



NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS 40th Annual Meeting & Spring Program

June 15-18, 2017

The Westin Hilton Head Island Resort & Spa

Hilton Head Island, SC

Like Shifting Sand The Practice of Law is Constantly Changing

Trial practice has drastically changed since the NCADA had its organizational meeting 40 years ago at the Howard Johnson Motel in Greensboro. As we host our 40th Annual Meeting and Spring Program we continue to build on the founding purposes "...to provide for the creation, procurement, and exchanges of information, ideas, techniques, and materials that would tend to enhance the knowledge, professional abilities, skills and efficiency..." for our members.



Reflecting how the practice of law has changed, this year's seminar will focus on advanced practical skills including the ethics of Social Media & Technology featuring Dan Gerber with Goldberg Segalla. New this year are added breakout sessions focused on advanced practical skills involving Depositions & Strategy, Discovery Issues, Obtaining & Interpreting Medical Evidence, and Oral Advocacy. We'll also delve into Leins and The Good, The Bad and The Ugly of Mediations. As always, we will have our usual comprehensive case law update from Leslie Packer of Ellis & Winters, LLP, and informative programs by NCADA practice groups in breakout sessions on topics ranging from construction to products liability to workers compensation.



Make the NCADA's Annual Meeting one of your best blends of business and leisure (Bleisure) experiences by making connections with fellow members and judicial guests in attendance at the multiple receptions, the Saturday night dinner, dine-arounds at local restaurants, and a Sunday morning breakfast in honor of Father's Day. Sign up now!

Lawrence M. Baker, NCADA Executive Vice President
Willson Jones Carter & Baxley PA

GENERAL INFORMATION

Headquarters Hotel

The Westin Hilton Head Island Resort & Spa is the headquarters hotel for the 2017 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 14, 2017**. Hotel reservations may also be made online at www.westin.com/hiltonhead.

NCADA Room Block Rates

Resort \$249 | Ocean View \$279 | Ocean Front \$299 | Carolina King Ste \$339
(Single or double occupancy; does not include taxes, resort fee or parking.)

For other 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 7.5 hours including 1.0 hour of Ethics (pending approval)

An application for CME Credits has been submitted and credit hours pending approval.

Celebrate NCADA's 40th Anniversary Saturday evening at our "Decades Dance Party"! The DJ will spin tunes from the 70's, 80's, 90's, the Aught's & today. Prizes will be awarded for the best dressed from your favorite decade. Come dressed to impress!



Featured Speaker



Daniel W. Gerber
Goldberg Segalla

Daniel Gerber, co-chair of Goldberg Segalla's Global Insurance Services Practice Group, routinely advises insurance and reinsurance companies (as well as other organizations and law firms) on the effective use of social media platforms and mitigating risks associated with these strategies. He has provided in-house training sessions and served as a consultant on social media use policies, claims investigation standards, and avoiding bad faith and marketing risks. His experience also includes working with social media public relations firms, in both the United States and the United Kingdom, that specialize in reputational enhancement and product placement through social media.

He has authored several articles on social media that have been published internationally and is a frequent speaker on social media all over the world. He currently serves as Chair of the DRI's Social Media Task Force and has authored its social media guidelines and strategic plan. He previously served on the IADC's Social Media Task Force.

Session sponsored by





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Seminar Agenda & Schedule of Events

Like Shifting Sand The Practice of Law is Constantly Changing

Thursday, June 15, 2017

| | |
|----------------|---|
| 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 | Dine-Around Hilton Head Island |

