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# 2025 ANNUAL REPORT

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**THE  
III CENTER**  
FOR LAW AND PUBLIC POLICY

**dri** Association of  
Lawyers  
Defending  
Business





Thank you, DRI Center for Law and Public Policy Advisory Council Members!

A very special thank you to the 2025 members of the DRI Center for Law and Public Policy's Advisory Council. Their support and guidance on projects and initiatives throughout the DRI Center for Law and Public Policy is valued beyond description by DRI leadership.

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*AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION*  
*BAYER*  
*EXXONMOBILE*  
*HOLLINGSWORTH LLP*  
*NATIONAL ASSOCIATION OF MUTUAL INSURANCE COMPANIES*  
*TROUTMAN PEPPER LOCKE LLP*  
*U-HAUL*  
*ZURICH NA*

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The Advisory Council is a group of companies, law firms, and other organizations within the DRI Center for Law and Public Policy. The Advisory Council regularly meets to provide input into the DRI Center for Law and Public Policy's overall strategy. Advisory Council members may also support specific DRI Center for Law and Public Policy initiatives, depending on their interest.

To learn more about the Advisory Council or how to join, email [TheCenter@dri.org](mailto:TheCenter@dri.org).



Thank you, as well, to each and every law firm, company, and organization with appointed members to the committees, task forces, and working groups within the DRI Center for Law and Public Policy. Your labor is why the DRI Center for Law and Public Policy is known as *The Voice of the Defense Bar*.

Adams and Reese LLP, Atain Insurance, Babst Calland Attorneys at Law, Barry McTiernan & Moore LLC, Beveridge & Diamond PC, Bodman PLC, Borden Ladner Gervais LLP, Bowman and Brooke LLP, Bradley Arant Boult Cummings LLP, Bricker Graydon LLP, Brown and James PC, Bullivant Houser Bailey PC, Butler Snow LLP, Capital Appellate Advocacy PLLC, Cetrullo LLP, Christensen & Jensen Attorneys, Clausen Miller PC, Cross Jenks Mercer & Maffei LLP, Dentons Sirote PC, Dinsmore & Shohl LLP, Dutton Brock LLP, Dykema Gossett PLLC, Elverson Vasey Attorneys at Law, Eversource Energy, Evert Weathersby Houff Attorneys at Law, Farmers Mutual of Nebraska, Fey LLC, Franz Ward LLP, Freeman Mathis & Gary LLP, Goodwin Procter LLP, Gowling WLG (Canada) LLP, Grove Holmstrand & Delk PLLC, Hall Booth Smith PC, Hawkins Parnell & Young LLP, HeplerBroom LLC, Herrin Health Law PC, Hinshaw & Culbertson LLP, Hite Fanning & Honeyman LLP, Horvitz & Levy LLP, Houston Harbaugh PC, Irwin Fritchie Urquhart & Moore LLC, Jackson Kelly LLP, Jenner & Block LLP, Johnson Hanan Vosler Hawthorne & Snider PC, Kelley Kronenberg Attorneys at Law, Kennedy & Graven, Chartered, King & Spalding LLP, Larson King LLP, Lewis Thomason King Kreig & Waldrop PC, Lightfoot Franklin & White LLC, Locke Lord LLP, Markel Services Inc., Marshall Dennehey Warner Coleman & Goggin PC, Maynard Nexson PC, McGlinchey Stafford PLLC, Milling Benson Woodward LLP, Morrison Mahoney LLP, Nelson Mullins Riley & Scarborough LLP, Nissan North America, O'Bryon and Schnabel PLC, Ogden Murphy Wallace PLLC, Ogletree Deakins Nash Smoak & Stewart PC, O'Hagan Meyer Attorneys at Law, Overturf McGath Hull PC, Peri & Stewart LLC, Pierce Atwood LLP, Plunkett Cooney PC, Reed Smith LLP, Reeves Law LLC, Robinson + Cole LLP, Rodey Dickason Sloan Akin & Robb PA, Roetzel & Andress LPA, Rogers Townsend LLP, Sanderson Firm PLLC, Shari Belitz Communications, Shook Hardy & Bacon LLP, Sidley Austin LLP, Sulloway & Hollis PLLC, Sutter O'Connell Attorneys, Taylor Porter Brooks & Phelps LLP, Taylor Wessing, TM Claims Service, Inc., Troutman Pepper Hamilton Sanders LLP, Turney LG, Underwood Law Firm, Walmart Inc., Waranch & Brown LLC, Warner Norcross + Judd LLP, Westguard Insurance Co., Wiedner & McAuliffe, Ltd., Womble Bond Dickinson (US) LLP

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## TABLE OF CONTENTS

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A MESSAGE FROM THE DRI CENTER FOR LAW AND PUBLIC POLICY CHAIR	2
MAKING THE MOST OF YOUR DRI MEMBERSHIP	3
THE DRI CENTER FOR LAW AND PUBLIC POLICY MANAGEMENT COUNCIL	4
2025 HIGHLIGHTS   THE DRI CENTER FOR LAW AND PUBLIC POLICY'S SUCCESSES	6
2025 HIGHLIGHTS   COMMITTEE AND SUBCOMMITTEE SUCCESSES	7
THE DRI CENTER FOR LAW AND PUBLIC POLICY WEBINARS IN 2025	15
MAKING THE MOST OF THE DRI CENTER FOR LAW AND PUBLIC POLICY	16
TESTIMONIALS	17



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# A MESSAGE FROM THE DRI CENTER FOR LAW AND PUBLIC POLICY CHAIR, JOHN GUTTMANN



John S. Guttman is a principal of Beveridge & Diamond PC in Washington, D.C., where he represents companies in complex, high-stakes toxic tort, product liability, and environmental litigation. He has served in leading roles in litigation matters with potential damages/awards in the billions of dollars and has secured dismissal or reduction of claims in numerous matters. John serves as lead national counsel for a petroleum refiner in all MTBE product liability litigation and has been a member of the defense steering committee for the refining industry in those cases. He led a team that successfully defended a public water utility in multiple cases claiming health effects due to alleged lead exposure. John devotes a substantial part of his practice to the defense of natural resource damages (NRD) cases brought by trustees. His litigation experience also includes indemnity litigation, securities class actions, breach of fiduciary duty claims, directors and officers liability suits, complex contract cases, unfair competition cases, and health insurance matters. John is a former DRI national director and previously served as chair of the DRI Toxic Torts and Environmental Law Committee.

