



dri

The Voice of the  
Defense Bar™

# The Voice

October 2, 2019

Volume 18, Issue 39

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## This Week's Feature



## A Reminder to Consider Treble Damages When Evaluating Removal to Federal Court

By Jamie Weiss

Your latest referral from a DRI colleague comes from a client in a different state who was sued in your state by a company located in a third state. Knowing that generally you prefer to defend cases in federal court, the citizenship of the parties immediately has you thinking about removal. But when you talk to the prospective client, you learn that the dispute is only about \$42,000. Because you are shy of the \$75,000 amount-in-controversy requirement, you resign yourself to litigating this one in state court, grateful for the referral.

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- Industrial Hygiene Evidence: Obtaining the Evidence Needed for Motion Practice and Trial, October 22, 2019, 12:00 pm–1:00 pm CST
- Professional Liability 101—Defending Accountant Malpractice Claims, October 29, 2019, 12:00 pm–1:00 pm CST
- Student Loan Best Practices for DRI Members, October 30, 2019, 12:00 pm–12:40 pm CST
- Social Media, Government, and the First Amendment, November 1, 2019, 12:00 pm–1:15 pm CST

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**Deliver the coverage employees want while keeping costs in check.**

1. MetLife's 16th Annual U.S. Employee Benefit Trends Study, 2018



 **64%**  
of employees want a wider array of non-medical benefits.<sup>1</sup>

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### Legal News

- European Court Limits Geographic Reach of “Right to Be Forgotten,” by Laura Clark Fey

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### Upcoming Seminars

- Annual Meeting, October 16–19, 2019
- Complex Coverage Forum, November 6, 2019
- Bootcamp for New Life, Health and Disability Lawyers, November 8, 2019
- Asbestos Medicine, November 14–15, 2019

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### DRI Membership—Did You Know...

- Build Business by Making Personal Connections

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### New Member Spotlight

Kirsten Lerch Kroft, Gale Gale & Hunt LLC

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### Quote of the Week

"Be the change you wish to see in the world."

[Mahatma Gandhi](#) (b. Oct. 2, 1869).

## This Week's Feature

# A Reminder to Consider Treble Damages When Evaluating Removal to Federal Court

By Jamie Weiss



Your latest referral from a DRI colleague comes from a client in a different state who was sued in your state by a company located in a third state. Knowing that generally you prefer to defend cases in federal court, the citizenship of the parties immediately has you thinking about removal. But when you talk to the prospective client, you learn that the dispute is only about \$42,000. Because you are shy of the \$75,000 amount-in-controversy requirement, you resign yourself to litigating this one in state court, grateful for the referral.

But did you look to see if the claim includes a demand for treble damages? After all, several states, including mine (North Carolina) have unfair and deceptive trade practices acts that include a provision permitting treble damages. *E.g.*, N.C. Gen. Stat. §75-16; N.J. Stat. Ann. §56:8-19; Vt. Stat. Ann. tit. 9, §2461(b).

Numerous other state laws also provide for treble damages. Washington law allows for treble damages for certain insurance denials. See Wash. Rev. Code §48.30.015. Texas law provides for treble damages in both deceptive trade practices and insurance claims. *Lewis v. State Farm Lloyds*, 205 F. Supp. 2d 706 (S.D. Tex. 2002). And in Connecticut, anyone who removes or destroys bridges can be subject to treble damages. See Conn. Gen. Stat. §52-566.

Why are treble damages important? Because they can convert your \$42,000 claim into a \$126,000 claim—exposing your client to additional liability to be sure, but also offering a path into federal court.

A recent decision in the Middle District of North Carolina, *Quality Labels v. Wells Fargo Bank, N.A.*, No. 1:19-cv-210, 2019 WL 2992219 (M.D. N.C. July 9, 2019), describes this path. In *Quality Labels*, the federal district court denied the plaintiffs' motion to remand even though the plaintiffs sought only \$42,000 in compensatory damages.

The plaintiffs in that case—Quality Labels and one of its foreign affiliates—print labels for textile products in the United States and Central America. In late 2017, Quality Labels ordered materials from Ritrama, a supplier in Guate-

mala. Ritrama sent Quality Labels the materials, along with invoices totaling about \$42,000.

Quality Labels alleged that defendants Andrew Robertson and his shell company, Drew's Lounge LLC, opened a checking account in February 2018 at Wells Fargo Bank and then used fake email addresses associated with Ritrama to persuade Quality Labels to wire payment for the Ritrama invoices to that new Wells Fargo account. Quality Labels did so, and Ritrama was never paid.