Friday, June 16, 2017

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| 7:00 am | Seminar Continental Breakfast |
| 8:00 — 8:15 am | Seminar Welcome & Announcements |
| 8:15 — 9:15 am | RECENT DECISIONS OF RELEVANCE <ul style="list-style-type: none">• Update on appellate cases of importance since Fall of 2016 <i>Leslie Packer, Ellis & Winters, LLP</i> |
| 9:20 — 10:20 am | Practical Skills Sessions 1 <ul style="list-style-type: none">A. CROSS EXAMINATIONS: HOW TO GET THE MOST OUT OF AN OPPOSING WITNESS<ul style="list-style-type: none">• Tips & Strategies to develop helpful testimony • Tips & Strategies to limit the scope of direct <i>Dan Morton, Ennis Baynard Morton Medlin & Brown, PA</i> <i>Jennifer Ruiz, Hedrick Gardner Kincheloe & Garofalo, LLP</i>B. POST-MODERN PRE-TRIAL PRACTICE<ul style="list-style-type: none">• Changing some discovery habits • Using technology in litigation • Researching in the digital age <i>Kip C. Nelson & Whit Pierce, Smith Moore Leatherwood, LLP</i>C. PERSUASIVE ARGUMENTS<ul style="list-style-type: none">• Being a strong oral advocate in an era of electronic communications • Advocacy with your clients—having the tough conversations • Tips & Pointers on being a strong advocate at the trial court level• Tips & Pointers on appellate advocacy <i>John Barringer, McAngus Goudelock & Courie, LLC; Judge Paul Ridgeway, NC Superior Court; Judge Michael Robinson, NC Business Court; Kirk Warner, Smith Anderson</i>D. DECODING MEDICAL SPEAK: A NEUROSURGEON'S GUIDE FOR LAWYERS<ul style="list-style-type: none">• Ligaments, Joints & Discs, Oh My!: Anatomy of the spine for laymen (ahem, lawyers) • What do all those abbreviations mean? • Key phrases from a medical witness that should cause you to say "hmmmm" & ask a follow-up question • Suggestions on how to deal with a combative witness & best practices to ensure medical expert questioning goes off without a hitch <i>J. Grant Buttram Jr., M.D., Rex Neurosurgery and Spine Specialists</i> |
| 10:20 — 10:35 am | NETWORKING BREAK & VISIT EXHIBITORS |
| 10:35 — 11:35 am | PRACTICAL SKILLS SESSIONS 2 (REPEATING) |
| 11:40 — 12:40 pm | SOCIAL MEDIA INVESTIGATION & DISCOVERY <ul style="list-style-type: none">• Understand the most current tools & sites integral in today's practice • Examine ethical rules that are constantly evolving around social media & its use • Walk away embracing social media as a difference-maker in today's legal practice <i>Daniel W. Gerber, Goldberg Segalla</i> |
| Various Times | Experience Hilton Head Island! Afternoon Optional Family & Networking Opportunities (see page 3) |
| 5:00 — 6:30 pm | Beer Bash |
| 7:30 pm | Dine-Around Hilton Head Island |

Saturday, June 17, 2017

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| 7:00 am | CLE Seminar Continental Breakfast |
| 8:00 — 8:45 am | Annual Business Meeting & J. Robert Elster Award for Professional Excellence |
| 8:45 — 9:45 am | LEINS: HOW TO GET THEM AND HOW TO DEAL WITH THEM <ul style="list-style-type: none">• Panelists will address medical liens asserted by Medicare Advantage Plans, Medicaid, and workers' compensation liens asserted pursuant to NC Gen. Stat. 97-10.2. Panelists will provide practical advice for protecting clients from exposure associated with these liens when resolving cases. <i>Shannon Metcalf, Hedrick Gardner Kincheloe & Garofalo, LLP; Katherine McCraw, NC Depart. of Justice; Roy Pettigrew, Cranfill Sumner & Hartzog, LLP</i> |

