



# 2017 Fall Seminar for Insurance Claims Managers & Defense Counsel

Friday, September 29, 2017  
Grandover Resort & Conference Center, Greensboro NC



The annual NCADA Fall Seminar will be held Friday, September 29, at the Grandover Resort in Greensboro, North Carolina. As is the tradition with the Fall Seminar, written and oral presentations are designed not only for the NCADA's attorney members, but also for insurance claims professionals. The agenda is filled with topics relevant to your practice.

This year's seminar will cover both emerging issues and new twists on old issues in your litigation practice, including popular breakout sessions by NCADA practice groups. Don't miss this opportunity to share in the great fellowship and practical education offered by the NCADA.

Register Today!



## Featured Fall Seminar Speaker North Carolina Attorney General Josh Stein

We are pleased to announce our featured speaker is North Carolina Attorney General Josh Stein.

Josh Stein was sworn in as North Carolina's 50<sup>th</sup> Attorney General on January 1, 2017. Stein is focused on protecting North Carolina families from crime and consumer fraud.

Stein has made combatting the opioid crisis a top priority. His office drafted the STOP Act to reduce the number of people who become addicted to opioids through smarter prescribing practices and the Synthetic Opioid Control Act to close loopholes in state criminal law concerning fentanyl. Both laws passed the General Assembly unanimously and were signed into law by the Governor.

Prior to being elected Attorney General, Stein served as a state Senator and as a Senior Deputy Attorney General in the North Carolina Department of Justice. In the State Senate, Stein successfully led efforts to put more violent criminals behind bars by expanding the state's DNA database. Stein wrote the School Safety Act and legislation that banned stalking using GPS tracking devices.

For his work in the state Senate, Mothers Against Drunk Driving (MADD) and the AARP of North Carolina each named him legislator of the year and his Republican and Democratic colleagues ranked him as the most effective Democratic senator.

As Senior Deputy Attorney General, Stein worked to protect kids from online sexual predators and to help run the payday lenders charging loan shark interest rates out of the state. Stein previously taught high school in Zimbabwe, served as legal counsel in the United States Senate, and worked with two economic development organizations in North Carolina.

Stein is a graduate of Dartmouth College and earned law and public policy degrees from Harvard University. He and his wife Anna have three children, who all attend North Carolina public schools like they did.

### Early Registration Deadline:

September 19, 2017. Registrations received after September 19, 2017 incur an additional fee.

### Refund Policy:

No refunds after September 19, 2017.

### Continuing Credit Information:

MCLE: 6.50 Hours, including 1 Hour Ethics  
ICEC: 6.0 Hours  
(pending approval by NC State Bar and NC Dept. of Insurance)

**Program Materials:** Seminar materials will be provided electronically and emailed to registered attendees one week in advance of the seminar. Internet access will be provided in meeting rooms along with outlets for laptops or tablets. Please be mindful of your internet usage by using only one device. Printed materials are available for an additional \$35 fee.

**Hotel Information:** A block of rooms has been reserved for your convenience at the Grandover Resort & Conference Center at a reduced rate of \$177 single or double occupancy. The reservation deadline date for these rates is **August 28, 2017**. The hotel **may** honor the reduced rate after August 28th based on availability. To make reservations, please call the Grandover at 336-294-1800 or 1-800-472-6301. The Grandover Resort is located at One Thousand Club Road off of I-85 in Greensboro.



7 a.m. Registration & Continental Breakfast

8:00 - 8:15 a.m. **Welcome & Announcements**

8:15 - 9:15 a.m. **Recent Decisions of Relevance**  
Bi-annual case law update since May 2017  
*Dixie T. Wells, Ellis & Winters LLP*

9:15 - 10:00 a.m. **Spoilation in the Era of Technology**  
This session will discuss litigation management and E-Discovery in insurance litigation covering document retention policies, litigation holds, safeguarding attorney-client privilege and work product protection, and defending against a spoliation motion.  
*Brady A. Yntema, Goldberg Segalla*

10:00 - 10:15 a.m. Morning Networking Break & Visit Exhibitors

10:20 - 11:05 a.m. **Breakout Sessions Block 1**

**CONSTRUCTION: Construction Contracts: Best Practices for Minimizing Risk**

This breakout will focus on negotiating key construction contract terms, managing construction changes during the project, and terminating the construction contract & preparing for a claim.  
*Melissa Dewey Brumback, Ragsdale Liggett PLLC, Raleigh*

**EMPLOYMENT: Mayday From the Bermuda Triangle! An Overview and Update on the Intersection of the FMLA, ADA and Workers' Compensation Leaves of Absence**

