

Declaration of Candidacy

Candidates for election as Second Vice President or Director Elected Nationally must complete this form and submit it to the Executive Director at the principal headquarters of DRI by 5:00 PM (CDT) on July 1st of the year in which the election is held.

National Director Requirements - Directors Elected Nationally or by Region must be Individual Members of the Corporation admitted to the practice of law. Each such director must meet the following qualifications at the time of election: (a) The candidate shall have been a DRI member for a total of at least five (5) years, and (b) The candidate shall have been a member of at least one DRI substantive law committee for at least three (3) years, and (c) The candidate must have registered for and attended at least one (1) DRI Annual Meeting within the previous three (3) years, and, within the three (3) years prior to the final day of the Annual Meeting, the candidate must have 1) registered for and attended at least two (2) DRI seminars, or 2) registered for and attended one (1) DRI seminar and one (1) DRI Regional Meeting.

Position sought

Second Vice President* Secretary- Treasurer National Director

*If you have declared your candidacy for Second Vice President and are not the successful candidate, will you consider the Secretary - Treasurer Officer position?

Yes No

Name Jeanne F. Loftis

Firm/Company Bullivant Houser Bailey PC

Address 888 SW 5th Ave., Ste. 300, Portland, OR 97204

Telephone (503) 499-4601 Cell Phone (503) 502-3150

E-mail Jeanne.Loftis@bullivant.com

Born (location) Minneapolis, Minnesota

Education:

University of the Pacific, McGeorge School of Law – J.D., 1991
University of California, Davis – B.S. in Physiology, 1985

Awards and achievements:

- AV[®] Preeminent[™], Peer Review Rated by Martindale-Hubbell since 2004
- Named the *Best Lawyers*[®] 2016 & 2014 Portland-OR Mass Tort Litigation/Class Actions – Defendants "Lawyer of the Year"
- Named as a "Local Litigation Star" by *Benchmark Litigation* (2016 & 2015 — Construction; General Commercial; Personal Injury; Product Liability)
- Selected for inclusion in *The Best Lawyers in America*[®] (2017, 2016, 2015, 2014, 2013, 2012, 2011 Commercial Litigation; Mass Tort Litigation/Class Actions - Defendants; Product Liability Litigation - Defendants)
- Selected for inclusion in *Oregon Super Lawyers* (2016, 2015, 2014, 2013, 2012 [Top 25 Women List], 2011 [Top 25 Women List], 2010, 2009 — Personal Injury Defense: Products)
- Recipient of the Defense Research Institute's 2014 *State Leadership Award* for directing and guiding DRI membership activity within the state of Oregon, for upholding the tenets of DRI and for service in the role of State Representative
- Recipient of the Oregon Association of Defense Counsel's 2012 *Appreciation Award* for outstanding contributions as the 2011 President
- Recipient of the Defense Research Institute's 2011-2012 *Exceptional Performance Citation* for having supported and improved the standards and education of the defense bar, and for my work with the Oregon Association of Defense Counsel in having contributed to the improvement of the administration of justice in the public interest
- Recipient of the Bullivant Houser Bailey Trial Lawyer of the year (2009)
- Recipient of the Douglas G. Houser Client Service Award (2017)

Areas of practice: Products Liability; Commercial Litigation;

Years as a defense attorney: 27

Employment history:

- Shareholder, Bullivant Houser Bailey PC (Portland, OR) 1990 – Present
 - Clerk, Segal and Kirby (Sacramento, CA) 1988-1990
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Noteworthy defense work:

I have represented companies in the Pacific Northwest in a wide variety of commercial and casualty cases, with an emphasis in asbestos product liability claims and other mass tort litigation. I have represented businesses in many sectors, including medical, construction, manufacturing, retail, food service, publishing and professional services. My cases have involved product liability, insurance coverage, premises liability, enforcement of non-competition agreements, construction injury and defect, investor mismanagement and fraud, environmental cleanup, and high exposure vehicular casualty cases. Additionally, I count among my clients a large medical group to whom I provide business advice.