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| 9:45 - 10:00 am | Networking Break & Visit Exhibitors | |
| 10:00 - 11:00 am | MEDIATIONS: THE GOOD, THE BAD, AND THE UGLY <ul style="list-style-type: none"> • The Good—Tips to Improve Your Performance • The Bad—Traps That Hurt Your Effectiveness • The Ugly—Traits of Unsuccessful Mediations <i>Scott Hart, Sumrell Sugg Carmichael Hicks & Hart; Chip Holmes, Parker Poe Adams & Bernstein, LLP; David Hood, Patrick Harper & Dixon, LLP; Bob Meynardie, Meynardie & Nanney, PLLC</i> | |
| 11:05 — 11:50 am | Breakout Sessions Block 1 | 11:55 — 12:40 pm Breakout Sessions Block 2 |
| Construction: DEPOSING THE OTHER SIDE'S EXPERT Expert witnesses play a central role at trial given their ability to provide opinion testimony. Getting the most out of an expert deposition is the best way to be prepared to meet and refute this evidence. This experienced panel will discuss preparation for and execution of an expert deposition in a construction case. <i>Jennie Maldonado, Yates McLamb & Weyher, LLP; Mark Hamlet, Hamlet & Associates; Jay Tobin, Young Moore & Henderson, LLP</i> | | Commercial: NC BUSINESS COURT UPDATE <ul style="list-style-type: none"> • Update on recent developments affecting the Business Court • Discussion of best practices for litigating in Business Court <i>Chief Judge James L. Gale; Judge Louis A. Bledsoe, III; Judge Gregory P. McGuire; Judge Michael L. Robinson</i> |
| Employment: THE INTERPLAY BETWEEN EMPLOYMENT LAW AND WORKERS' COMPENSATION <i>Paul Lawrence & Matt Ledwith, Hedrick Gardner Kincheloe & Garofalo, LLP</i> | | General: Future of Law: Building a 21st Century Practice <ul style="list-style-type: none"> • The client of the future • Review of NCSB ethics rules & opinions that impact technology, advertising & other current issues • Practice management issues that will impact the future • Reinventing lawyers, paralegals & law firms <i>Camille Stell, Lawyers Mutual Liability Insurance Co.</i> |
| Government: DILWORTH V. ADAMS - OPINION FROM THE 4TH CIRCUIT <ul style="list-style-type: none"> • Advising your client of best practices for dealing with pretrial detainees' right to due process • Use of disciplinary segregation as punishment for infractions while in custody <i>Scott C. Hart, Sumrell Sugg Carmichael Hicks & Hart</i> | | Medical Malpractice: 50 YEARS A TRIAL LAWYER <i>Sammy Thompson, Smith Anderson, LLP</i> |
| Product Liability: From General Jurisdiction to Resolving Claims with Multiple Plaintiffs: CURRENT TRENDS IN PRODUCT LIABILITY LITIGATION <ul style="list-style-type: none"> • Plus caselaw updates specific to medical device & asbestos litigation <i>Ashley Brathwaite, Ellis Winters, LLP</i> | | Workers' Compensation: NUTS & BOLTS OF WORKERS' COMPENSATION PRACTICE 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 (see below) | |
| 5:30 p.m. | Young Lawyers Happy Hour | |
| 6:30 pm | Annual Dinner & Decades Dance Party | |
| Sunday, June 18, 2017 | | |
| 8:30 — 10:30 a.m. | Father's Day Family Breakfast | |

Experience Hilton Head Island!

Plan your NCADA weekend experiencing the sites, sounds and food on Hilton Head Island. Enhance your member to member networking by registering to join fellow members and guests by sharing a meal at a local hotspot and/or participate in a group outing.

Dine Around Hilton Head Island. Reservations have been made at three local restaurants for groups of eight on Thursday and Friday evenings at 7:30 p.m. Dinners are dutch-treat. Selected restaurants are Redfish, Old Oyster Factory, and ELA's Blu Water Grille. You will receive a link in your registration confirmation email, or contact NCADA staff to reserve your spot (admin@ncada.org)

Experience Hilton Head Island. We will make reservations for family friendly downtime activities based on interest. Options include a Friday afternoon dolphin cruise and Saturday afternoon sail aboard the Stars & Stripes (of America's Cup fame). Jet ski, Paddleboard, and Kayak nature tours and a Zipline tour are available on both Friday and Saturday. Reserve your spot when you register online or on the registration form insert.

Outdoor HHI. Ready to burn off some energy after sitting in quality CLE all morning? Check out these recreational activities!

- **Tennis.** Sign up for round robin tennis action in Port Royal on Friday afternoon at 2:00 p.m.
- **Golf** on the Barony Course in Port Royal plantation, on Saturday, June 17th at 1:30 p.m.

On Your Own:

Daufuskie Island Ferry departs from Broad Creek Marina. \$25 Round Trip Ticket. Golf Cart Self Guided Tour: Reservations necessary, 843-342-8687, www.enjoydaufuskie.com/tours

For the Children. The Coastal Discovery Museum Explore natural history and cultural heritage on the 68 acre Honey Horn property. 70 Honey Horn Drive – Hilton Head Island, S.C., Mon. - Sat. 9-4:30 and Sun. 11-3. www.coastaldiscovery.org

NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS
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Hilton Head Island, SC*



Register Today!



There's no country like lowcountry.