



Preparation, Preparation, Preparation: What Sets Us Apart

Successful outcomes in litigating your case for trial starts and ends with thorough preparation. The program at this year’s NCADA Annual Meeting will focus on techniques for preparing your clients and witnesses for depositions, preparing for hearing on complex motions, and preparing your case for eventual trial.

Staying abreast of recent developments in case law is imperative when laying the foundation of your strategy; so, you will not want to miss the bi-annual case law review by Leslie Packer. Learn how to understand, approach and overcome neuro-psychological manipulation of witnesses and jurors from nationally recognized jury psychologist Dr. Bill Kanasky with Courtroom Sciences, Inc. Experienced litigators and judges will present effective trial preparation strategies for organizing your case and preparing for oral arguments on complex motions. Appellate judges will share a View from the Bench of Do’s and Don’ts at the Court of Appeals. NCADA Practice Groups will round out our CLE programming with topics of interest in your substantive practice areas.



The highlight of NCADA’s Annual Meeting is the networking opportunities with our judicial guests and fellow members. The weekend kicks off with our popular Early Arrivals Reception on Thursday evening where you can connect with friends, new and old. Other events include the Friday afternoon Beer Bash, networking events for young lawyers and women litigators, and Seaside Buffet on Saturday evening. We wind up the weekend with a casual Father’s Day breakfast before hitting the road home.



See you in Hilton Head in June!

GENERAL INFORMATION

Headquarters Hotel

The Westin Hilton Head Island Resort & Spa is the headquarters hotel for the 2018 Annual Meeting. Please make reservations directly with the Resort at (843) 681-4000, and request the NCADA room block. The room block cutoff date is **May 18, 2018**. Hotel reservations may also be made online at www.westin.com/hiltonhead.

NCADA Room Block Rates

Resort View \$259 | Ocean View \$299
Ocean Front \$349 | Carolina King Ste \$349
(Single or double occupancy; does not include taxes, resort fees, or parking.)

For more accommodation options, please visit the NCADA website at www.ncada.org under the Annual Meeting event page link.

Dress Code Resort/Country Club Casual

CLE Credit 7 hours including 1.0 hour of Ethics
(pending approval)

Featured Speaker

Dr. Bill Kanasky is recognized as a national expert, author, and speaker in the areas of advanced witness training and jury psychology in civil litigation. He consults on more than 200 cases annually in the areas of defendant witness training, jury decision-making research, and jury selection strategy. Importantly, his empirically-based consulting methods are specially designed to defeat plaintiff “Reptile” strategies, which have resulted in billions of dollars of damage awards across the nation. He earned his B.A. in Psychology from the University of North Carolina at Chapel Hill, and his Ph.D. in Clinical and Health Psychology from the University of Florida.





NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS 41st Annual Meeting & Spring Program

Seminar Agenda & Schedule of Events

Preparation, Preparation, Preparation: What Sets Us Apart

Thursday, June 14, 2018

3:00 — 5:00 pm	Board of Directors Meeting
5:00 — 6:30 pm	Early Arrivals Check-In and 1st Time Attendees & New Member Meet 'n Greet
6:15 — 7:30 pm	Early Arrivals Welcome Reception
7:30 pm	President's Dinner for the Judiciary (<i>ticketed event</i>)
7:30 pm	Dine-Around Hilton Head Island

Friday, June 15, 2018

7:00 am	Law School Breakfasts & Seminar Continental Breakfast
8:00 — 8:15 am	Seminar Welcome & Announcements
8:15 — 9:15 am	RECENT DECISIONS OF RELEVANCE Update on appellate cases of importance since Fall of 2017 <i>Leslie Packer, Ellis & Winters, LLP</i>
9:15 — 10:45 am	ADVANCE WITNESS TRAINING: A NEUROCOGNITIVE APPROACH This session will educate litigators about the nine areas in the life cycle of a case which prove vulnerable to neuro-psych techniques, and will provide useful strategic approaches to overturn sub-cortical manipulation in witness deposition testimony and witness trial testimony. <i>Bill Kanasky, Jr., Ph.D., Vice President of Litigation Technology, Courtroom Sciences, Inc.</i>
10:45 — 11:00 am	NETWORKING BREAK & VISIT EXHIBITORS
11:00 — 11:45 am	EFFECTIVE TRIAL PREPARATION: BEST PRACTICES FOR ORGANIZING YOUR CASE Successful trial outcomes start with advance planning and preparation. Experienced litigators will share success strategies to prepare your case for trial from when to begin preparation to how to organize evidence developed from discovery for use at trial to assigning tasks to team members. <i>Jacqueline D. Grant, Roberts & Stevens, PA</i> <i>Sara R. Lincoln, Lincoln Derr, PLLC</i> <i>Panelist, TBA</i>
11:45 — 12:45 pm	VIEW FROM THE BENCH: DO'S & DON'TS AT THE COURT OF APPEALS Tips from a North Carolina appellate judge on a wide variety of topics designed to improve the brief-writing and oral advocacy skills of practitioners with cases before the North Carolina Court of Appeals. <i>Hon. Mark A. Davis, Associate Judge, North Carolina Court of Appeals</i> <i>Hon. Donna S. Stroud, Associate Judge, North Carolina Court of Appeals</i>
5:00 — 6:30 pm	Beer Bash
7:30 pm	Dine-Around Hilton Head Island