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Dear Valued DRI Center for Law and Public Policy Team Members and Collaborators,

It is with great pride that I present the DRI Center for Law and Public Policy's Annual Report highlighting the DRI Center for Law and Public Policy's accomplishments in 2025. Serving as Chair of the DRI Center for Law and Public Policy continues to be an honor, and I am pleased to share the progress, growth, and achievements made possible through our collective efforts.

This past year has reflected the continued dedication of our leadership, the exceptional contributions of our committees and volunteers, and the ongoing trust placed in us by the DRI community. Together, we further expanded the DRI Center for Law and Public Policy's visibility within DRI and across the broader legal landscape. The accomplishments detailed in this report demonstrate our shared commitment to advancing the DRI Center for Law and Public Policy's mission and reinforcing its role as the voice of the civil defense bar.

I am deeply encouraged by the momentum we have built and inspired by the opportunities that lie ahead. With the continued collaboration of our members and the support of the DRI community, I am confident that the DRI Center for Law and Public Policy is well positioned to reach even greater milestones in the year to come.

As we look ahead to 2026, I am proud of what we have accomplished together and energized by what lies before us. Thank you for your continued trust, engagement, and partnership as we work toward our shared goals.

Members of the DRI community who are interested in becoming involved in the DRI Center for Law and Public Policy's important work are encouraged to do so. Please contact [TheCenter@dri.org](mailto:TheCenter@dri.org) to learn more.

Warm regards,

**JOHN GUTTMANN, CHAIR**  
The DRI Center for Law and Public Policy

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# MAKING THE MOST OF YOUR DRI MEMBERSHIP

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2025 Annual Meeting

## LOOKING TO DO MORE WITH YOUR DRI MEMBERSHIP?

DRI is not just part of your career; we're a partner in it. Leverage these exclusive resources and high-quality programming to expand your network, skills, and business. Learn more at [DRI.org/Membership](https://DRI.org/Membership).

- ◆ **Grow Your Referral Network with Fellow DRI Members** In a survey of active DRI members, 49% of respondents reported that they have given or received a referral in the last two years, and at least 40% of those referrals were worth more than \$50K. Connect with your DRI community to build your network and expand your business.
- ◆ **Expand Your Expertise Through SLC Leadership Roles** Take on leadership roles and surround yourself with a network of attorneys in your practice area by joining one of DRI's 29 substantive law committees at no additional cost.
- ◆ **Share Your Knowledge by Speaking at DRI Seminars** Achieve professional success by sharing thought-provoking ideas on cutting-edge topics in your field. Establish yourself as a trusted source by speaking at DRI seminars and webinars.
- ◆ **Establish Yourself as a Thought Leader with DRI Publications** Looking to share your professional expertise with colleagues around the globe? DRI's publications offer publishing opportunities to share your thought leadership to help civil defense lawyers with pressing litigation matters and more.
- ◆ **Save with Exclusive Discounts and Solutions Marketplace Access** DRI Members receive exclusive discounts on seminars, webinars, on-demand learning, and more. Make sure to take advantage of your access to DRI's Solutions Marketplace and Affinity Programs that offer solutions for your professional challenges.
- ◆ **Leverage the Expertise of Leading Defense Practitioners** With thousands of documents at your fingertips, LegalPoint helps you find what you're looking for. Filter by practice area and resource to make it even easier to find an article on your issue. LegalPoint offers a robust online library of DRI articles, books, and materials.

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# THE CENTER MANAGEMENT COUNCIL

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**JOHN S. GUTTMANN**  
DRI Center for Law and Public  
Policy Chair

John S. Guttman is a principal of Beveridge & Diamond PC in Washington, D.C., where he represents companies in complex, high-stakes toxic tort, product liability, and environmental litigation.



**JIM MCCRYSTAL**  
DRI Center for Law and Public  
Policy Vice Chair

James L. "Jim" McCrystal is Of Counsel with Sutter O'Connell in Cleveland. He has spent four decades handling product liability cases and now has a national practice in that field.



**BAXTER DRENNON**  
Public Policy Chair

Baxter D. Drennon is a partner in the Little Rock, Arkansas, office of Hall Booth Smith PC. His practice is a testament to a career built on safeguarding clients' rights across the complex landscape of products liability, commercial transactions, and banking and finance law.



**BROOKS MAGRATTEN**  
Legislation and Rules Chair

Brooks R Magratten is a partner of Pierce Atwood LLP in Providence, Rhode Island. He has more than 30 years of experience in insurance and commercial litigation.



**LISA BAIRD**  
Outgoing Amicus Chair

A partner of Reed Smith LLP in Miami, Florida, Lisa M. Baird represents manufacturers of medical devices, prescription drugs, and OTC drugs in product liability and commercial litigation.



**MELINDA KOLLROSS**  
Incoming Amicus Chair

Melinda S. Kollross is an AV-rated Preeminent shareholder and Co-Chair of Clausen's Appellate Practice Group, handling post-trial and appellate litigation for savvy clients nationwide.

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# THE CENTER MANAGEMENT COUNCIL

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**JOHN PARKER SWEENEY**

Ex Officio

Mr. Sweeney provides effective mass tort risk-management and cost recovery advice based on over 30 years of complex litigation experience. He advises clients on how to avoid or mitigate the risks of product liability and environmental claims. He regularly investigates and secures insurance coverage or contractual indemnification.



**LARRY EBNER**

Advisory Council Liaison

Lawrence S. "Larry" Ebner is both Executive Vice President & General Counsel of the Atlantic Legal Foundation and Founding Member of Capital Appellate Advocacy PLLC in Washington, D.C.



**DEAN MARTINEZ**

Chief Executive Officer

Dean Martinez is the CEO of DRI.



**SEAN DOLAN**

General Counsel

Sean Dolan is COO and general counsel of DRI.



**JAY LUDLAM**

Director

Jay Ludlam is the director of the DRI Center for Law and Public Policy.

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# 2025 HIGHLIGHTS

## THE DRI CENTER FOR LAW AND PUBLIC POLICY'S SUCCESSES

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Speakers of DRI's 2025 Annual Meeting mainstage CLE session: "The State of the Administrative State After Loper Bright and How to Navigate It as a Practitioner."

### DRI 2025 Annual Meeting

Did you see what the DRI Center for Law and Public Policy had to offer during the 2025 DRI Annual Meeting in Chicago? In addition to a Wednesday evening reception, the DRI Center for Law and Public Policy held business meetings of the Public Policy and Legislation and Rules Committee.

