



Declaration of Candidacy

Candidates for election as Second Vice President, Secretary-Treasurer, 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 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.

Please also see the DRI Board of Director and Officer Competencies, attached.

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 Michael D. Carter

Firm/Company Hall Booth Smith, P.C.

Address 6301 Waterford Blvd., Suite 200, Oklahoma City, OK 73118

Telephone 405-509-7867 **Cell Phone** 405-820-5715

E-mail mdcarter@hallboothsmith.com

How long have you been a member of DRI?

36 years

Areas of practice: Asbestos, talc, and silica litigation; products liability; environmental; workers' compensation; employment.

Please provide your employment history in chronological order beginning with the current position.

Hall Booth Smith, P.C., Partner, 2022-present;

Phillips Murrah P.C., Of Counsel, 2004-2022;

Carter & Kirk P.C., Founder/Partner, 1997-2004;

Lytle Soule & Curlee, Partner, 1990-1997;

Foliart, Huff, Ottaway & Caldwell, Associate, 1984-1990;

Foliart, Mills, & Niemeyer, Associate, 1982-1984.

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.

- DRI Board of Directors, Southwest Region Director, 2021-2024;
- DRI Membership Committee Chair, 2024;
- DRI Membership Committee Vice-Chair, 2023;
- Board Liaison to DRI Asbestos Litigation Committee, 2024;
- Board Liaison to DRI Governmental Liability Committee, 2022-2023;
- National Foundation for Judicial Excellence, Member, 2021-2024;
- DRI State Representative for Oklahoma, 2018-2021;
- DRI Kevin Driskill Outstanding State Representative Award, 2021;
- DRI State Membership Chair for Oklahoma, 2017-2018;
- DRI Exceptional Performance Citation, 2017;
- DRI Membership Committee Liaison to Governmental Liability Committee and Asbestos Litigation Committee, 2024;
- The Defense Never Rests, Organizer and Band Leader, 2021-2024;
- DRI Asbestos Litigation Committee Membership Chair and Steering Committee Member, 2024;
- DRI Talc Seminar Marketing Committee, 2023;
- DRI Leadership Conference Participant 2014-2024;
- Planning group for DRI Joint Regional Meetings in 2022, 2023, and 2024;
- Toxic Torts and Environmental Committee, Member;

- Attendee at DRI Asbestos Medicine Seminar since 1989.

List any significant leadership commitment and involvement within the legal field other than DRI, including but not limited to other legal organizations.

- Oklahoma Association of Defense Counsel, President, 2017;
- Oklahoma Association of Defense Counsel, Board of Directors 2010-2012, 1998-2001;
- Oklahoma Association of Defense Counsel, Legislative Director, 2012-2014;
- State of Oklahoma Advisory Council on Workers' Compensation, Chair, 2011-present;
- State of Oklahoma Self-Insurance Guaranty Fund, Board Member, 2012-2018;
- State of Oklahoma Indigent Defense System, Board Member 1999-2001;
- Luther Bohanon American Inns of Court XXIII, President, 2016-2017;
- Federation of Defense and Corporate Counsel, Member, 2020-present;
- Oklahoma Bar Association, Member;
- Oklahoma County Bar Association, Member.

Why do you wish to join the board of directors or become an officer and what skills, abilities and attributes identified in the Board of Director/Officer Competencies can you bring to the role?

From the beginning of my involvement in DRI leadership after attending my first DRI Leadership Conference as an SLDO officer, I have believed that I had more to offer DRI at each step along the way. Now, at the conclusion of my term as a DRI Regional Director, that belief hasn't changed. I wish to become Second Vice President to give more to DRI and to achieve this goal: making the civil defense community view DRI as the foundational civil defense association. I can best contribute to the achievement of that goal as an officer of DRI.

