hanson & Feary PC, Indianapolis, IN

3:40 p.m.

Turning a Bad Witness into a Great Deponent: Using a Consultant to Prepare Your Client for Depositions

Utilizing a witness consultant for deposition preparation provides immediate return on investment. Showcasing videotaped depositions, these experts will discuss techniques that they use to make sure your witness is clear, credible, and accountable.

Shane O’Dell, Naman Howell Smith & Lee PLLC, Fort Worth, TX

Alyssa Parker, PhD, Courtroom Sciences Inc., Irving, TX

3:55 p.m.

Marijuana and Opioids: New Approaches to an Old Problem

Discover how the trucking industry is responding to new laws and rules regarding marijuana and the problems associated with the “opioid epidemic.” This timely presentation will bring you up to speed and then some.

MaryJane Dobbs, Bressler Amery & Ross PC, Florham Park, NJ

Debra D. Houston, FirstFleet Inc., Murfreesboro, TN

DAMAGES

You Want Me to Pay for What? Dissecting the Life-Care Plan in Real Life

Learn techniques to dissect life-care plans, as well as what is critical in developing one. Watch speakers utilize real reports and their methodology for attacking them.

Charlene Canada, MRC, CRC, CLCP, Elevate Services, Evansville, KY

June J. Essis, Weber Gallagher, Philadelphia, PA

Am I Really Just Like These People in Minnesota? TBI and NeuroPsych Testing

Is “objective” neuropsych testing really objective? Hear from experts on what’s behind the curtain and how to challenge testing results.

Michael H. (Mike) Bassett, The Bassett Firm, Dallas, TX

J. Randall Price, PhD, Price Proctor Associates LLP, Dallas, TX

Defusing the Bomb: Managing Explosive Damages Claims

Nuclear verdicts are real and scary for your client. Protect their interests and avoid the “boom” by managing potentially “explosive” claims such as PTSD and CRPS and costly life-altering pain management treatments.

David L. Jones, Wright Lindsey Jennings LLP, Little Rock, AR

Crisy Mark (C.M.) Schade, MD, PhD, Advanced Pain Solutions, Mesquite, TX
10:55 a.m.  Weathering the Storm: Navigating Your Case
When a Real Punitive Damages Claim Is Made
Show me the money! Learn what to do when punitive damage exposure is a reality for your case in this climate of nuclear verdicts.
Bryan C. Garcia, Garcia Law Group LLC, Albuquerque, NM
➤ William (Willie) Simmons, UPS, Atlanta, GA

11:40 a.m.  Scaling Risk: Assessing Safety
Training Before the Reptile Strikes
Is there such thing as too much training? In short, the answer is yes. This session examines the careful balance required when creating your company’s safety plan and how the plan can affect the defense’s ability to combat the reptile.
Janet Shelley, Old Dominion Freight Lines, Thomasville, NC
Gene F. Zipperle, Jr., Ward Hocker & Thornton, Louisville, KY

12:25 p.m.  The Empathetic Approach to
Handling Your Case
The “empathetic approach” as a defense technique has traditionally been reserved for cases of catastrophic loss with clear liability. This session explores how converting the approach from a litigation strategy to a litigation style just might be the key to preventing runaway verdicts and excessive settlements.
Paul W. Murphy, Murphy Legal, College Station, TX
Janice W. Beacham, Estes Express Lines Inc., Richmond, VA

1:15 p.m.  Adjourn

Community Service Project:
Central Texas Food Bank

Join the DRI Trucking Law Committee leadership at the Central Texas Food Bank, 6500 Metropolis Dr., Austin, TX 78744, as a product recovery volunteer helping to inspect, clean, sort, box, and make food donations ready for distribution to partner agencies and the families they serve—a short trip from the hotel. To participate, please mark the box on the registration form and contact Shane O’Dell, sodell@namanhowell.com.

