



# Declaration of Candidacy

Candidates for election as Second Vice President or Director Elected Nationally must complete this form and submit it to the Chief Executive Officer at the principal headquarters of DRI by 5:00 PM (CDT) on July 1<sup>st</sup> 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: **Carmen R. Toledo**

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Firm/Company: **King & Spalding**

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Address: **1180 Peachtree Street, NE, Atlanta, GA 30309**

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Telephone: **404-572-3438**

Cell Phone: **404-372-8695**

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E-mail: **ctoledo@kslaw.com**

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Born (location): **Río Piedras, Puerto Rico**

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Education:

**University of California, Davis, B.A. (1983); Yale Law School (1987)**

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Awards and achievements:

**B.A., *Summa cum laude* (1983)**

**Board Member, Georgia Latino Law Foundation (2017-Present)**

**Board Member, Carl E. Sanders Family YMCA at Buckhead (2007-2010)**

**Frequent speaker on Diversity and Inclusion, Mentorship, and Women's Issues, including serving as a panelist on the State Bar of Georgia's Beginning Lawyers Program discussion on "*Achieving Success as an Associate*" every year since 2008.**

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Areas of practice:

**Toxic tort and environmental, product liability, and mass tort litigation.**

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Years as a defense attorney:

**32 years**

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Employment history:

**King & Spalding, Atlanta, Georgia**

**1991-Present**

**Partner**

**2005-Present**

**Atlanta Office Hiring Partner**

**2019-Present**

**Counsel**

**1999-2004**

**Associate**

**1991-1998**

**Sidley & Austin, Los Angeles, California**

**1986, 1987-1991**

**Associate**

**1987-1991**

**Summer Associate**

**1986**

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**McConnell, Valdés, Kelley, Sifre, Griggs & Ruiz-Suria, San Juan, Puerto Rico**

**Summer Associate  
1985**

Noteworthy defense work:

**For the last 30+ years, I have represented companies in individual, mass joinder, and class action cases across the U.S., at both the trial and appellate levels. Noteworthy representative matters include:**

- **Science co-counsel for pharmaceutical manufacturer in MDL litigation.**
  - **Co-counsel for a mining company in litigation filed in St. Louis federal court by Peruvian nationals, alleging exposures to lead, arsenic, and sulfur dioxide.**
  - **Lead counsel for a forestry products company in long-standing (20 years) toxic tort litigation in state and federal courts and before the Mississippi Commission on Environmental Quality.**
  - **Co-counsel for an energy industry company in mass joinder cases with hundreds of plaintiffs in Oklahoma federal court, resulting in dismissal of plaintiffs' medical monitoring and RCRA claims, as well as an order striking plaintiffs' property valuation expert.**
  - **Settlement co-counsel for an international restaurant franchise company in litigation that had been pending for over 10 years in Puerto Rico state court.**
  - **Co-counsel for an international energy company in the negotiation and settlement of related class action, mass joinder and municipal enforcement actions in Madison County, Illinois, asserting property damage and medical monitoring claims from alleged groundwater contamination.**
  - **National coordinating counsel for chemical company in individual and class action litigation in 19 states, involving personal injury, wrongful death, medical monitoring, and fraud claims arising from alleged exposures to vinyl chloride.**
  - **Counsel for chemical products manufacturer in benzene litigation in Mississippi.**
  - **Co-counsel for a chemical manufacturing company in lawsuits alleging exposures to a "chemical toxic soup" in New Jersey and West Virginia.**
  - **Counsel for a pesticide manufacturer in toxic tort cases asserting claims for personal injuries, property damage, and medical monitoring in Georgia, Mississippi, and Texas.**
  - **Science counsel for a construction products manufacturer in asbestos litigation.**
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- Counsel for an aircraft manufacturer in a purported class action alleging direct and secondary exposure to beryllium.
  - Appellate counsel for a truck manufacturer in wrongful death action.
  - Co-counsel for manufacturer of intrauterine device in product liability litigation in California.
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Professional affiliations:

**Georgia Bar Association (1991-Present)**  
**California Bar Association (1987-Present)**  
**Georgia Defense Lawyers Association (2020)**  
**International Association of Defense Counsel (2019-Present)**  
**Georgia Hispanic Bar Association (2014-Present)**  
**Cafecito Network (2019-Present)**  
**Atlanta Bar Association (2010-2019)**

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DRI member since:

**1998**

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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.

**Committee Involvement and Leadership:**

**Toxic Tort & Environmental Law (TTEL), 1998-Present**

**Chair, 2018-2020**

**Vice Chair, 2016-2018**

**Program Chair, 2014-2016 – Nominated for Best Program Chair Award**

**Conference Planning Committee – 2008-Present**

**Women in the Law, Member**

**Diversity & Inclusion, Member**

**Appellate Advocacy, Member**

**Litigation Skills, Member**

**Product Liability, Member**

**2020 Annual Meeting Steering Committee**

**Marketing Vice Chair, 2019-Present**

**The Court Reporter, Editor and Contributor (2011-2013)**

**Presentation:**

***Taking the Pulse: An Update on Medical Monitoring* (article and presentation)**

**TTEL Conference, Feb. 2008**

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**Publications:**

Notes from the Chair, *For the Defense* (June 2019, June 2020)

Notes from the Chair, *TTEL Newsletters* (2018-2020)

***“What All the Fuss Is About”: The Supreme Court Confirms Property Owners’ Right to Challenge EPA Compliance Orders Issued pursuant to the Clean Water Act***, in DRI TODAY (Mar. 26, 2012), <http://www.dritoday.org/Default.aspx>, and in THE COURT REPORTER (Mar. 26, 2012), <http://www.dritoday.org/commentary.aspx?ID=164>.