Quality Labels sued Robertson, Drew's Lounge, and Wells Fargo in Forsyth County, North Carolina, to recover the amount that it wired that was intended for Ritrama. Robertson and Drew's Lounge never appeared. Wells Fargo removed the case to federal court based on diversity jurisdiction. There was no question that the citizenship of the parties was completely diverse.

But Quality Labels moved to remand the case to state court, arguing that the amount in controversy was only \$42,334.72 plus \$10,000.00 in attorneys' fees and that its second amended complaint—filed after removal—expressly stated the amount that it sought.

As an aside, the second amended complaint was a red herring because the amount in controversy is assessed at the time of removal. Thus, the second amended complaint—filed three days after removal, and two days after the motion to dismiss—had no bearing on the amount in controversy for purposes of removal.

The court looked instead to the first amended complaint, which was the operative pleading at the time of removal. That pleading included an unfair trade practices claim as one of its seven causes of action.

Each of the first six claims claimed entitlement to the \$42,000 that Quality Labels wired into the Drew's Lounge checking account at Wells Fargo. For the unfair trade practices claim, Quality Labels asked that its damages be trebled under N.C. Gen. Stat. §75-16.

The court concluded that each of the six causes of action asserted an alternative legal theory to recover for the same injury, the loss of the \$42,000 allegedly wired



into the Wells Fargo account. But the request for treble damages converted a \$42,000 claim into a \$126,000 amount in controversy, well in excess of the threshold for diversity jurisdiction.

*Quality Labels*, then, underscores the significance of clarity in pleading. To avoid federal jurisdiction, a plaintiff must be absolutely clear in its complaint that it is not suing for more than \$75,000. The Supreme Court blessed that approach in 1938: “If [a plaintiff] does not desire to try his case in the federal court he may resort to the expedient of suing for less than the jurisdictional amount, and though he would be justly entitled to more, the defendant cannot remove.” *St. Paul Mercury Indem. Co. v. Red Cab Co.*, 303 U.S. 283, 294 (1938).

But when a plaintiff includes a demand for treble damages in a complaint, that converts the amount in controversy into triple the amount sought. Thus, the lesson to take away from *Quality Labels* and similar decisions is to be aware of all of the relief sought by a plaintiff when assessing whether removal is possible. Even when a complaint says that the damages are limited to an amount that is less than \$75,000, if there’s an allegation about treble damages, pay careful attention.

In *Cancino v. Yamaha Motor Corp, U.S.A.*, 494 F. Supp. 2d 664 (S.D. Ohio 2005), the plaintiffs were even more explicit and still lost their remand motion. In that case, the plaintiffs alleged they were

entitled to an amount to be proven at trial, which is believed to be in excess of \$25,000, but believed to be less than \$75,000, for each Plaintiff. Such damages are comprised of...compensation..., taxes, and storage costs, treble damages, and attorneys’ fees and costs.

*Id.* at 666 (emphasis added). The federal court denied a remand motion there, reasoning that the plaintiffs asked for an amount exceeding \$25,000, along with treble damages.

The same result occurred in *Lewis v. State Farm Lloyds*, 205 F. Supp. 2d 706 (S.D. Tex. 2002). There, the plaintiff asked for property damages in the exact amount of \$48,890.26, plus interest. But again, the plaintiff sought treble damages, and the court found that the amount in controversy was easily satisfied.

This logic also applies when considering removal to federal court in the class action context, in which the necessary amount in controversy is \$5 million. See *Romulus v. CVS Pharmacy, Inc.*, 770 F.3d 67, 82 (1st Cir. 2014).

These cases are all good reminders not to forget the possibility for removal even when a plaintiff’s suit seeks less than \$75,000. With the prevalence of statutory treble-damages provisions and the inclusion of unfair and deceptive trade practices claims, using the treble-damages claim against a plaintiff as a passport to federal court is another valuable tool in the defense lawyer’s arsenal.

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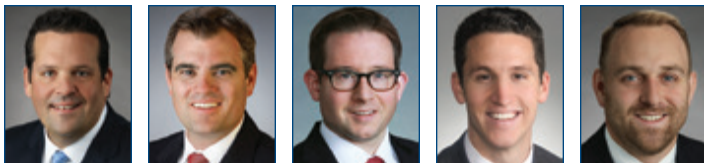
**Jamie Weiss** is a partner in the litigation group of **Ellis & Winters LLP** in Raleigh, North Carolina. Mr. Weiss focuses his practice on a mix of complex commercial litigation and products liability, including cases involving departing employees and trade secrets. He is the DRI Commercial Litigation Committee publications co-chair. Mr. Weiss is a graduate of the University of Virginia and the Washington University in St. Louis School of Law.