Saturday, June 16, 2018

7:00 am	CLE Seminar Continental Breakfast
8:00 — 9:00 am	Annual Business Meeting & J. Robert Elster Award for Professional Excellence
9:00 — 10:00 am	LEVERAGING DIVERSITY IN LITIGATION FROM CRADLE TO GRAVE The minute a new case comes in the door, savvy litigators immediately begin to evaluate and assess the lawsuit on multiple levels, including diversity considerations. This session will discuss how to incorporate those considerations into every stage of case preparation and demonstrate how doing so can enhance the quality of legal representation offered to our clients. <i>Kevin E. Clark, Lightfoot Franklin White LLC, Birmingham, AL</i>
10:00 — 10:15 am	NETWORKING BREAK & VISIT EXHIBITORS



10:15—11:00 am

MAY IT PLEASE THE COURT: ARGUING THE COMPLEX MOTION

Preparation is key for convincing oral arguments on complex motions to the trial judge. This session will discuss preparation and presentation strategies to frame your argument, address your weakest point with confidence, and know the facts of your case inside and out.

Hon. Adam M. Conrad, Judge, North Carolina Business Court

Jon A. Berkelhammer, Ellis & Winters, LLP

11:05 — 11:50 am

Breakout Sessions Block 1

Construction: CROSSTOWN TRAFFIC: THE INTERSECTION OF CONSTRUCTION DEFECT, PRODUCTS LIABILITY, AND DESIGN PROFESSIONAL CLAIMS.

The segment will focus on early identification of the components of CD claims, a comparative discussion of the applicable laws with CD, products liability, and design professional claims, and practical strategies for managing the various components of CD claims under NC law given the interplay between CD, products, and design.

*David L. Levy, Hedrick Gardner Kincheloe & Garofalo, LLP
Jennifer D. Maldonado, Yates, McLamb & Weyher, LLP*

Employment: THE NEW AGE OF ELECTRONIC MONITORING: WHAT'S NEW AND WHAT'S NEXT?

Employer Interests, Privacy Considerations and Discovery in the Age of Biometrics, Socio-metrics, and RFID Implants. While novel today, such technology may become ubiquitous tomorrow. As employers look to protect and promote legitimate business interests through these practices, they must ensure privacy rights and expectations. This program includes a primer on electronic monitoring techniques, reviews selected state and federal privacy and employment laws, and discusses future legal and business concerns surrounding these issues.

Allison A. Cohan, Williams Mullen

Government: THROUGH THE LOOKING GLASS: ENCOUNTERING THE DIFFICULT PRO SE PLAINTIFF AS A GOVERNMENTAL ATTORNEY

Sometimes pro se plaintiffs are reasonable people who may have a legitimate legal gripe about something bad that happened to them. This presentation will not be about those individuals. Often, the pro se plaintiff who is perhaps not-so-reasonable can and will accidentally present interesting procedural questions, prove elusive in motions practice and discovery, all while the likely only thing going on trial in the whole process is your patience.

The presentation will discuss common claims and tactics of pro se plaintiffs, suggestions for countering those tactics without seeming like a bully or-- on the other end of the spectrum-- allowing yourself to be bullied. The conversation will attempt to give a light-hearted take when possible, while also recalling that every litigant should be treated with dignity and humanity.

Daniel E. Peterson, Parker Poe Adams & Bernstein LLP



Product Liability: Topic TBA

1:00 — 2:00 pm

Women Litigator's Luncheon

1:30 pm

Golf Outing at Barony Course Port Royal Plantation

Various Times

Experience Hilton Head Island! Afternoon Optional Family & Networking Opportunities

5:30 p.m.

Young Lawyers Happy Hour

6:30 pm

Seaside Reception & Dinner

Eric Guyer, PhD, PE, Exponent

11:55 — 12:40 pm

Breakout Sessions Block 2

Commercial: DATA BREACH RESPONSE: PRACTICAL TIPS FOR REDUCING LITIGATION RISK

Another day and another company reports a breach of its consumer data. Frequently, breach announcements lead to lawsuits. This session will discuss how attorneys can help manage and reduce the risks associated with data-breach litigation before, during, and after a data breach occurs.

Sean Fernandes & Alex Pearce, Ellis & Winters, LLP

General: ATTACKING THE NOTICE AND PREPARING FOR AND DEFENDING THE RULE 30(B)(6) DEPOSITION

This breakout will discuss the challenges posed by the Rule 30(b)(6) Deposition and discuss strategies for analyzing and responding to the notice, steps to take to limit the scope of topics and strategies for responding to document requests. In addition, the breakout will address selecting and preparing the witness(es) and defending the deposition.

Jason Benton, Parker Poe Adams & Bernstein LLP

Christopher M. Kelly, Gallivan, White & Boyd, P.A.

Medical Malpractice: Important Update on Litigating the Statutory Cap on Non-Economic Med Mal Damages

This session will provide an update on the statutory cap on non-economic damages in medical malpractice actions and related 2011 tort reform laws. The presentation will include:

- The importance of vigilance in litigating challenges to the non-economic damages cap;
- A refresher on the damages cap and related 2011 tort reform laws;
- Practice issues involving the damages cap and related tort reform laws.

Robert E. Harrington & Brian L. Church, Robinson Bradshaw & Hinson, PA

Workers' Compensation: INTERSECTION OF PAIN MANAGEMENT AND ADDICTION IN WORKERS' COMP CLAIMS

This session will discuss the use of medical marijuana in comp claims and provide an update of the NC Workers' Compensation Opioid Task Force and its rule recommendations.

Speaker TBA

Sunday, June 17, 2018

NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS
4030 Wake Forest Rd., Ste. 203
Raleigh, NC 27609

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41st Annual Meeting & Spring Program
June 14-17, 2018

*Westin Resort & Spa
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