This overview will cover issues spotting and evaluating the layered obligations employers may have with respect to FMLA, the ADA and workers' compensation laws. Hot topics include employer "maximum leave" policies and extended job-protected leave as a reasonable accommodation under the ADA. You will learn techniques for creating non-discriminatory "light-duty" programs that comply with disability discrimination law and agency positions, and practical counseling advice for attorneys, human resource and risk management professionals.  
*Danielle Barbour Wilson, The Banks Law Firm & Edward S. Schenk, Williams Mullen PC*

**GENERAL LIABILITY: Insurance Bad Faith: Interesting Decisions**

Join us for a refresher on Bad Faith, including a discussion of recent rulings of interest.  
*David N. Allen & Benjamin S. Chesson, Nelson Mullins Riley & Scarborough LLP*

**GOVERNMENT: Internal Investigations for Local Governments – An Inside and Outside Counsel Perspective**

Occasionally, local governments will receive complaints about employees that are provided to elected officials. While some complaints may be citizens complaining about service related issues, some complaints come from employees or citizens alleging improper conduct by local government employees or in some cases elected officials. This presentation will discuss methods for handling those complaints and perspectives from inside and outside counsel.  
*S. Mujeeb Shah-Khan, City Attorney, City of Monroe & Patrick H. Flanagan, Cranfill Sumner & Hartzog LLP*

11:10 - 11:55 p.m. **Breakout Sessions Block 2**

**PRODUCT LIABILITY: Automated Vehicles and North Carolina – Issues and Questions for the Defense Bar**

Automated vehicles are already part of everyday life. Prepare for the legal challenges ahead with a discussion of the landscape of automated vehicles. Attendees will learn the six levels of SAE automation, current regulatory and legal standards, and key state level issues.  
*Patrick J. Cleary, Bowman & Brooke LLP*

**Breakout Session 2, contd.**

**MEDICAL MALPRACTICE: TBA**

**PARALEGALS: Document Management: How Paralegals Can Efficiently and Effectively Organize Production**

Are you drowning in documents? This session will provide practical tips, ideas, and best practices to help manage document production, handle tracking continuous/rolling production, and maintain organization.

*Bobbie Kullman, NCCP, Nelson Mullins Riley & Scarborough LLP*

**WORKERS' COMPENSATION: Case Law Update: Wilkes, Bentley and More**

Join in on the discussion of how these cases came about, how the legislation changed them, what happened next, and what to expect going forward.

*M. Duane Jones, Hedrick Gardner Kincheloe & Garofalo LLP*

Noon - 1 p.m.

Networking Lunch Sponsored by InQuis Global **InQuis**

1:00 - 1:30 p.m.

**Drones and Other Technological Advances in Claims Handling**

How the use of drones, 3d scanning and other technological advances enhance claims adjudication, risk engineering and catastrophe claims management for both the adjuster and trial attorney. Overview of the benefits and potential pitfalls of using this technology and the associated visual products produced for litigation support.

*Ryan Siekmann, S-E-A, Ltd*

1:30 - 1:45 p.m.

**Compliance, Consumer Protection, and the Attorney General**

*Joshua H. Stein, Attorney General of North Carolina*

1:45 - 2:30 p.m.

**Governmental Immunity Claims and Insurance Liability**

Experienced practitioners discuss tort claims and how governmental immunity is applied in conjunction with liability insurance coverage.

*Hunt K. Choi, Raleigh City Attorney; Daniel Peterson, Charlotte City Attorney;*

*William A. Bulfer, Teague Campbell Dennis & Gorham LLP; David W. Hood, Patrick Harper & Dixon LLP*

2:30 - 2:45 p.m.

Networking Break & Visit Exhibitors

2:45 - 3:30 p.m.

**Hold 'em or Fold 'em: Gambling with the Introduction of Medical Bills**

A discussion of the growing trend of excluding or refraining from introducing medical bills as evidence of damages. Tips for combatting the strategy while preserving the ever important last closing.

*Heather G. Connor, McAngus Goudelock & Courie LLC & Kevin D. Elliott, Robinson Elliott & Smith*

3:30 - 4:30 p.m.

(Ethics)

**Issues of the Tripartite Relationship**

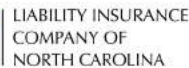
The Tripartite Relationship can, on occasion, be rife with ethical landmines to navigate. This panel will discuss the general nature of the Tripartite Relationship and share experiences and discuss the ethical considerations.

*Ken Bunn, Director of Claims Operations, Builders Mutual; David L. Levy, Hedrick Gardner Kincheloe & Garofalo LLP;*

*David S. Coats, Bailey & Dixon LLP; William T. Robinson, Senior Counsel, National General Insurance*

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**Thank you 2017 Sponsors & Exhibitors**





**NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS**

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