## 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](mailto: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.

### Anthony J. Monaco, Michael A. McCaskey, Patrick P. Clyder, Joseph D.D. Sweeny, and Edward J. Keating



**Swanson Martin & Bell LLP** lead trial attorney and DRI member [Anthony J. Monaco](#) achieved a defense verdict for crane manufacturer Terex USA LLC after a month-long jury trial in the Circuit Court of Cook County, Illinois. In addition to Mr. Monaco, the defense team included **Swanson Martin & Bell LLP** partners and DRI members [Michael A. McCaskey](#) and [Patrick P. Clyder](#) and associates and DRI members [Joseph D.D. Sweeny](#) and [Edward J. Keating](#).

Plaintiff Rudolph Das asked the jury for between \$38 million and \$48 million in compensatory damages, and as much as \$200 million in punitive damages, for a total of over \$248 million.

Mr. Das alleged that two U-bolts securing a steel bracket to a 2,000-pound accessory jib that was stowed alongside the boom of a Terex rough terrain crane fractured and allowed the accessory jib to fall and crush him. Mr. Das, who was working as a civil engineer for K&S Engineering, contended that the bolts were insufficient in strength and type and that the jib stowage system was unreasonably dangerous in design. Mr. Das also asserted a number of failure-to-warn claims. Specifically, he claimed that Terex owed a duty to warn about the propensity of the U-bolts to break and the jib to fall after several “other incidents.” The plaintiff alleged that Terex was guilty of willful and wanton misconduct in not issuing a warning after learning of other incidents in mid-2013 and before the plaintiff’s accident on December 1, 2014.

Mr. Das suffered a traumatic brain injury, resulting in a multi-week coma, as well as catastrophic orthopedic injuries to his face, spine, hips, knees, and lower extremities.

The defense contended that the subject jib stowage assembly system was a safe and reliable design that had been successfully used in the field on over 10,000 cranes for over 27 years. The U-bolts fractured due to high-cycle fatigue because K&S Engineering and its crane subcontractor, Imperial Crane Services, Inc., were using the crane in an unforeseeable manner. Terex maintained that none of the other incidents were substantially similar and that its investigation into those incidents demonstrated thoughtful, commendable, and responsible corporate conduct, not willful and wanton misconduct. Terex argued that the sole proximate cause was the misconduct of K&S Engineers and Imperial Crane.

### Michael J. Schofield



**Clark Partington’s** aviation litigator and DRI member [Michael J. Schofield](#) recently prevailed on a motion for summary judgment in a claim arising from an airplane crash in the Gulf of Mexico. The matter was heard by the U.S. District Court for the Northern District of Florida (*LaCourse v. Defense Support Services, et al.*, 3:16cv170-RV/HTC). This victory comes on behalf of an international defense and government services contractor. Mr. Schofield is based in the firm’s Pensacola office.

The crash occurred on November 6, 2014, when a U.S. Air Force F-16 fighter jet departed from Tyndall Air Force Base, near Panama City, Florida, to join up with an F-4 fighter jet—which was playing the part of a drone—for a continuation training sortie. The only person on board the F-16 was the pilot, a 58-year-old retired Air Force Lieutenant Colonel, employed as a civilian by the Department of Defense. Tragically, the aircraft crashed into the Gulf of Mexico toward the end of the sortie, and the pilot was killed.

In its analysis and 28-page order, the court applied the *Boyle/Hudgens’* test, which requires the court to consider the following: (1) whether the United States approved reasonably precise maintenance procedures; (2) whether the party followed those procedures; and (3) whether the party had knowledge superior to the United States’ about a danger and failed to warn the United States. The court found, based on the undisputed facts, that the United

## And The Defense Wins

States had approved reasonable, precise maintenance procedures, that Mr. Schofield's client followed those procedures, and that the client had no knowledge superior to the United States of any danger that required a warning.

Four months ago, in a rare move, the court ordered Clark Partington attorneys to attend oral argument on the

motion for summary judgment. Michael Schofield argued the motion, and the court took the matter under advisement. The court recently issued a 28-page order granting summary judgement in full on behalf of the client.