I have successfully defended restaurants in alleged tampered and adulterated food products, "hot coffee" type cases, and premises liability matters. In addition, I have assisted clients in a variety of commercial disputes and represented investment professionals in the National Association of Securities Dealers Forum.

I have tried as First Chair more than 25 cases to verdict. I have represented defendants in hundreds of products cases locally, regionally, and nationally, and am a member of a national trial team defending asbestos cases in venues throughout the country. Below is a sampling that is representative of my experience.

Defense jury verdict for mine operating company in \$10 million catastrophic injury case

I obtained a defense verdict on behalf of client mine operator against Employer Liability Law (ELL) and Mine Safety and Health Act (MSHA) claims for catastrophic injuries sustained by subcontractor employee during a drilling accident. Plaintiff claimed damages totaling \$10 million for traumatic amputation of his left arm, brain damage, Posttraumatic Stress Disorder (PTSD), and other injuries; plaintiff also alleged complete unemployability.

The jury deliberated for a day and a half before finding that the mine operator did not violate the employer liability law and that any violation of the federal regulations did not cause plaintiff's damages. Plaintiff agreed to forego any appeal.

Defense jury verdict in defamation case

I obtained a defense verdict on behalf of an individual, the principal of a nonprofit coalition working for neighborhood livability, who was sued by a strip club owner for defamation. The coalition's website contained complaints made by neighbors about the club related to livability issues, including complaints about noise, patrons and employee conduct. Our client worked with the neighbors to alert and involve local and state officials. The club owner claimed his reputation was damaged as a result of these communications. After four days of trial, the jury deliberated for less than six hours before returning a complete defense verdict.

Defense jury verdict in product liability and negligence claims for asbestos exposure

I successfully defended a joint compound manufacturer at trial. Plaintiff asked for \$6 million. The jury deliberated three hours before returning a unanimous verdict for the defense, finding that the product wasn't defective, and that the joint compound manufacturer had adequately warned users of the product.

Hung jury in \$21 million asbestos product liability and negligence claims

I successfully resolved claims against a joint compound manufacturer in which plaintiff sought \$21 million. Following a three-week trial, the jury deliberated one day before advising the judge they could not reach a decision. The jury was one juror short of a defense verdict and the case was settled favorably prior to a re-trial.

Successfully settled case involving \$14 million claim for asbestos exposure

I resolved a claim against a manufacturer following a 3-week trial. Plaintiff asked for \$14 million. After a day of negotiations and what appeared to be a jury ready to render a decision, the judge requested an investigation of concerns regarding eavesdropping by opposing counsel.

The case was settled favorably over the weekend and the jury returned on Monday to advise the court of a defense verdict it had reached the prior Friday.

Professional affiliations:

- American Board of Trial Advocates (Member, 2010-Present)
- Association of Defense Trial Attorneys (Member, 2015-Present)
- Defense Research Institute (Member, 1998-Present)
- Disability Rights Legal Center (Volunteer Attorney, Education Advocacy Program, 1993-1995)
- Legal Aid Services of Oregon (Instructor, 2002-2005)
- Multnomah Bar Association (Chair, Continuing Legal Education Committee, 1991-1993)
- Oregon Association of Defense Counsel (Member; Editor-in-Chief, OADC's The Verdict, 2001-Present; Member, Board of Directors, 2004-Present; Member, Governmental Affairs Committee, 2009-Present; Member, Political Action Committee, 2009-Present; Member, Nominating Committee, 2011-2015; President, 2011; President Elect, 2010; Co-Chair, Annual Convention, 2007)
- Oregon State Bar (Treasurer, Litigation Section, Executive Committee, 2016-2017; Member, Diversity Section, Executive Committee, 2002-Present; Member-at-Large, Litigation Section, Executive Committee, 2013-Present; Founding Member, Diversity Section, Education & Advancement – Access to Justice Sub-Committee, 2009-2010; Founding Member, Diversity Section, Executive Committee, 2002-2009; Member, Board of Bar Examiners, 2002-2005; Chair, Board of Bar Examiners, 2004-2005; Chair, Diversity Section, Executive Committee, 2003-2004; Co-Chair, New Lawyer Mentoring Program, MCLE Committee, 1993-1994)
- Oregon Supreme Court (Member, Civil Law Advisory Committee to Chief Justice, 2009)
- Oregon Women Lawyers (Volunteer, Mentor Program, 1992-1993)
- St. Andrew Legal Clinic (Volunteer Attorney, 1992-2006)
- Texas Young Lawyers Association (Regional Judge, Region 13, National Trial Competition, 2015)
- University of Oregon School of Law (Moderator, First-Year Law Student Orientation)