The skills, abilities, and attributes I bring to the Executive Committee fit well within the Officer Competencies as published by DRI. More specifically, as for the Minimum Requirements, I am currently a Board member, an Individual Member, and serve as a fiduciary of DRI. I understand and agree with the strategic leadership model and, as a Regional Director, have demonstrated high levels of engagement in DRI. I understand and agree that the EC must be responsible to the membership and believe the highest responsibility of the EC and Board is insuring the health of DRI. My fit into the remaining competencies follows.

Marketing/Branding: As a leader in DRI and other bar associations such as OADC and the American Inns of Court, I have focused on marketing through the use of social media, and in some instances initiated the first successful uses of

social media to market those organizations. DRI already does an excellent job in communicating and innovating through the use of social media platforms and publications. I want to leverage that current robust presence to help achieve the goal of positioning DRI as the foundational civil defense association.

Management/Governance: In my law practice, I have represented many large and complex organizations over the years and advised many in regard to change and transition. In addition to leadership roles in legal organizations, I have served as a board member and president for the University of Oklahoma's ATO fraternity chapter housing corporation for many years and am familiar with all aspects of non-profit governance.

DRI Leadership: My current service to DRI is through my duties as a Board Member, as Chair of the Membership Committee, and as a Steering Committee member of the Asbestos Litigation Committee. In the past I served as the State Representative for Oklahoma, as well as State Membership Chair for Oklahoma.

As Southwest Region Director, among other duties I have helped plan the last three Joint Region meetings in which the Southwest Region participated. I have also attended at least one meeting each year of every SLDO located in the Southwest Region, which includes Arkansas Association of Defense Counsel, Louisiana Association of Defense Counsel, New Mexico Defense Lawyers Association, Oklahoma Association of Defense Counsel, and Texas Association of Defense Counsel, as well as leading monthly Southwest Region meetings.

As Membership Committee Chair and Vice-Chair, I am proud of our record in innovating new membership strategies such as the Seminar Membership Program, the Membership Committee SLC liaison program (which has resulted in action plans for meeting membership goals from several DRI SLCs) and initiating a monthly Membership Minute to keep the Board and EC informed of Membership Committee asks and accomplishments. A Membership Committee fly-in in conjunction with the 2024 Winter Board Meeting was instrumental in getting the committee off to a great start and reinforcing accountability among its the members.

One of the most rewarding experiences I have had in DRI leadership is serving as Board liaison to the Governmental Liability Committee, attending the Committee's seminars, Steering Committee meetings, fly-ins, and generally serving as a conduit between the Committee and the Board. As someone whose experience in DRI was primarily on the "SLDO side", this experience was an eye-opener. I have attended roughly 25 DRI Asbestos Medicine seminars in my career and was impressed by all of them. However, serving as liaison to the Governmental Liability Committee was my first experience in seeing the amount of time, effort, blood, sweat, and tears that go into planning and executing a DRI seminar. The SLCs do a great job and are unsung heroes of this organization.

Although not an “official” DRI Leadership position, I am also proud of contributing to Annual Meetings since 2021 (thanks to Douglas Burrell) as the organizer and band leader for The Defense Never Rests, our show band made up (mostly) of DRI members. The time and effort it takes to put on this performance for the Annual Meeting is very worthwhile and a blast for all of us!

Finally, I also have a long record of leadership in DRI’s affiliated SLDO for Oklahoma, the Oklahoma Association of Defense Counsel. I served that organization for two terms on the Board, as an officer, and as President. I am proud of advocating that the chair of the OADC legislative committee become an officer and director of the organization. I then served as the first OADC Legislative Director. During my term as President, we also offered a free membership in OADC to Oklahoma DRI members and had a great success rate.

Leadership: Serving other organizations is important to me. I served as President of the Luther Bohanon American Inns of Court XXIII, one of the original American Inns of Court. The President of an Inn is responsible for membership, developing topics and schedules for monthly pupillage sessions of the Inn, and ensuring that all Inn members participate and contribute to these sessions through their respective Pupillage Groups. I also serve as my college fraternity’s housing corporation President. In that role, I was responsible for leading the design, planning, fundraising, and execution of the construction of a \$6,000,000 fraternity house for ATO at the University of Oklahoma. Finally, I have served as the Chair of the State of Oklahoma Advisory Council on Workers’ Compensation for 13 years, and as such have served with many legislative working groups on proposed legislation related to that field.