## Legal News

### European Court Limits Geographic Reach of "Right to Be Forgotten"

By Laura Clark Fey



On September 24, 2019, the European Court of Justice (CJEU) rejected the French data protection authority's attempt to impose the EU's "right to be forgotten" (RTBF) upon search engine operators globally. Instead, the CJEU

held that search engine operators are not required to remove (*i.e.*, de-list or de-reference) personal data appearing on non-EU domain extensions in response to an EU RTBF request.

In 2016, the French data protection authority fined Google €100,000 for its failure to accede to the RTBF requests of four French citizens by de-listing (*i.e.*, removing) their names from worldwide domain name extensions of its search engine. Google had de-referenced search engine results for EU domains, but not for domains outside of the EU. Google appealed the decision, which then resulted in referral to the CJEU.

The CJEU found it was "in no way apparent" that EU lawmakers expected EU data subject rights, like the RTBF, to apply outside of the EU. The court further found that EU individuals' personal data protection rights are not absolute rights, and that such data protection rights must be balanced against other fundamental rights, such as the right to freedom of information. Importantly, however, the court asserted that EU Member State data protection authorities and judicial authorities can require worldwide de-listing if they determine that their *national* data protection standards outweigh other rights, such as the right to freedom of information.

The CJEU's decision should not be read as demonstrating that the General Data Protection Regulation (GDPR) does not have extraterritorial effect. It clearly does. But this

decision does show a recognition that EU privacy rights are not always absolute, and that, as appropriate, such rights should be balanced against other fundamental rights. The decision references the GDPR's provisions concerning the RTBF, which assert that the RTBF shall not apply under certain circumstances, including to the extent that processing is necessary for exercising the right of freedom of expression and information. Before responding to EU data subject requests, organizations should carefully consider, among other issues, the specific legal rights being asserted by a requester, whether there is a valid legal basis for the request, and whether there are any applicable limitations or exceptions to the asserted rights, including the consideration of other important fundamental rights.

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**Laura Clark Fey**, PLS (IAPP), CIPP/US, CIPP/E, CIPM, FIP, is one of 27 U.S. lawyers selected into the inaugural class of Privacy Law Specialists (International Association of Privacy Professionals (IAPP)). Ms. Fey has an extensive global privacy law practice, **Fey LLC**, based in the Midwest that is dedicated to helping U.S. and multinational organizations develop and implement solutions to their unique data privacy and information governance challenges. She also was selected into the IAPP's inaugural class of Fellows of Information Privacy and holds multiple privacy certifications from the IAPP. The U.S. Department of Commerce and the European Commission have selected her as an arbitrator to resolve complaints brought under the EU-U.S. Privacy Shield Framework. Ms. Fey is a member of the Globalization Working Group of the DRI Center for Law and Public Policy, and is the current chair of the DRI Cybersecurity and Data Privacy Committee's Privacy Specialized Litigation Group.

## DRI Cares

### DRI Past Presidents Shine with Impressive NFJE Support

Gold stars through and through. This is the only way to describe the DRI past presidents who, within 15 minutes, donated \$2,000 and sponsored the **“Golden Ticket”** raffle item for the **2019 Annual Meeting Silent Auction and Raffle**, benefitting the National Foundation for Judicial Excellence. For the first time in Annual Meeting history, DRI will be selling rose gold stemless champagne glasses. The cost is \$100 (limit of 100 glasses), and each glass purchased offers an opportunity to win the \$2,000 grand prize from [Cloud9Living](#). The winner will choose their



excursion of choice, which range from white river rafting, to flying in a firefighter combat plane, to diving with great white sharks.

The DRI Philanthropic Activities Committee thanks Past Presidents: Ed Mullins (1985–86); Neil Goldberg (2000–01); Bill Sampson (2003–04); Richard Boyette (2004–05); John Martin (2007–08); Marc Williams (2008–09); Cary Hiltgen (2009–10); Matt Cairns (2011–12); Mary Massaron (2012–13); Mike Weston (2013–14); John Parker Sweeney (2014–15); and Laura Proctor (2015–16).