DRI member since: 1998

Please describe your previous involvement in DRI, including but not limited to, leadership positions held. Projects contributed to, Committee memberships, presentations given, and written materials authored. Special accomplishments should also be noted.

Leadership Positions and Committees:

- Northwest Regional Director, Board of Directors, 2014-Present
- Oregon State Representative, State and Local Defense Associations (SLDO), 2011-2014
- Chair, Board Liaison Training Committee, 2017
- Vice Chair, Board Liaison Training Committee, 2015-2016
- Vice Chair, Philanthropic Activities Committee, 2017
- Chair, National Program for State and Local Defense Organizations (SLDO), DRI Annual Meeting, 2016
- Co-Chair, National Program for State and Local Defense Organizations (SLDO), Annual Meeting Steering Committee, 2015

- Board Liaison, Cybersecurity and Data Privacy Committee, 2017
- Board Liaison, Employment & Labor Law Committee, 2014-2016
- Member, Diversity & Inclusion Committee, 2009-Present
- Member, Product Liability Committee, 2009-Present
- Member, Trial Tactics Committee, 1998-2000 & 2009-Present
- Member, Regional Director Roundtable, 2015-Present

DRI Presentations, Publications and Projects Contributed to:

- Speaker, "Everything you Ever Wanted to Know About Autopsies (and Probably More)," Defense Research Institute (DRI) Asbestos Medicine Seminar (November 2017)
- Author, "Powerful Moments in History," *On the Record, For the Defense* (May 2017)
- Moderator, "How DRI SLCs/SLDOs Can Work Better Together," Defense Research Institute (DRI) Leadership Conference (2017)
- Co-Speaker & Author, "Premises Owners—How Far Out Can the Duty of Care Net Be Cast?" Defense Research Institute (DRI) Asbestos Medicine Seminar (2014)
- Moderator, Defense Research Institute (DRI) National Program for State and Local Defense Organizations (2014)
- Panelist, "Charting Your Course: Some Things to Consider," Defense Research Institute (DRI) Leadership Conference (2014)
- Co-Speaker & Author, "Trial Techniques and Technology: Using Exhibits and Technology to Your Advantage," Defense Research Institute (DRI) Product Liability Conference (2013)
- Speaker & Author, "Disproving Plaintiff's Exposure: Sequencing on Land and Sea," Defense Research Institute (DRI) Asbestos Medicine Seminar (2010)
- Speaker & Author, "Diesel Fumes—Is It the Next Asbestos Litigation?" Defense Research Institute (DRI) Product Liability Conference (2007)
- Speaker, "Red Sky in the Morning, Sailor Take Warning - The Storms on the Horizon," Defense Research Institute (DRI) Product Liability Conference (2007)
- Speaker, "Trial Tips: Three Sure-Fire Ways to Reduce Judgments," Defense Research Institute (DRI) Product Liability Conference (2003)

Special accomplishments with DRI:

- Recipient of the Defense Research Institute's 2014 *State Leadership Award* for directing and guiding DRI membership activity within the State of Oregon, for upholding the tenets of DRI and for service in the role of State Representative
- Recipient of the Defense Research Institute's 2011-2012 *Exceptional Performance Citation* for having supported and improved the standards and education of the defense bar, and for my work with the Oregon Association of Defense Counsel in having contributed to the improvement of the administration of justice in the public interest

List any leadership roles in other defense organizations.