LegalPoint provides DRI members with content from:

- For The Defense
- In-House Defense Quarterly
- Committee Newsletters
- Defense Library Series (DLS)
- Seminar Materials
- DRI Defense Wins Reporter

Go to dri.org and click on Legal Resources.
NETWORKING EVENT

An Evening at Speakeasy
Thursday, April 30, 2020, 7:30 p.m.–10:00 p.m.

Join your friends and colleagues for an evening of great conversation, Texas barbeque, and dancing at Speakeasy, inspired by a local watering hole with three distinct levels: the Music Lounge, where you will listen to live music, dance the night away, and enjoy pool in the Cabaret Room; the Bowling Mezzanine, overlooking the main music stage, with its two vintage bowling lanes; and the outdoor rooftop lounge, Terrace 59, with impressive views of the Austin skyline. Don’t miss this amazing opportunity to network, renew old friendships, and make new connections. Speakeasy is a short and easy walk from the JW Marriott Hotel. Note: One ticket is included with your paid registration fee. Tickets must be purchased for guests attending the event with you or for attendees whose registration fee is free. Additional tickets may be purchased for $100 each on the registration form.

DRI Members Get More

- Access to LegalPoint™ at dri.org: Committee newsletters, seminar course materials, and other publications.
- Access to dri circles, where lawyer-to-lawyer connections happen. Search dri circles in your app store:
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- Networking Opportunities
- Membership Directory Public Listings
- Publishing and Speaking Opportunities
- The Voice

Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation. Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI’s membership and leadership positions. DRI’s members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.
GENERAL INFORMATION

In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee or be sponsored by a DRI member who is both registered and has paid for the seminar. Nonmember in-house counsel may utilize this offer only once. This offer excludes the DRI Annual Meeting and the DRI Business Management Principles for Lawyers Seminar.

Claims Executives

Claims professionals are eligible for free registration to DRI seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership or be sponsored by a DRI member who is both registered and has paid for the seminar. Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Annual Meeting.

CLE/Claims Adjusters Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to 11 hours, including 1 hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Application has been made for continuing education for claims adjusters. Texas CE credits pending approval and are not being offered at this time. Credit availability and requirements vary from state to state; please check the DRI website at dri.org for the latest information for your state.

Registration Policy

Save $100 when you register by April 1, 2020. (See the registration form for pricing.) The registration fee includes course materials, continental breakfasts, refreshment breaks, networking receptions, and access to the DRI App. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by April 8, 2020 (please allow 10 days for processing). Registrations received after April 8, will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before April 8, 2020. Cancellations received after April 8 and on or before April 15, 2020, will receive a refund, less a $100 processing fee. Cancellations made after April 15 will not receive a refund, but a $100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri.org) to DRI’s Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

Discounts

Group Discount The first and second registrations from the same firm or company are subject to the fees outlined previously. The registration fee for additional registrants from the same firm or company is $875, regardless of membership status if received on or before April 1, 2020. After April 1, the group rate is $975. All registrations must be received at the same time to receive the discount.

Travel Discounts DRI offers discounted meeting fares on various major air carriers for DRI Trucking Law Seminar attendees. To receive these discounts, please contact Direct Travel, DRI’s official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at JW Marriott Austin, 110 E 2nd St, Austin, TX 78701 (click here to view hotel photos).

Take advantage of the group rate of $299 Single/Double in one of two ways:

1) Reserve online: Click here or visit dri.org and go to the DRI Trucking Law Seminar page and click on the “Book hotel” button.