## DRI Cares

### DRI Philanthropic Activities Committee Silent Auction

Get ready to bid! DRI will once again hold its annual **Silent Auction and Raffle** to benefit the [National Foundation for Judicial Excellence](#) (NFJE) during the [2019 DRI Annual Meeting in New Orleans](#). Bids will be made once again this year through an easy-to-use electronic bidding app. The bidding will begin as soon as items are placed on the bidding website and will continue through the evening of the Thursday night networking event. You will be able to bid using the electronic smartphone application and website, so you can bid and win even if you can't attend the meeting! The raffle is another great way to support NFJE during the Annual Meeting. The more tickets you purchase, the better your chances of winning. Raffle tickets are \$10 each, but if you buy five tickets, you get a sixth ticket for free. You can pre-purchase your raffle tickets at the same time you register for the Annual Meeting by indicating how many tickets you want to buy on the registration form. It is simple and easy and will save you time on-site. Information on the many exciting items up for auction can be found on both the NFJE ([nfje.net](#)) and DRI ([dri.org](#)) websites. If you have an item that you would like to donate to the auction or raffle, please contact Tiffany Higgins at 312.698.6230 or [thiggins@dri.org](mailto:thiggins@dri.org).

#### *This Week's Featured Items*

##### **Six-Night Stay at Zulu Nyala Heritage Safari Lodge or Tented Safari Camp (Auction)**



Six-night stay for two people in a standard room. (Standard rooms can be upgraded to suites; please enquire when booking.) Three meals per day (breakfast, lunch, and dinner). Two game-viewing activities per day on Zulu Nyala

Game Reserve, with a host ranger who will assist you in the planning of your safari and activities during the day. Please note that package excludes airfare, airport transfers, drinks, laundry, telephone, extra excursions, any item of a personal nature, and gratuity. The trip is valid for two years from the date of purchase. The trip is non-refundable and may not be bartered or sold, unless written permission to do so is given by the Zulu Nyala Group.

Donor: Zulu Nyala Game Lodge

Est. Value: \$5,950

Min. Bid: \$2,500

##### **Snake River Farms Chop House Collection (Auction)**



This package combines a generous assortment of American Wagyu beef and Kurobuta pork. Snake River Farms American Wagyu beef is coveted by award-winning chefs and served in top-rated restaurants through-

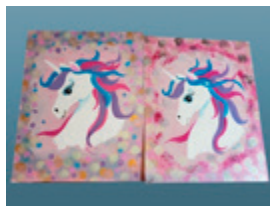
out the world. Kurobuta pork is considered to be equal in status to Kobe beef.

Donor: Idaho Association of Defense Counsel

Est. Value: \$252

Min. Bid: \$100

##### **Hand-Painted Unicorn Picture (Raffle)**



Unicorns are magical. Take home this painting to put more sparkle and magic in your life.

Donor: Brenda Wells

Est. Value: \$30

##### **Apple Watch Nike (Raffle)**



Apple Watch Nike, GPS and cellular 40mm

Donor: DRI Insurance Law Committee

Est. Value: \$500

## DRI Cares

### CASA for Clermont Kids

**Great American Insurance Company** and **#DRICares** have shown their support with a donation for CASA for Clermont Kids. On September 5, 2019, Lykins Energy Solutions hosted the Thirtieth Annual Charity Golf Outing, benefitting CASA for Clermont Kids. CASA for Clermont Kids helps

abused and neglected children get the representation that they so rightly deserve. If you would like to contribute, please go to [www.casaforclermontkids.org](http://www.casaforclermontkids.org).



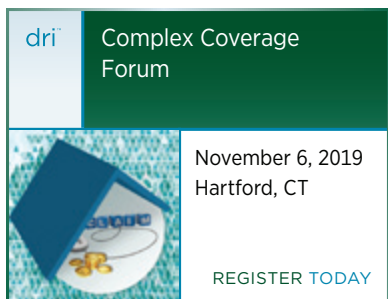
## Upcoming Seminars

### Annual Meeting, October 16–19, 2019



Join us for the DRI 2019 Annual Meeting, October 16–19, at the New Orleans Marriott Hotel. We have planned a week of spectacular keynote speakers, cutting-edge CLE presentations, and plenty of networking events—all just for you. By attending this industry event of the year, you will experience outstanding educational programming on timely, developing legal topics, designed to keep you ahead of the game. You also will earn up to 10 hours of CLE credit, including up to 3 hours of ethics credit. Strengthen old relationships and develop new ones while networking with other defense attorneys and in-house counsel during the week's activities in a city full of history, culture, and mystery. Don't miss this opportunity to attend stellar education programs and visit with friends and colleagues, new and old, in lively New Orleans. Click [here](#) to view the brochure, learn more, and register.