Other highlights included Thursday main stage CLE presentation from the DRI Center for Law and Public Policy's Third-Party Litigation Task Force, "Advanced Insights & Strategies to Address Third-Party Litigation Funding." Attendees learned how third-party funding affects litigation strategy and defense tactics and how funders' financial incentives shape plaintiff behavior and case management and discussed how litigation funding can alter settlement negotiations and strategy from a defense perspective.

During Friday evening's Closing Celebration members of the DRI Center for Law and Public Policy's A.I. Task Force, were honored as recipients of the 2025 DRI Outstanding Publication Award for their white paper, *Artificial Intelligence in Legal Practice – Benefits, Considerations, and Best Practices*.

### DRI Center for Law and Public Policy, APCIA, Launch TPLF Survey

The DRI Center for Law and Public Policy and the American Property Casualty Insurance Association (APCIA) conducted a brief survey to help better understand—and to increase the level of awareness among defense litigators about—the prevalence and impact of third-party litigation funding.

Through this survey, we hope to learn:

- Whether and how often counsel are seeking TPLF information through disclosure, discovery, or motions to compel;
- The extent to which counsel have been able to obtain litigation funding agreements;
- How knowledge of TPLF affects case evaluation and potential strategy;
- Suggestions for how the defense bar may counter opposition to disclosure; and
- The effect of those court rules and state statutes expressly requiring or allowing TPLF disclosure.

We very much appreciate the support of everyone who participated in this important initiative.

### DRI Center for Law and Public Policy Holds First In-Person Seminar on PFAS

PFAS litigation is moving forward, and the increase in claims and settlements reflects a mounting alarm over environmental and health effects. In September, attendees of the DRI Center for Law and Public Policy's 2025 PFAS Seminar received an overview of where PFAS litigation and regulation stand and what is likely to come next. Special thanks to Peter Condrón (Crowell & Moring), Dominique Savinelli (Husch Blackwell), and Graham Zorn (Beveridge & Diamond) for serving as the program committee!



The DRI Center for Law and Public Policy's 2025 PFAS Seminar session: "What You Need to Know About Testing for PFAS in Products and the Environment for Litigation and Regulatory Compliance." Featuring speakers Tiffany Thomas, Ph.D. and Michael Deible, Ph.D.

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# 2025 HIGHLIGHTS COMMITTEE AND SUBCOMMITTEE SUCCESSES

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## Amicus Committee

### Leadership

#### Outgoing Chair

Lisa Baird, *Reed Smith*

#### Incoming Chair

Melinda Kollross, *Clausen Miller*

#### Vice Chair

Rob Wise, *Nelson Mullins*

### Members

Charlie Frazier, *Alexander Dubose & Jefferson*

Lorie Gildea, *Greenberg Traurig*

Matt Nelson, *Warner Norcross + Judd*

John Reeves, *Reeves Law*

Mychal Schulz, *Babst Calland*

Susan Snowden, *Jackson Kelly*

Sarah Spencer, *Spencer Willson*

Hillary Taylor, *Keating Jones Hughes*

### Emeritus Members

David Axelrad, *Horvitz & Levy*

Larry Ebner, *Capital Appellate Advocacy*

Mary Massaron, *Plunkett Cooney*

### 2025 Filings

#### ***Flowers Foods, Inc. v. Brock (On Petition)***

**DRI Center for Law and Public Policy urges Supreme Court to interpret FAA's "transportation workers" exemption narrowly.**

Are workers who deliver locally goods that travel in interstate

commerce—but who do not transport the goods across borders nor interact with vehicles that cross borders—"transportation workers" "engaged in foreign or interstate commerce" for purposes of the Federal Arbitration Act's § 1 exemption? That is the question the U.S. Supreme Court is being asked to resolve in *Flowers Foods, Inc. v. Brock* (24-935).

The DRI Center for Law and Public Policy filed an amicus brief urging the Supreme Court to grant review and decide the unresolved "final mile" issue. The brief argues that the FAA § 1 exemption should be interpreted in accordance with its "original meaning" when enacted in 1925. The exemption's original meaning demonstrates that Congress intended it to be limited to railroad employees, mariners, and other workers engaged in moving goods across state lines or international borders. Local delivery workers who do not cross state borders, therefore, are not covered by the exemption even though they deliver out-of-state goods. Any other interpretation would defeat the purpose of the FAA by exempting countless workers in numerous industries from arbitration as an alternative to litigation.

The brief, which was joined by the Atlantic Legal Foundation (ALF) was drafted by Sarah Elizabeth Spencer of Spencer Willson PLLC. ALF Executive Vice President & General Counsel Larry Ebner worked with Sarah as co-counsel on the brief.

After the petition for certiorari was granted, the DRI Center for Law and Public Policy continues to urge SCOTUS to interpret FAA's "transportation workers" exemption narrowly with a filing on the merits.

#### ***Chabolla v. Classpass, Inc, et al.***

**DRI Center for Law and Public Policy join Association of Southern California Defense Counsel (ASCDC) brief asking Ninth Circuit to clarify rules regarding contractual "terms of use."**



The DRI Center for Law and Public Policy was pleased to accept an invitation from the Association of Southern California Defense Counsel to join their brief supporting the rehearing en banc petition in *Chabolla v. Classpass, Inc, et al.* The brief addressed how the panel opinion: 1) created conflicts with the objective reasonableness test for contract formation as previously articulated by the Ninth Circuit—consistent with approaches adopted and followed in other circuits; and 2) is contrary to the long line of United States and California Supreme Court decisions applying the “equal treatment rule” that governs the formation and enforcement of agreements to arbitrate under the Federal Arbitration Act.

**Live Nation v. Heckman, et al.**  
**DRI Center for Law and Public Policy files brief arguing that the fairness and efficiency of the arbitration process does not exclude “mass arbitrations.”**

The DRI Center for Law and Public Policy filed an amicus brief with the Supreme Court of the United States supporting the cert petition in *Live Nation Entertainment, Inc., et al. v. Heckman, et al.* The brief argued that the Court should grant certiorari to restore the Federal Arbitration Act’s primacy over modern arbitration procedures and that the FAA should receive uniform application across federal circuits. This ensures arbitration achieves its basic purpose of enforcing arbitration agreements and resolving disputes efficiently, predictably, and at minimal cost.