2) Or contact the hotel directly at 512.474.4777 and mention the DRI Trucking Law Seminar.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by April 1, 2020, to be eligible for the group rate. Requests for reservations made after April 1 are subject to room and rate availability.
Michael H. (Mike) Bassett, The Bassett Firm, Dallas, TX
Janice W. Beacham, Estes Express Lines Inc., Richmond, VA
M. Garner Berry, Heyl Royster Voelker & Allen PC, Ridgeland, MS
Teanna L. Buchner, Clark Hill PLC, Los Angeles, CA
Charlene Canada, MRC, CRC, CLCP, Elevate Services, Evansville, WY
Christopher E. (Chris) Cotter, Roetzel & Andress, Akron, OH
Mary Jane Dobbs, Bressler Amery & Ross PC, Florham Park, NJ
June J. Essis, Weber Gallagher, Philadelphia, PA
Patrick E. Foppe, Lashly & Baer PC, Saint Louis, MO
Bryan C. Garcia, Garcia Law Group LLC, Albuquerque, NM
Monica Gardner, MS, CSP, McLane Company Inc., Temple, TX
Terrence L. Graves, Sands Anderson PC, Richmond, VA
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Jerry Hill, AAA Cooper Transportation Inc., Dothan, AL
Renea E. Hooper, Scopelitis Garvin Light Hanson and Feary PC, Indianapolis, IN
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Melody Kiella, Drew Eckl Farnham LLP, Atlanta, GA
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Jim Mullen, Federal Motor Carrier Safety Administration (FMCSA), Washington, DC
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Chris Spear, American Trucking Associations, Arlington, VA
John C. Trimble, Lewis Wagner LLP, Indianapolis, IN
Scott L. Turner, Scott L. Turner Consulting LLC, Naples, FL
Ellen Voie, Women in Trucking, Plover, WI
Gene F. Zipperle, Jr., Ward Hocker & Thornton, Louisville, KY

View faculty bios on the Trucking Law Seminar webpage, click on “View speakers” button.

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Toxic Torts and Environmental Law  
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March 18–20  
Litigation Skills  
Paris Las Vegas, Las Vegas, NV

April 1–3  
Construction Law  
Hyatt Regency Chicago, Chicago, IL

April 1–3  
Insurance Coverage and Claims Institute  
Swissôtel Chicago, Chicago, IL

April 29–May 1  
Life, Health, Disability and ERISA  
Sheraton New Orleans, New Orleans, LA

May 6  
Cannabis Law  
Boston Marriott Copley, Boston, MA

May 7–8  
Retail and Hospitality Litigation  
Walt Disney World Dolphin and Swan Resort, Orlando, FL

May 20–22  
Employment and Labor Law  
Hilton Denver City Center, Denver, CO

June 4–5  
Hot Topics in International Law  
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Trucking Law Committee

Resources and Opportunities

From the outset, the DRI Trucking Law Committee leadership envisioned creating a committee dedicated to addressing the concerns of the trucking industry. Over the years, the committee has addressed those needs by producing high-quality seminars and webinars, and by publishing timely articles in *For The Defense* and their e-newsletter, *In Transit*. On the horizon we plan to work with other DRI committees to produce additional projects of interest to our committee members and clients.

The Trucking Law Committee has always taken pride in finding and recruiting the best talent to help it reach its goal to be the standard bearer for education in the trucking industry, to influence change and growth in the motor carrier industry, and to have a positive effect on the public’s perception of the industry. To achieve this goal, we encourage participation of members from diverse backgrounds to serve in leadership positions and help in a variety of ways with the committee activities. Opportunities abound for those committee members who are willing to volunteer. Simply put, we need and want your help!

We are proud of what the committee has accomplished, mindful of how much is yet to be done, and excited by the many challenges and opportunities facing us. Please consider joining us on this journey.

- Learn more about the committee and its leadership: https://www.dri.org/committees/committee-detail/0215
- Access the DRI Trucking Law Committee Community at http://community.dri.org/home: Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Subcommittees
  - Biomechanics/Accident reconstruction
  - Cargo Claims
  - Communities (Online)
  - Logistics
  - New Trucking Attorneys/Young Lawyers
  - Regulatory/Governmental Affairs
- Publications
  - Newsletter: *In Transit* (3 times a year)
  - *For The Defense* (December)

“A must for attorneys handling trucking litigation.”
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Trucking Law Seminar
April 30–May 1, 2020
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