### Complex Coverage Forum, November 6, 2019



DRI looks forward to welcoming you back to Hartford, Connecticut, this November for a one-day forum on the latest coverage issues. Our program will feature nationally recognized industry and outside counsel speakers in a collegial setting, designed to address cutting-edge developments, including the effect that new laws eliminating the statute of limitations for sexual abuse claims will have on the insurance industry. A highlight of the program will be our interactive, small group, luncheon discussions on a broad array of topics. We welcome and encourage all in-house attorneys and claims professionals to attend with complimentary registration, provided by DRI and the sponsoring firms and companies. To ensure an intimate experience, registration will be limited. Register for this exciting program today. Click [here](#) to view the brochure and to register for the program.

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



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, is aimed at providing 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 persons. Click [here](#) to view the brochure and to register for the program.

## Upcoming Seminars

### Asbestos Medicine, November 14–15, 2019



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 touch-downs 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 of the 2019 DRI Asbestos Medicine Semi-

nar 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

### Industrial Hygiene Evidence: Obtaining the Evidence Needed for Motion Practice and Trial, October 22, 2019, 12:00 pm–1:00 pm CST



This program will focus on obtaining favorable industrial hygiene evidence at depositions to enable expert industrial hygiene witnesses to provide well-considered opinions to be used in motion practice and trials in toxic tort cases. Click [here](#) to register.

### Professional Liability 101—Defending Accountant Malpractice Claims, October 29, 2019, 12:00 pm–1:00 pm CST



Defending claims against accounting professionals demands having a working knowledge of the types of engagements that accountants typically enter into, the typical claims made against accounting professionals, and the available lines of defense to those claims. This primer on assessing and defending claims against accounting professionals will cover these topics, provide an understanding of the various applicable standards and governing regulatory authorities, and provide a technical vocabulary, which will allow practitioners to become competent handling accountant claims and to develop deeper expertise in this area. Click [here](#) to register.

### Student Loan Best Practices for DRI Members, October 30, 2019, 12:00 pm–12:40 pm CST



Laurel Road, the preferred student loan refinancing provider of DRI, is hosting a “Student Loan Best Practices” presentation for DRI members. The webinar will cover a variety of topics related to refinancing student loans, such as the state of student loan debt in the United States, common refinancing terms, different repayment options available, public service loan forgiveness eligibility, and potential savings by refinancing. Click [here](#) to register.

### Social Media, Government, and the First Amendment, November 1, 2019, 12:00 pm–1:15 pm CST



Our government clients use social media in a myriad of ways. Elected officials communicate with constituents. Police, fire, and other departments engage with their community to provide updates on key government events and crises and to recruit and hire new employees. Employees use social media in ways that blur the lines between off-duty and on-duty activities. This collision of agendas and views often results in claims and liability under the First Amendment. This webinar will provide a primer on how courts are applying the First Amendment to social media activities of elected officials and employment. Click [here](#) to register.

## DRI Membership—Did You Know...

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### Build Business by Making Personal Connections

Sometimes you have to put down the phone and make a personal connection. Whether you are a solo practitioner just starting your career, a mid-level corporate attorney advancing in your career, or a senior attorney looking to develop a deeper bench, building a business is about building relationships.

DRI's renowned [seminars](#) and [substantive law committees](#) give you that opportunity to expand your practice, develop business referrals, and make lifelong friendships.

- Meet lawyers who are engaged in their career and achieving their goals.

- Talk with and learn from leaders at the state and national level who are ready to share their knowledge and expertise with you.
- Raise your profile in the legal defense community by speaking at seminars, writing articles for DRI publications, and sharing your important achievements.
- Make personal connections.

In the end, as Mike Jones has said, it's up to you: "If there is no wind, row. If you want it, make it happen."

## New Member Spotlight

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### Kirsten Lerch Kroft, Gale Gale & Hunt LLC



**Kirsten Lerch Kroft** is a partner with **Gale Gale & Hunt LLC** in Syracuse, New York, where she focuses her practice on premises liability, insurance defense, and professional liability. She is a graduate of the University at Buffalo School of Law. Ms. Kroft is admitted to practice in New York State and the United States District Court, Northern

District of New York. In addition to DRI, she is a member of the New York State Bar Association and the Onondaga County Bar Association. When she is not practicing law, she enjoys spending time with her family in the New York Finger Lakes and catching a Syracuse University basketball game.

### Quote of the Week

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“Be the change you wish to see in the world.”

**Mahatma Gandhi** (b. Oct. 2, 1869).