Oregon Association of Defense Counsel (OADC)

- Member, Editor in Chief, OADC's The Verdict, 2001-Present
- Chair, Nominating Committee, 2015
- Member, Nominating Committee, 2011-2014
- Board of Directors, 2004-2011
- President, 2011
- President Elect, 2010
- Co-Chair, Annual Convention, 2007

Association of Defense Trial Attorneys (ADTA)

- Member, Diversity Committee, 2015-Present

Lawyers for Civil Justice (LCJ)

- Member, Discovery Committee, 2016-Present

Describe your goals if you are elected to the above position.

If I am elected to be an officer for DRI, I would focus on three areas that I have appreciated as important during my 16 years of service for a state defense organization and 7 years for a state bar association: (1) a program to support the judiciary, (2) a program to encourage professional development through mentorship, and (3) an avenue to promote meaningful engagement among members. Further, I look forward to focusing on other areas of improvement and growth as I gain an even deeper appreciation of our strategic plan during my first year as an officer.

With respect to the first goal, I would work with the other officers and board of directors to consider the viability of a program to encourage civil defense attorneys to pursue judicial appointments. Trial attorneys are keenly aware of the impact of judges on the administration of justice in the courtrooms. The practice of law for trial lawyers can be stressful and unpredictable. A judge well-versed in civil procedure and complex civil matters can help expedite resolution by providing well-thought-out, decisive, and consistent rulings that reduce the likelihood of appeal. It is my understanding that the plaintiff's bar has made concerted and focused efforts to identify and promote candidates for judicial selection. While there are regional differences in how judges are selected, whether by election or appointment, the focus of DRI could be to educate civil defense attorneys early in their legal careers on the importance of pursuing a career as a judge. Further, DRI could promote and facilitate opportunities for judicial exposure with defense attorneys serving as pro tem and small claims judge or judges in administrative hearings through their local communities.

With respect to the second goal, I would increase mentoring programs within the substantive law committees. The goal of these mentoring programs would focus on professionalism. Many of us developed our legal skills through support of mentors from within our firms, within our state organizations, and within DRI. As the practice of law is becoming less formal with email reports replacing hard copy reports, telephone appearances replacing courtroom appearances, and document production now including Twitter feeds, the rules

defining professionalism are arguably evolving. With DRI members' experience spanning from less than a year to more than 50 years, and with the membership including corporate counsel, DRI is in a unique position to provide the platform for meaningful mentoring pairings. This would be synergistic as the "young pups" would be learning from the "old trial dogs" and the more seasoned attorneys would learn how better to navigate and communicate within the rapidly changing dynamics of our profession. Building these mutually beneficial pairings would reflect one of the objectives of fostering professionalism—collaboration in place of competition.

With respect to the third and final goal, I would like to further develop platforms for the promotion of meaningful interactions among DRI members. In recent years, a focus at DRI seminars has been to provide participants the opportunity for a significant experience beyond attending a lecture in a conference room or sharing a drink at a reception with peers and colleagues. DRI is very effective at enhancing relationships through meaningful interactions at conferences by supporting events such as dine-arounds at most, if not all, of the substantive annual programs. Other lively events such as the second line march at the DRI Asbestos Seminar in New Orleans help bring members together and facilitate interactions. Personally, some of the most meaningful events have been those which bring members together working towards a common goal which have nothing to do with our practice or profession. Examples include charitable fundraisers to support the National Foundation for Judicial Excellence, exercise challenges for local non-profits and working on habitat for humanity projects. Over the past year I have been involved with the DRI Philanthropic Committee which has provided me the opportunity to observe how some of these programs are being developed and rolled out. This involvement will assist me to continue developing programs which further enhance interactions among DRI members.

As stated in the introduction, setting goals in a candidate statement is, by its nature, aspirational. I fully expect that with more education about DRI and a better understanding of the challenges and opportunities facing the organization and its strategic plan, I will refine and expand my existing goals and develop new ones as well.