The brief was authored by Center Amicus Committee member **Charlie Frazier** of *Alexander Dubose & Jefferson LLP* in Dallas.

The Center’s amicus participation was featured in a related Law360 article, “Live Nation Arbitration Firm Defense Its ‘Flexible’ Approach.” The article spotlighted the Center’s brief’s arguments that the parties “agreed to arbitration procedures tailored for mass arbitration,” procedures that include batching claims together and selecting bellwethers to provide guiding precedent.”

The Ninth Circuit’s holding that the FAA does not apply to the parties’ agreement because the act protects only traditional, bilateral arbitrations, violates the court’s core interpretative principles and upends federal arbitration proceedings,” the Center’s brief said.

The article also quotes Frazier, who told Law360 that it should be enough that Congress “chose to leave arbitration undefined” in the FAA, even if lawmakers may have “envisioned” just bilateral arbitration when passing the law. “The Ninth Circuit in its opinion has taken statements regarding what type of arbitration Congress may have envisioned to cobble together a nonexistent precedent,” Frazier said.

**Gill v. Exxon Mobil Corp., et al.**  
**DRI Center for Law and Public Policy Joins Brief to PA Supreme Court to Address “No-Safe-Threshold” Expert Opinions.**

The DRI Center for Law and Public Policy joined the Product Liability Advisory Council in its brief to the Pennsylvania Supreme Court in *Gill v. Exxon Mobil Corp., et al.*, arguing that the court should reinforce its prior decisions disapproving of lax expert opinions. The brief contended that the opinions at issue in this matter—so called “no-safe-threshold” opinions—are not grounded in scientific consensus or the facts of the particular case and invite juries to ignore the exposure evidence presented. Opinions that do not comport with Pennsylvania’s general acceptance standard for expert testimony are legally insufficient to establish causation, the brief stated, and settled Pennsylvania law holds that such theories are not generally accepted science in toxic tort or product liability litigation.

The coalition brief—authored by DRI member **Jim Beck**, along with fellow *Reed Smith LLP* partner Jamie Lanphear—was also joined by the Pennsylvania Defense Institute, the Federation for Defense and Corporate Counsel, and the National Association of Manufacturers.

**Mayor and City Council of Baltimore v. BP PLC, et al.**  
**DRI Center for Law and Public Policy, MDC, filed brief with MD high court to address novel nuisance liability claims.**

The DRI Center for Law and Public Policy filed a brief, joined by Maryland Defense Counsel, with the Supreme Court of Maryland in *Mayor and City Council of Baltimore v. BP PLC, et al.* The appeal stems from a lawsuit seeking to hold fossil fuel companies liable for climate change effects, where the trial court dismissed Baltimore’s claims on preemption grounds, and concluded that Baltimore failed to state claims of public and private nuisance, failure to warn, design defect, and trespass. The Center/MDL brief urges the Maryland high court to affirm, pointing out that—for nearly 150 years—Maryland law has a) limited nuisance claims to only alleged harms arising out of the use of land; and b) required that the defendant to a nuisance claim have control over the alleged instrumentality of the nuisance.

The Center/MDL brief urges the Maryland high court to affirm, pointing out that—for nearly 150 years—Maryland law has a) limited nuisance claims to only alleged harms arising out of



“Regulating PFAS in Products: Where Are We and Where Are We Going?” session with moderator Shelly Geppert (Amrize) and panel members Graham Zorn Graham Zorn (Beveridge & Diamond PC) and Leah Kaiser (Husch Blackwell), at the DRI Center for Law and Public Counsel’s 2025 PFAS Seminar.

the use of land; and b) required that the defendant to a nuisance claim have control over the alleged instrumentality of the nuisance.

The Center/MDL brief was authored by DRI member **Jacob Hollars** of *Spencer Fane LLP* in Denver. This is the first brief produced under the auspices of the new Appellate Skills Development Subcommittee within the Center’s Amicus Committee.

**Harold R. Berk v. Wilson C. Choy**  
**DRI Center for Law and Public Policy Brief Seeks to Affirm Expert Affidavit Requirements.**

The DRI Center for Law and Public Policy filed an amicus brief in support of respondents Dr. Choy and Beebe Medical Center in the case of *Berk v. Choy*. The question on review is whether a state law providing that a complaint must be dismissed unless it is accompanied by an expert affidavit may be applied in federal court. The petitioner’s medical malpractice case was dismissed when the court applied Delaware’s affidavit of merit requirement and the petitioner failed, for five months, to comply with the statute and file the required affidavit of an expert indicating that there were “reasonable grounds to believe there has been health-care related negligence.” The brief, authored by **Hillary A. Taylor** of *Keating Jones Hughes, P.C.*, urged the Supreme Court to affirm the Third Circuit Court of Appeals and conclude that Delaware’s affidavit of merit requirement does not conflict with the Federal Rules.

**Exxon Mobil Corporation v. Corporación Cimex**  
**DRI Center for Law and Public Policy joins ALF brief urging SCOTUS to allow businesses to seek compensation for confiscated property.**

The DRI Center for Law and Public Policy joined the Atlantic Legal Foundation’s merits-stage amicus brief urging the Court to reverse the court of appeals and allow Exxon’s suit to proceed. The brief was authored by ALF Executive Vice President & General Counsel **Lawrence Ebner**.



Advanced Insights & Strategies to Address Third-Party Litigation Funding Session at DRI’s 2025 Annual Meeting. Sponsored by and featuring speakers from the DRI Center for Law and Public Policy’s Third-Party Litigation Task Force.



DRI Center for Law and Public Policy Reception at DRI’s 2025 Annual Meeting.



Lisa Baird accepting an award "In acknowledgement of service as Chair of the Center for Law and Public Policy Committee" from Center Chair John Guttmann.

The amicus brief argued that the D.C. Circuit panel majority erred in holding that a Title III suit against a Cuba-owned corporation that operates or profits from confiscated property cannot proceed unless the plaintiff first can demonstrate that its compensation claim satisfies one of the FSIA exceptions. There is no basis for engrafting FSIA onto the later-enacted Helms-Burton Act.

### Baird Honored for Leadership

On October 16, **Lisa Baird** (*Reed Smith LLP*) was presented with an award "In acknowledgement of service as Chair of the DRI Center for Law and Public Policy Amicus Committee." As of DRI's Annual Meeting in Chicago, Baird concluded her two-year term as chair of the Amicus Committee, following two years as vice chair. As chair of the committee, she served as a member of the Center Management Council, and she is also a past chair of the DRI Appellate Advocacy Committee.