Public Speaking/Spokesperson: The favorite among my duties as a Regional Director is representing DRI at meetings of the five state SLDOs in the Southwest Region. It is a great honor to appear at these meetings on behalf of DRI and recognize SLDO leaders for their contributions to their SLDO and to DRI. But the most important Regional Director duty at these SLDO meetings is to use the time allotted by the SLDO to promote DRI and especially membership in DRI. To this end, I developed a speaking outline for use by all Regional Directors called “Regional Director 5 Minute Pitch to SLDOs: 5 Things About DRI in 5 Minutes”. This outline condenses information about DRI membership, seminars, Legal Point, The Center, and NFJE into sound bites that can be pitched in as little as five minutes. An unexpected benefit of speaking so briefly is that I find that many people have additional questions about a short topic that piqued their interest and will follow up at ensuing breaks or receptions.

Leads and Participates in Meetings: One of my strengths is leading a meeting, whether by Zoom or in person. My goal for Southwest Region meetings and Membership Committee meetings is to foster collaboration and create an atmosphere where we can discuss issues and solutions in an efficient way. I also

enjoy leading discussions at Joint Region Meetings and encouraging (some might say coercing) all to participate and speak up.

Soft Skills: An important lesson learned over a career in leadership is that the ability to communicate effectively and resolve conflicts is a key to inspiring trust among team members. When combined with a goal-oriented servant mentality and a reputation for accountability, a team can tackle any problem presented to it. I have a record of bringing these skills to the table and would like to do so as an officer of DRI.

Strategic Skills: My service in DRI and other organizations demonstrates the strategic skills necessary to lead DRI going forward. In addition to those listed here, I believe it is critical to anticipate issues facing the defense practice and legal profession as a whole, but not only facing them by using DRI's many excellent existing resources such as The Center. We can and should create new and stronger partnerships with our SLDO/NDOs and Sister organizations to develop long-term strategies to address these issues.

What suggestions would you make to move the organization forward?

DRI is on a positive momentum path today, moving forward past COVID through the leadership of the EC, Board and CEO. This will undoubtedly continue. However, I believe we can achieve more. To accelerate DRI's momentum, I have an overriding goal:

Make the civil defense community view DRI as the foundational civil defense association. DRI is already the foundational defense association, but does the entire civil defense community think of it that way? At one time, nearly all new attorneys voluntarily joined the American Bar Association because it was simply what you did if you were an attorney. While the ABA no longer holds that position for a variety of reasons, why shouldn't DRI occupy the same place the ABA once had, but for the civil defense bar? DRI already provides more and better in-person seminars and virtual education than any other legal organization. The legal resources DRI provides are second to none. The Center is the only civil defense public policy arm with the reach and clout to get real things accomplished on behalf of the entire civil defense community. NFJE is a fantastic program that has now surpassed the former Pound Institute. DRI provides unparalleled networking, business development and practice building skills for all of its members. The question for DRI becomes, in addition to expanding and improving the "value proposition", how does DRI become the organization you join *because that's what you do if you're a civil defense attorney*? In my view, there are a variety of ways to build toward this goal:

- **Become closer partners with the SLDO/NDO organizations.** Coming from the SLDO and Regional Director experience, I have seen what can

sometimes be a disconnect between the SLDO/NDOs and DRI. We must show the SLDOs that DRI is not competition with them, and that instead closer partnership with DRI will enhance and grow their organizations. A great first step would be to work through the Regional Directors and State Representatives to co-sponsor events with SLDO/NDOs in their states and regions. We must also develop, in collaboration with the SLDO/NDOs, a membership-advantage model beyond the SLDO Free Membership Program that makes dual membership in the SLDO and DRI a “no-brainer” and feeds the idea that *membership in both is what you do if you’re a civil defense attorney*.