What do you believe is the most important issue confronting the defense bar?

I think one of the more important issues facing the defense bar is the rapidly changing model for delivering legal services, both in scope and method. With regard to scope, it is difficult to locate a defense firm whose inventory does not include one or more plaintiff contingency matters. The classification of a defense-only firm may soon be obsolete. For that matter, firms who practice only insurance defense work are also vanishing. The methods firms employ going forward will be paramount to remaining competitive in an ever changing professional landscape. As firms continue to blend their practice areas it will be important for the defense bar to maintain its focus and sense of group to tap into those strengths and resources that have sustained them thus far. This is where DRI can have a significant and meaningful impact. Our association can provide the best forum for the defense bar to continue working as a group to become stronger.

In addition to the movement away from defense-only practices, the method of practicing law is also rapidly changing. It is becoming more common to have multiple firms involved in defending the same client, with one firm specializing in preparing discovery

responses and another in corporate and expert witness preparation. As cases are dissected into their component parts, we are seeing more of those parts assigned to non-lawyer vendors, such as companies that focus on document production or medical summaries and/or technical trial support. The traditional legal team of one law firm providing an array of legal services to one client through trial is disappearing. This model is rapidly being replaced with defense firms turning to nontraditional legal work, like running seminars to fill the gaps left by the erosion of traditional work. With ready access to legal services in a variety of forms, from Legal Zoom, to contract attorneys, the consumer of legal services can serve as its own “general contractor” piecing together the services it needs for litigated matters. This not only commoditizes our practice and profession, but in certain circumstances, can jeopardize the fairness in the civil jury system for all litigants.

Define the appropriate role for DRI as the national defense bar organization.

To promote and support the defense bar as we experience changes in the scope and method of practicing law, it will be important for DRI to continue to reflect on the common bonds that tie its current members together as an organization. It will need to be flexible to allow some creep in terms of permissible scope, while at the same time honoring its status as a civil defense association. With regard to the changing method of practicing law that now includes the use of virtual teams spanning several law firms, DRI is in a unique position to facilitate the development of the relationships necessary to build successful virtual collaboration.

Beyond its focus on promoting the defense bar, DRI should remain as politically neutral as possible. To the extent that issues arise that impact the right to a fair jury trial, potentially compromise civil liberties, or involve attacks on the judiciary, DRI should consider what it can do to counter any such efforts. As a large association of over 23,000 members, DRI has the potential to have significant influence. With the continued use of amicus briefs, testifying in state and US legislature, and targeted programming, DRI has a tremendous platform to influence the development of issues related to justice. To continue to be influential across the nation and beyond, it is important for DRI’s leadership to be both culturally and regionally diverse. Additionally, with the rapid changes in how we practice and the shifting priorities of the defense bar, it is important for DRI to appreciate the past and importance of its historical foundation, while at the same time serving as a visionary in planning for the future.

Hobbies and/or interests

My interests including co-running, with my husband, a foundation called Inclusive Catholic Education of Oregon, Inc., which is focused on promoting opportunities for children with disabilities to attend their neighborhood parochial schools. Our foundation has worked closely with local and national leaders in the area of inclusive education and has hosted local seminars featuring internationally-recognized speakers. This fall, we have been invited to participate in a conference held at the Pontifical University Urbaniana in Rome. In addition to this foundation, my hobbies include spending time with my kids, planning family get-togethers, and vacationing with my family.

Family

My husband is Blair Thomas Loftis. He is a Vice President and National Director of Power Generation & Transmission Sector of Terracon. We have four children: Zachary Loftis, age 21, attending University of Oregon and majoring in Environmental Science; Nicholas Loftis, age 19, attending Oregon State University and majoring in Forestry; Lucy Loftis, age 16, attending Jesuit High School; and Joseph Loftis, age 13, attending Holy Family School. We also have a Cavalier King Charles Spaniel named Chloe and a fish named Hercules.