"Lisa was a fantastic chair of the Amicus Committee," said DRI Center for Law and Public Policy Chair John Guttmann. "But beyond that, she made meaningful contributions to the Management Council by offering sound judgment on the broad range of issues on which the DRI Center for Law and Public Policy works to advance the interests of the defense bar and our clients."

### New Amicus Leadership

The DRI Center for Law and Public Policy is pleased to announce that, after two years of service as vice chair, **Melinda Kollross** (*Clausen Miller PC*) has ascended to the position of Amicus Committee Chair and will take a seat on the DRI Center for Law and Public Policy's Management Council. **Rob Wise** (*Nelson Mullins*) has accepted an appointment to serve as the Amicus Committee Vice Chair.

### New Subcommittee Launched

The DRI Center for Law and Public Policy is excited to announce the official launch of its newest subgroups, the Appellate Skills Development Subcommittee. This group, which operates under the DRI Center for Law and Public Policy's Amicus Committee, was designed to engage and involve less-experienced appellate lawyers who may wish to develop their appellate skill set, professional networks, and in some states credit toward specialist certification by preparing pro bono amicus briefs on behalf of the DRI Center for Law and Public Policy. These amicus briefs would be prepared under the mentorship of a more experienced appellate lawyer and would be in cases assigned by the DRI Center for Law and Public Policy's Amicus Committee often in conjunction with—and at the request of—a state and local defense organization. Amicus Committee member **Mychal Schultz** of *Babst Calland LLP* in Charleston, West Virginia, is serving as the first chair of the new subcommittee.

The inaugural "class" of subcommittee members includes DRI members **Anelise Codrington** (*Chartwell Law*), **Sean Harrison** (*Freeman Mathis & Gary LLP*), **Jacob Hollars** (*Spencer Fane LLP*), **Ami Imbrogno** (*Meyers Roman Friedberg & Lewis LPA*), **Ben Kenkel** (*Dickinson Bradshaw Fowler & Hagen PC*), **Michelle Liguori** (*Ellis & Winters LLP*), **C. Thomas Ludden** (*Lipson Neilson PC*), and **Atasia Richardson** (*Abrams Gorelick Friedman & Jacobson LLP*).

### Advisory Committee Testimony

On February 14, 2025, **Lisa M. Baird** (*Reed Smith LLP*), Chair of the DRI Center for Law and Public Policy's Amicus Committee, offered testimony before the Advisory Committee on the Federal Appellate Rules' hearing to discuss proposed amendments to Federal Rule of Appellate Procedure 29. As quoted in a Law360 article published after the hearings, Ms. Baird testified that "We find it notable that so many groups, with varying interests and political perspectives, in the written comments were united in raising concerns with these proposed amendments." See "Almost Everyone Hates the Judiciary's Amicus Rule Revamp," Law360, February 14, 2025 (registration required).

**Larry Ebner** (*Capital Appellate Advocacy PLLC*), who appeared on behalf of the Atlantic Legal Foundation, and Stephen Skardon, AVP, Insurance Council, for the American Property Casualty Insurance Association (APCIA) also testified at the February 14 hearing.



On April 2—in the wake of the hearings and comment period, which were notable for the united concerns expressed by groups that often have varying interests and political perspectives—the Advisory Committee on Appellate Rules stepped back from proposed amendments to Federal Rule of Appellate Procedure 29 that would require nongovernmental amici curiae to obtain court consent to file amicus briefs in federal circuits.

Larry Ebner, a member of the DRI Center for Law and Public Policy Management Council, praised the committee for having “exercised common sense by ditching the half-baked idea of requiring a motion for leave,” adding that “amicus filings in courts of appeals are more important than ever,” because the Supreme Court now hears a historically small number of cases. See “Zero Support in the Bar: Judiciary Downsizes Amicus Project,” *Law360* (April 2, 2025) (subscription required).

## New Appointments, Subcommittees, and Task Forces

DRI was pleased to announce that **John Reeves** (Reeves Law LLC), **Susan Snowden** (*Jackson Kelly*), **Lorie Gildea** (*Greenberg Traurig*), and **Mychal Schulz** (*Babst Calland*) were appointed to the Amicus Committee within the DRI Center for Law and Public Policy.

Schulz, who also serves on the DRI Center for Law and Public Policy’s State Legislation and Rules Task Force, will serve as chair of the Appellate Skills Development Subcommittee within the DRI Center for Law and Public Policy’s Amicus Committee.

**Hillary Taylor** (*Keating Jones Hughes*) is now chair of the DRI Appellate Advocacy Committee and thus holds an ex officio seat on the DRI Center for Law and Public Policy’s Amicus Committee, a position recently vacated by **Sarah Spencer** (*SpencerWillson*), who is now a fully appointed member of the Amicus Committee.

DRI and the DRI Center for Law and Public Policy extend profound gratitude to **Scott Burnett Smith** (*Bradley*) and **Willy Jay** (*Goodwin Procter*), whose long and valuable service on the Amicus Committee ended as of the October 2024 Annual Meeting.

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## Public Policy Committee

Baxter Drennon, *Hall Booth Smith* (Chair)  
Marta-Ann Schnabel, *O’Byron & Schnabel* (Vice Chair)

### Task Force Leadership

#### Climate Change and Sustainability

Steve Siros, *Jenner & Block* (Chair)  
Holly Stanford, *U-Haul* (Vice Chair)

#### Nonlawyer Ownership of Law Firms

Marta-Ann Schnabel, *O’Byron & Schnabel* (Chair)

#### Artificial Intelligence

Kevin McCarthy, *Larson King* (Outgoing Chair)  
Brett Mason, *Troutman Pepper Locke* (Incoming Chair)  
Jin Yoshikawa, *Butler Snow* (Vice Chair)

#### Third-Party Litigation Funding

David Levitt, *Hinshaw & Culbertson* (Outgoing Chair)  
Danielle Waltz, *WVU Health System* (Incoming Chair)

#### Social Inflation

Lauren Motes, *Dinsmore & Shohl* (Chair)  
Eric Passeggio, *Wilson Elser* (Vice Chair)

#### Data Privacy and Protection

Laura Fey, *Fey LLC* (Chair)  
Sean Griffin, *Longman & Van Grack* (Vice Chair)

### Law Firm Leaders and Managing Partners Conference

During the 2025 Law Firm Leaders and Managing Partners Conference held June 5 in Chicago, DRI Center for Law and Public Policy Social Inflation Task Force members **Mariel Taylor** (*Kamykowski & Taylor, PC*) and **Chris Turney** (*Turney LG-Midwest Litigators*)



Attendees at DRI’s 2025 Law Firm Leaders and Managing Partners Conference where DRI Center for Law and Public Policy Social Inflation Task Force members **Mariel Taylor** and **Chris Turney** presented on combatting social inflation.

presented on “Combatting Social Inflation and Its Effects on Both Litigation and Law Firm Finances.”