- **Become closer partners with the “Sister” organizations.** Invitation to membership in ADTA, IADC, and FDCC is an honor for any civil defense attorney. These invitations are typically made to established defense practitioners with outstanding reputations after a vetting process. It is fair to say that the members of the “Sisters” comprise a large segment of civil defense bar leaders nationally and internationally. As an organization open to any in the civil defense community that qualify, DRI is not a competitor with, but an ally of ADTA, IADC, and FDCC. DRI must develop new ideas for closer cooperation with these leaders by leveraging DRI’s strengths in areas that the “Sisters” do not or cannot provide. As with the SLDO/NDOs, in collaboration with the “Sisters”, a membership-advantage model can be created allowing the “Sisters” defense bar leader-members all the advantages of belonging to both, *because membership in both is what you do if you’re a civil defense attorney*.
- **Strengthen grass roots efforts to grow the base for DRI.** DRI needs to accept that the “firm pays” model for young lawyers’ membership in organizations is fading. Therefore, we must direct efforts to convince young lawyers up front that DRI is worth their not only their time, but their own money to belong. Our messaging to new attorneys and young lawyers should acknowledge this fact, while emphasizing not only the “value proposition” but that *joining DRI is what you do if you are a civil defense attorney*. DRI’s excellent and high-achieving Young Lawyers, Diversity, and Women in the Law Committees are great selling points to this end, providing a “FOMO” marketing emphasis to new lawyers.
- **Greater integration of the “State side” and the “Committee side” of DRI.** A story I have told many times involves my attendance at the 2017 DRI Annual Meeting in Chicago. At that time, I was serving as both the President of the Oklahoma Association of Defense Counsel as well as DRI State Membership Chair. Walking down a hall at the Annual Meeting, I heard a familiar voice coming from a meeting room. I looked in the room and noticed that my friend Jeff Curran, with whom I had played in a band for 30 years, was presenting at the Products Liability Committee meeting.

Until that moment, I had no idea that Jeff was even a member of DRI, much less an engaged member! That experience made me passionate about furthering the integration of the two “sides “until there is only one side, the DRI side. One measure we took when I was Vice-Chair of the Membership Committee under Tony Sbarra’s leadership was the seminar membership program. This program connects SLC seminar planners with local SLDO leaders and State Reps in the area where the seminar will take place. This program is due to be revised and turbocharged. The inevitable result will be that our SLDO/NDO members will have more exposure to the SLCs, understand the obvious benefits, and realize that *membership in DRI is what you do if you’re a defense attorney.*

- **Centering The Center.** The Center is an invaluable tool in achieving this goal. It is the one part of DRI where we can ask for the civil defense community’s support not because of what DRI can provide to them, but what they can provide to DRI. The Center is truly The Voice of the Defense Bar, no other organization advocates for the civil defense community’s interests as well, and everyone involved in the civil defense community should support The Center with their membership in DRI *because that’s what you do if you’re a defense attorney.*

Describe one transformational/defining experience in your professional life you have been involved with and what you learned from that experience.

In 1988, I was an associate at an insurance defense firm in Oklahoma City. I did the work I was assigned but had few clients of my own and was not a hot partnership prospect. In that year, however, a case was assigned to me and a colleague at the firm that would become transformational in many, many ways. The assignment was from an insurer to defend Georgia Talc Company in a mass asbestos filing in the USDC for the Northern District of Oklahoma. This was an assignment that no partner at the firm wanted. Having been burned by the original round of asbestos litigation in the 1970s, it was shunted off to a couple of associates, one of which was me. These 375 cases arising from the closing of a B.F. Goodrich tire plant in Miami, Oklahoma were part of what became known as the National Tire Workers Litigation, and my colleague and I eventually became National Counsel for Georgia Talc, handling thousands of cases all over the United States for the next six years.