***Sackett v. EPA: The Supreme Court Hears Argument in Wetlands Case***, THE COURT REPORTER (Jan. 12, 2012), <http://www.dritoday.org/commentary.aspx?ID=151>.

***Fox v. Vice: The Supreme Court Clarifies What It Takes for a Defendant to Obtain an Award of Attorneys’ Fees Under 42 U.S.C. § 1988***, THE COURT REPORTER (June 9, 2011), <http://dritoday.org/commentary.aspx?ID=129>.

**Podcast:**

***A Conversation with (Frank Ramos)*** (Jan. 31, 2020)

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List any leadership roles in other defense organizations:

**None.**

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

**If elected as a National Director, I will have two main goals. First, I want to focus on developing strategies to increase opportunities for diverse lawyers to become more involved with DRI, including strategies to build the diversity pipeline for leadership positions in the organization. As TTEL Chair, and previously as TTEL Program Chair, diversity has been a key focus for me. During my tenure, the majority of our Committee’s leadership positions have been filled by women and diverse lawyers. I have also developed valuable experience through participation in diversity and recruiting initiatives at my firm and through participation in pipeline and mentorship programs of local bar associations. Some of the lessons I have learned can be easily translated and adapted to DRI. I am proud of DRI’s commitment to diversity and inclusion and of the efforts DRI is already making in this regard. I am also grateful for the opportunities that have been made available to me, and I hope to be able to open doors for those coming up behind me.**

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**Second, I would like to explore measures to increase participation by – and provide value for – our corporate members and in-house counsel. Doing so will not only allow us to better serve our corporate members, but would have the additional benefit of making individual membership by attorneys in private practice more attractive and drive up membership and attendance at events and conferences. Especially after the economic challenges brought on by the pandemic and quarantine, when many law firms and corporations are further cutting CLE, travel, and discretionary spending budgets, it will become even more critically important for DRI to be responsive to its members’ evolving needs.**

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

**There can be no doubt that the business of law is changing. Many tasks that used to be done by partner-track associates – such as first-line document review – can now be done with AI technology or by lower-cost vendors, often located abroad. Corporations are more cost-conscious than ever, and legal departments must cope with reduced budgets, even more so now after the pandemic. In-house counsel look to their outside counsel to be more responsive to these challenges, requiring them to think as a partner and counselor who understands their business and budgeting constraints. Lawyers often tend to be slow to change, but the defense bar must be nimble to adapt to these fast changes.**

**In my area of practice, where valid science is key to the defense of our cases, we face an additional growing challenge. In this age of the internet, social media, and polarization, a significant portion of the population no longer believes the available science. Disturbing research demonstrates that many people are more willing to believe their “gut” than established scientific principles, and otherwise regard scientific facts as opinions that are open to debate. Our clients face claims based on “junk science” that must be debunked through careful explanations of complex scientific principles.**

**Through its excellent educational offerings and networking opportunities, DRI is the perfect resource for its members who are facing both of these challenges.**

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

**DRI is the preeminent organization for civil defense lawyers. It provides exceptional educational content and training opportunities, as well as unparalleled opportunities for networking with other outside counsel, in-house counsel, insurers, scientific experts, and other defense professionals. DRI**

should continue to focus on these strengths, but must adapt to changing times and technology in order to stay relevant as a voluntary bar organization.

First, DRI must continue to provide excellent educational content, while exploring ways to deliver legal education options more quickly and in different formats that are more easily accessible as we continue to struggle with travel restrictions and shrinking CLE budgets. If the pandemic has taught us any lessons, it is that DRI members can put together excellent educational content through virtual platforms in a matter of days. DRI should continue delivering content through live virtual conferences, webinars, and podcasts, with flexible pricing options.

Second, the value of DRI's networking opportunities should not be underestimated. DRI should continue serving as a safe harbor for defense lawyers and our clients to share ideas and discuss cutting-edge issues that affect our practice and their businesses. Every year, attendees to our conferences give us high marks for networking – while asking for more. Once we are able to hold in-person meetings again, we should definitely keep that in mind. We also should look for ways to make local networking events easier and more accessible – maybe through cooperation and coordination between different SLCs. In the meantime, DRI should continue to facilitate virtual networking opportunities such as happy hours and coffee/lunch breaks. Many of these virtual get-togethers, however, may seem intimidating to newcomers. We should consider a “buddy system” whereby active members invite other (not so involved) members to participate, or, as the Young Lawyers are doing, plan some events that can serve to recruit new members.

Finally, DRI provides tremendous thought leadership through The Center for Law and Public Policy and its various committees. This work should continue. The work of The Center, however, remains a bit of a mystery to most members and should be better highlighted and publicized, including through social media. More specifically, we should explore ways to demonstrate to corporate members the great value that The Center provides. Indeed, highlighting The Center's thought leadership and expertise – especially to non-member corporate legal departments and law firms – would be a fantastic and persuasive tool for recruiting purposes.

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Hobbies and/or interests:

I have always loved to read. I've recently discovered the Goodreads app and am participating in reading challenges with both my daughters. I also love Zumba and have learned to find good Zumba instructors on YouTube and Prime Video during quarantine. Finally, I waste an inordinate amount of time watching cooking videos and cooking shows, but actually do take advantage of

**them sometimes to try out new recipes. I am looking forward to when we can enjoy a nice meal and a glass of wine with friends again.**

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Family:

**I have been married for 38 years to the smartest person I know (and, yes, I was a child bride). Our daughter Yasmeen (27) is an account manager for an HR consulting company, based in Atlanta. Our younger daughter, Lili (20), is a rising junior at the University of Georgia, working towards a joint degree in Biochemistry and Molecular Biology and a Masters in Public Health/Epidemiology. My 94 year old mother, brother, and nieces and nephews live in Puerto Rico, and we try to visit at least once a year.**

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