### Law Firm Leaders and Managing Partners Conference

During the 2025 Law Firm Leaders and Managing Partners Conference held June 5 in Chicago, DRI Center for Law and Public Policy Social Inflation Task Force members **Mariel Taylor** (*Kamykowski & Taylor, PC*) and **Chris Turney** (*Turney LG-Midwest Litigators*) presented on “Combatting Social Inflation and Its Effects on Both Litigation and Law Firm Finances.”

In this session, Mariel and Chris examined the economic model and, specifically, how it can contribute to the dramatic increase in settlement values and jury verdicts. To push back against the rising settlement demands, they emphasized the need to engage clients and create a more cohesive team among the defense stakeholders and discussed strategies for engaging clients in this discussion and encouraging much-needed change in the insurer–outside counsel relationship.

The DRI Center for Law and Public Policy thanks the DRI Law Practice Management Committee for the opportunity to present before this important audience within the DRI Community!

### DRI Center for Law and Public Policy Expertise on Display in Nashville

The DRI Center for Law and Public Policy was proud to have **Colton Driver** (*Nissan North America Inc.*), a member its Data Privacy and Protection Working Group, present on “Privacy and AI: Landmarks of the Legal Landscape,” during the 2025 meeting of the Canada, Central, and North Central Regions, which was held May 7–9, 2025, in Nashville. During the same meeting, Colton also participated in a panel discussion on “Engaging Corporate Counsel.”



Attendees of DRI's Joint Canada, Central, and North Central Regional Meeting where Colton Driver, a member of the DRI Center for Law and Public Policy's Data Privacy and Protection Working Group, presented on Privacy and AI.

### Third-Party Litigation Funding

On April 1, the Advisory Committee on Federal Civil Rules held a meeting that included a report from their subcommittee studying possible amendments to address disclosure issues surrounding third-party litigation funders.

Members of the DRI Center for Law and Public Policy's Third-Party Litigation Funding Task Force, chaired by **David Levitt** (*Hinshaw & Culbertson LLP*), along with members of the DRI Center for Law and Public Policy's Federal Rules Task Force, chaired by **Bruce Craner** (*Milling Benson Woodward LLP*) are following this issue and monitored this meeting.

The DRI Center for Law and Public Policy's 2018 white paper on third-party litigation funding, authored by Levitt, was one of the first major papers to discuss the need for transparency and adequate disclosure when third parties are funding the prosecution of civil suits.

The DRI Center for Law and Public Policy's Third-Party Litigation Funding Task Force, along with the DRI Center for Law and Public Policy's Federal Rules Task Force will be playing an active role in the effort to have both federal and state courts take appropriate steps to require transparency and necessary disclosures when third parties are funding and/or playing a controlling role managing cases in court.

### Plaintiffs' Jury Verdicts Overturned Due to Social Media Posts by Counsel During Trial

As recounted in an article from the May 2025 issue of *The Voice*, advertising by plaintiffs' lawyers during a trial led an Illinois appellate court to throw out a jury verdict for plaintiffs in *Kroft v. Viper Trans, Inc.*, 2025 Ill. App. LEXIS 638 (Ill. App. Mar. 31, 2025).

In *Kroft*, a trucking accident case, an Illinois jury's award of \$43 million was tossed out due to misconduct during trial by plaintiffs' counsel—violating pretrial orders limiting evidence and attacking defendants and their counsel. During jury selection for the retrial, plaintiffs' counsel posted an article to the firm's blog and Facebook pages, “What Jurors Should Know but Don't.”

The *Voice* author, **Thomas J. Hurney, Jr.**, is currently working on a white paper for the DRI Center on Lawyer Advertising and Its Potential Effect on Jury Bias and Verdicts with DRI members **Lisa Bellino**, **Susan Gunter**, **Jeff Holmstrand**, and **Kelly Brilleaux**.

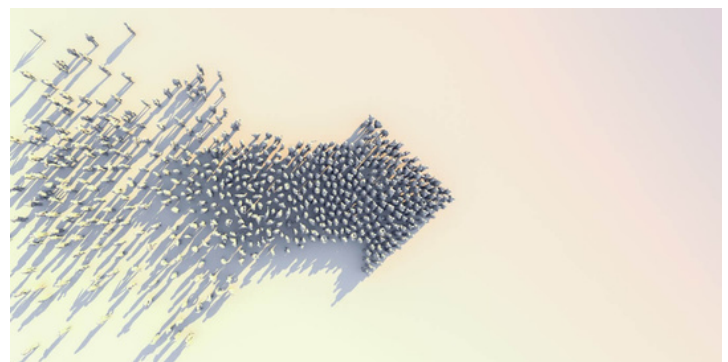
### Task Force Appointments

Rachel Tallon Reynolds is now a member of the DRI Center for Law and Public Policy's Social Inflation Task Force. She is the regional managing partner of Wilson Elser's Seattle office and an accomplished first-chair trial attorney, veteran, and former prosecutor.

New to the Center's Climate Change and Sustainability Task Force is Patrick J. Paul, a partner in the Phoenix office of Snell & Wilmer. Also joining the DRI Center for Law and Public Policy's Social Inflation Task Force are **Jared Howell** (*Hamilton Weber LLC*) and **Rebecca Fozo** (*Zurich NA*).

The DRI Center for Law and Public Policy is excited to announce an influx of diverse talent and energy in the form of several new appointments to its Artificial Intelligence Task Force. Joining the task force **Nicole Johnson** of *Intact Insurance Specialty Solutions* in Plymouth, Minnesota; **Karl Seelbach** of *Doyle & Seelbach PLLC* in Austin, Texas; **Frank Ramos** of *Goldberg Segalla LLP* in Miami, Florida; and **Henry M. Sneath** of *Houston Harbaugh PC* in Pittsburgh, Pennsylvania.