Representing Georgia Talc helped me realize the importance in having your own clients, and that law practice was more than sitting around waiting for assignments from other lawyers. Transformational? Once we were made NCC of Georgia Talc another firm reached out and brought us over as partners. This was a valuable lesson I have never forgotten but is not the whole story.

Equally transformational was talking with my colleague and suggesting that we attend the DRI Asbestos Medicine Seminar for the excellent reason that neither of us knew anything about asbestos and should probably try to learn. I will never forget going to that first seminar and networking with other lawyers who were also involved in the NTWL, as well as hearing from Al Parnell and the best defense experts in the country about asbestos litigation, plaintiffs' experts and tactics, and defense strategies. From these DRI seminars was built a national network of defense cooperation that greatly assisted us in defending Georgia Talc. More important, it built a personal network of defense colleagues, now friends, like Laura Hong and Peggy Chaplinsky that I still can call on today. Some, like Sam Martillotta and Bruce Mandel, have retired but I saw them for years at the DRI Asbestos Medicine Seminars where we shared dinner, drinks, and referrals. This was truly my exposure to the value of DRI membership.

Describe the greatest challenges and opportunities that lie ahead for DRI over the next five+ years.

For DRI the greatest challenge will be in confronting the constant change in the profession caused by ubiquitous use of AI. DRI can and should be the leader in the legal field for helping its membership adjust to very new realities.

An equally daunting challenge is remaining nimble in the face of political turmoil and the increasing distrust of institutions generally. The judicial system in particular is under fire, and some question the value of organizations such as DRI. By our example, DRI can and should be a leader in working to restore the public's trust in our institutions.

A continuing challenge for DRI and other legal organizations is broadening the pool from which our members come. We must reevaluate our current efforts to this end and be innovative in achieving a broad and diverse membership. This is also the greatest opportunity for DRI.

All of these challenges and opportunities combine to create the biggest challenge and opportunity: *make the civil defense community view DRI as the foundational defense association.*

DRI strives to be governed by a diverse board of directors—in terms of race, ethnicity, age, gender, religion, sexual orientation, disability, location, and/or professional level, and other facts that enhance diversity and inclusion --- who can and will help advance DRI's goals through the power of collaboration. In what ways have you demonstrated a commitment to Diversity, Equity and Inclusion in your work, and how will your DE&I experience inform your contributions as a Board member?

DRI's affinity committees, Diversity, Women in the Law, and Young Lawyers, are the strength of the organization. While I have not been a member of those committees, I have served in DRI leadership with many of their former leaders. Our organization would be much poorer without their contributions and leadership, from the Board all the way up to the EC and President positions. While I do not have personal experience in these areas, what my experience has taught is to listen closely and carefully to those who do. DRI can only be strengthened by increased focus in this area.

Is there anything else you would like to add that has not already been previously stated?

DRI has given me more than I can return. DRI gave me the first legal education in my practice area and provided a venue for creating and maintaining a national network of contacts and friends. I would literally not have the job I currently have at Hall Booth Smith were it not for connections I made through DRI. My DRI network continues to provide referrals in both directions.

I do not have a lengthy "DRI resume." My defense bar leadership experience is primarily through the SLDOs, and again as Regional Director. It could be that I did not get involved in an SLC early on because there was not actually an SLC in my practice area of asbestos until this year, but it's more likely that I was involved in my SLDO and the idea of participating in a DRI committee never occurred to me. That's one reason that I believe SLDO and SLC integration is so important. Both parts of DRI are missing out on some great participation opportunities and places to grow.

My DRI experience gives me a passion to grow this organization and share its tremendous resources and attributes with all our colleagues in the civil defense world. Once again, my overriding goal for DRI is to:

Make the civil defense community view DRI as the foundational defense association, which you join *because that's what you do if you're a civil defense attorney.*