The DRI Center for Law and Public Policy and its Artificial Intelligence Task Force are committed to tracking the landscape of AI use in the legal industry, and to continue to develop best practices and responses to assist all who seek to improve their use of technology like AI in their practices.



The DRI Center for Law and Public Policy's Third-Party Litigation Funding Task Force has grown with the additions of **Maryan Alexander** (*Wilson Elser*) and **Heather Ritch Rocks** (*Reed Smith*).

The task force's role is to study on an ongoing basis the impact of TPLF on the civil justice system. At the 2025 DRI Annual Meeting, they presented on the topic from the meeting's main stage. In 2018, they published a white paper, *Third-Party Litigation Funding: Civil Justice and the Need for Transparency*.

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## Legislation and Rules Committee

Brooks Magratten, *Pierce Atwood* (Chair)  
Jeff Holmstrand, *Grove Holmstrand & Delk* (Vice Chair)  
Robert Johnston, *Hollingsworth LLP* (Member)

### Task Force Leadership

#### Federal Rules

Bruce Cranner, *Milling Benson Woodward* (Chair)  
Greg Farkas, *Franz Ward* (Vice Chair)

#### State Legislation and Rules

Nicole Marklein, *West & Dunn* (Chair)  
Brandon Hull, *Overturf McGath Hull* (Vice Chair)

#### Class Action and Multidistrict Litigation

Zac Madonia, *Bradley Arant Boult Cummings* (Chair)  
Torrey Peterson, *Shook Hardy & Bacon* (Vice Chair)

#### Medicare Secondary Payer

Judy O'Grady, *Troutman Pepper Locke* (Chair)  
Barrye Miyagi, *Taylor Porter* (Vice Chair)

### Center Supports CDL, Stresses Importance of Depositions in Litigation Practice

On June 16, 2025, the DRI Center for Law and Public Policy submitted a letter in response to the Ontario Civil Rules Review Working Group's Phase 2 Consultation Paper (CRR Consultation Paper) on behalf of its members both in Canada and the United States and in support of the Canadian Defence Lawyers' (CDL) response to the CRR Consultation Paper.

Of great importance is CDL's commentary regarding the preservation of the system of oral examination for discovery (depositions), which has been a hallmark of the civil litigation process for over 100 years.

The Center wholeheartedly agrees with and adopts the Well-stated objections and recommendations submitted in

response to the CRR Consultation Paper.

The Center believes it is extremely detrimental to the "search for truth" in civil litigation to simply remove the process which permits a party to conduct necessary examinations for discovery. Discovery is a hallmark of our respective judicial systems.

The advocacy collaboration between the DRI Center for Law and Public Policy and the Defense Association of New York (DANY) was once again rewarded when, on December 23, 2024, New York Governor Kathy Hochul vetoed a bill, styled the Grieving Families Act, that was designed to amend the estates, powers, and trusts law, in relation to the payment and distribution of damages in wrongful death actions. Passage of the bill could have created drastic increases in litigation costs likely to lead to increased patient costs and malpractice insurance rates, which prompted DANY to submit a letter to express again its strong opposition. The DRI Center for Law and Public Policy in turn submitted its own letter to voice agreement with DANY's well-stated objections. The DRI Center for Law and Public Policy's letter was authored by **Brooks Magratten** (*Pierce Atwood LLP*), Chair of the DRI Center for Law and Public Policy's Legislation and Rules Committee. The veto of the proposed amendments to NY's wrongful death statute represents a significant victory for DRI and DANY.

On behalf the DRI Center for Law and Public Policy's Class Actions Task Force, DRI members Michael R. Pennington, Thomas Richie, and **Zac Madonia** (*Bradley Arant Boult Cummings LLP*) published an article in *For The Defense*: "Lingering Circuit Splits Every Class Action Practitioner Should Have on the Radar." Noting that—while the Supreme Court of the United States has shown less interest in tackling class action issues over the last couple of terms than did in the preceding few years—the article explains that this does not mean that important class action splits are not out there for astute defense lawyers to be litigating and preserving. It is anticipated that the Court's attention is likely to return to class action issues that have divided the lower courts for years but remain unresolved.

### Task Force, Working Group Combined

Formerly two separate task forces, in 2025 the DRI Center for Law and Public Policy made the decision to combine its Class Action





Task Force with its Multidistrict Litigation Working Group. The new Class Action and MDL Task Force (CAML) is now chaired by **Zac Madonia** (*Bradley Arant Boult Cummings*), **Torrey Peterson** (*Shook Hardy & Bacon*) serving as vice chair.

The new task force is charged with monitoring and evaluating issues that may affect litigation involving multiple claimants, including federal and significant state class action law, as well as federal multidistrict litigation and significant state equivalents, often in coordination with other groups within the Center, DRI substantive law committees, and affiliated state and local defense organizations. CAML may develop programming or articles concerning significant class action or multidistrict litigation developments. As appropriate, CAML will draft and comment on proposed changes to rules impacting such litigation, and, through the Legislation and Rules Committee, will recommend action on those to the Center Management Council.

### Committee and Task Force Appointments

DRI and the DRI Center for Law and Public Policy are pleased to announce that longtime DRI member **Jeff Holmstrand** has accepted a two-year appointment to serve as vice chair of the DRI Center for Law and Public Policy's Legislation and Rules Committee.

The DRI Center for Law and Public Policy is pleased to announce new leaders and several new members for three important groups within the Legislation and Rules Committee. Bruce Cranner of Milling Benson Woodward LLP in Mandeville, Louisiana, is now chair of the DRI Center for Law and Public Policy's Federal Rules Task Force. A former DRI National Director, Bruce has previously served and remains a member of the DRI Center for Law and Public Policy's MSP Task Force. Greg Farkas of Franz Ward LLP in Cleveland has been tapped to serve as the vice chair of the Federal Rules Task Force. Joining Bruce and Greg is new task force member **Kenneth Whittle** (*Milling Benson Woodward LLP*).

The Federal Rules Task Force evaluates issues involving the Federal Appellate, Civil, and Evidence Rules. It drafts appropriate changes to rules and drafts comments on proposed changes to rules and, through the Litigation and

Rules Committee, recommends action on those to the Center Management Council.

The DRI Center for Law and Public Policy is excited to welcome new leadership to one of its newest and fastest growing groups, the State Legislation and Rules Task Force.

After serving as task force vice chair, **Nicole Marklein** of *Cross Jenks Mercer* will now serve a two-year term as task force chair. She is joined by new task force vice chair **Brandon Hull** of *Overturf McGath Hull*.

Joining Nicole and Brandon are new task force members:

- **Doug Abraham** (*May Adam Gerdes LLP – South Dakota*)
- **Bruce Barze** (*Noles Lowther LLC – Alabama*)
- **Allison Beaulieu** (*Jones Skelton & Hochuli PLC – New Mexico*)
- **R. Mark Cosimini** (*Rusin Law – Illinois*)
- **Jim Craven** (*Wiggin and Dana – Connecticut*)
- **Brian Cuevas** (*U-Haul International Inc. – Arizona*)
- **Mandy Good** (*Crowley Fleck PLLP – Wyoming*)
- **Tyler Gorbett** (*Paul Frank + Collins – Vermont*)
- **Matt Hindley** (*Reger Rizzo Darnall LLP – Delaware*)
- **William Ogles** (*Hall Booth Smith PC – Arkansas*)
- **Alex Price** (*Pierce Atwood LLP – Maine*)
- **Sunny Rehse** (*Bowman and Brooke LLP – Michigan*)
- **John Stringfield** (*Clendening Johnson & Bohrer – Indiana*)
- **Nick Thompson** (*Copeland Cook Taylor – Mississippi*)
- **Lois Yamaguchi** (*Roeca Luria Shin LLP – Hawaii*).

The State Legislation and Rules Task Force assists, upon request, State and Local Defense Organization (SLDOs) concerned about a legislative or rule issue in their state. The task force assists in a variety of ways, such as sharing information about the issue from other jurisdictions or, through the Legislation and Rules Committee, recommending action to the Center Management Council (e.g., by providing comments supporting the SLDO positions to legislative committees or rule-making bodies). The task force may also alert other SLDOs of issues arising in one jurisdiction which may spread to others, a sort of early-warning system for members and SLDOs.

If you're interested in joining, please contact [TheCenter@dri.org](mailto:TheCenter@dri.org).

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WHAT YOU NEED TO KNOW**

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**MARYAN ALEXANDER**  
WILSON ELSER

**MICHAEL GOODIN**  
ZURICH INSURANCE COMPANY

**DAVID LEVITT**  
HINSHAW & CULBERTSON LLP

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**dri** WEDNESDAY, SEPTEMBER 3  
11:00 AM (CST)

DRI webinars provide live and recorded online training hosted by industry experts to keep you up to date on regulatory issues and pivotal litigation topics. Sharpen your skills and boost your practice as you earn continuing legal education (CLE)\* by investing in yourself through a wide range of webinars.

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SHOOK HARDY & BACON LLP

**ANITA MODAK-TRURAN**  
BUTLER SNOW LLP

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The Voice of the Civil Defense Bar

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This webinar will cover changes to the federal rules that will take effect in December 2025 absent Congressional action and proposed rules that were recently published for public comment. Earn 1.00 General Education credit!

## **Managing the Future of MDLs: Understanding the New FRCP Amendment**

Starting December 1, 2025, FRCP 16.1 will change the way multidistrict litigations (MDLs) are litigated, introducing uniformity in procedures to streamline leadership, privilege, and claims processes. This webinar will explore the rule's new requirements for early management conferences and early factual disclosures. Earn 1.00 General Education credit!

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PRESENT AND FUTURE**

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FRANTZ WARD

**CRISTINA P. CAMBO**  
CAMBO FERRY PLLC

**RYAN CLARK**  
LEWIS THOMASON

**REGISTER NOW**

**dri** TUESDAY, NOVEMBER 4  
11:00 AM (CST)

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## **All Available On-Demand!**

Missed these 2025 DRI Center for Law and Public Policy webinars? Access them on-demand at <https://my.dri.org/on-demand>!

To access, click the button, sign in, and add the webinar to your cart at no cost (non-members pay full price). After purchasing, visit DRI Virtual Learning Center to access the webinar on-demand.

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# MAKING THE MOST OF THE DRI CENTER FOR LAW AND PUBLIC POLICY

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The DRI Center for Law and Public Policy provides the most effective voice for the defense bar in the discussion of substantive law, judicial process, constitutional issues, and the integrity of the civil justice system at both the national and state levels.

Join the effort to defend justice and fairness through promotion of an equitable legal system and protect the interests of business. The following DRI Center for Law and Public Policy task forces and working groups are looking to add members to their teams:

- ◆ Appellate Litigation and Trends
- ◆ Climate Change and Sustainability
- ◆ Third-Party Litigation Funding
- ◆ Nonlawyer Ownership of Law Firms
- ◆ Artificial Intelligence
- ◆ Data Privacy and Protection
- ◆ AI
- ◆ Federal Rules
- ◆ State Legislation and Rules
- ◆ Social Inflation

Stay up to date with the DRI Center for Law and Public Policy's projects and initiatives for the benefit of DRI members, their clients, the business community, consumers, and principles of judicial economy by reading the DRI Center for Law and Public Policy newsletter--created in 2023 and sent to all DRI members quarterly--and by following the DRI Center for Law and Public Policy on **LinkedIn** and **X (Formerly Twitter)**.



*The DRI Center for Law and Public Policy members meet at DRI's 2025 Annual Meeting.*



*DRI Second Vice President Ricardo A. Woods introduces DRI Center for Law and Public Policy Session, "Advanced Insights & Strategies to Address Third-Party Litigation Funding" at DRI's 2025 Annual Meeting. The session was sponsored by and featuring speakers from the DRI Center for Law and Public Policy's Third-Party Litigation Task Force.*



Learn more about the DRI Center for Law and Public Policy's projects and initiatives for the benefit of DRI members, their clients, the business community, consumers, and principles of judicial economy:

Looking for more news on the DRI Center for Law and Public Policy? Follow the **DRI Center for Law and Public Policy** on **LinkedIn** and **X (Formerly Twitter)** for the latest updates.

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# TESTIMONIALS

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*The Center is doing great work for DRI members and their clients.*

**John Guttman**, The DRI Center for Law and Public Policy Chair

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*DRI's Center for Law and Public Policy is an amazing part of DRI. If you don't know what they are up to, you should check this out! Your clients will appreciate it!*

**Lana Olson**, DRI Past President

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*The Center is a tremendous value-added benefit for every lawyer who belongs to DRI.*

**Lawrence S. Ebner**, Advisory Council Liaison

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CENTER CONTINUE TO  
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