

44th Annual Meeting & Spring Program
Agenda
June 4, 2021

Friday, June 4, 2021 - Practice Group Sessions

9:00 – 10:00 a.m.
Government

60 min



Redux: “We Didn’t Start the Fire...” with a Focus on Police Liability

We will continue the discussion from last fall that focused on the civil unrest and mass demonstrations that thrust cities and towns into the national spotlight, including a warning about potential equal protection claims. This session we’ll touch on recent decisions in police liability cases. Join fellow government practitioners, both private and public, for this timely discussion on events that continue to impact local governments.

Speaker/Discussion leader: Daniel E. Peterson, Parker Poe Adams & Bernstein

10:15 – 11:00 a.m.
Commercial

45 min



Feeling Frustrated? Shareholder Expectations and Recent Developments under Meiselman

In this breakout session, we will discuss recent cases involving shareholder and member attempts to dissolve closely held companies or otherwise force a buy out of their ownership interests.

Josh Durham, Bell Davis & Pitt, P.A.

11:15 – noon
Construction

45 min



Game Changers: Recent “Need to Know” Decisions That Will Impact Your Construction Practice

This session will involve a panel discussion of four new decisions and how they may change your defense of construction claims, including:

- Crescent University City Venture, LLC v. Trussway Manufacturing, Inc.;
- Wright Construction Services v. Hard Art Studio, PLLC;
- Chisum v. Campagna; and
- Caroline a Constr., LLC v. J. Scott Campbell Construction Co.

Panelists: Chris Campbell, McAngus Goudeock & Courie, LLC; Dan Katzenbach, Cranfill Sumner, LLP; Courtney Rudolph, Hedrick Gardner Kincheloe & Garofalo, LLP; Robin Seelbach, Yates McLamb & Weyher, LLP; Moderator: Nicole Slaughter, Hamlet & Associates, PLLC

1:00 – 2:00 p.m.
Employment

60 min



Making the Transition Back to Work

session will focus on the employer’s response to issues surrounding return to the workplace as Covid-19 restrictions relax around the state and the country. The discussion will touch on issues such as vaccines, accommodations, setting workplace guidelines and messaging. The panel members will draw upon their experience as in-house counsel, in the government setting and in private practice.

Panelists: Jennifer Everitt, Assistant General Counsel, Global Litigation & Employment, PRA Health Sciences; Jennifer Jones, Deputy County Attorney, Wake County; Maureen Zyglis, Parker Poe Adams & Bernstein

210 min / 3.5 general credit hours (Day 1)

44th Annual Meeting & Spring Program
Agenda ▪ June 11, 2021

Friday, June 11, 2021 - Annual Business Meeting & General Sessions

9:00 – 10:00 a.m. Annual Business Meeting

10:30 – 11:30 a.m.

Recent Decisions Case Law Update

An update on cases of relevance since the 2021 Winter Workshop.
Leslie Packer or Dixie Wells, Ellis & Winters

60 min



12:30 – 1:30 p.m.

Preparing the Empowered Witness: Moving Beyond the Traditions to Foster Assertive, Effective, and Authentic Testimony.

This presentation will emphasize new strategies and techniques to prepare witnesses to testify with credibility and power, even when the facts aren't ideal and the cross-examination is fierce. Rather than emphasizing control over the witness, a better, more effective, and more enlightened approach empowers the witness to provide authentic responses and compelling testimony that advances the case. Adapting to the witness's own style and circumstances, attorneys can train the witness to strategically understand and react to questions in order to highlight their own "personal best" when it comes to both the style and the substance of testimony.

60 min



Ken Broda-Bahm, Ph.D., Senior Litigation Consultant, Persuasions Strategies

1:45 – 2:45 p.m.

Inquiries & Proposed Opinions Under Review by the NCSB Ethics Committee

This session will provide an update and overview of current ethics inquiries and proposed opinions that are being considered by the NC State Bar's Ethics Committee including *ex parte* communications and the sharing of confidential client information.

Ethics

60 min



Warren Savage, Lawyers Mutual Liability Insurance Company of North Carolina



180 min / 3 hours including 1 hour ethics credit (Day 2)

44th Annual Meeting & Spring Program
Agenda ▪ June 17, 2021

Thursday, June 17, 2021 – Practice Group Sessions

9:00 – 10:00 a.m.
General Liability
60 mins



Litigating the Pandemic: Insurance Coverage for Claims and Losses From COVID-19

COVID-19 has caused worldwide disruption—including widespread illness, deaths, cancellations, and closures. The human and economic impact has been enormous. An expert in the field will discuss insurance coverage issues which have emerged from injury, financial losses, and other damages caused by COVID-19

John B. Mumford, Jr., Hancock Daniel PC, Richmond, VA

10:30 – 11:45 p.m.
Medical Malpractice
75 mins



[DISCO](#)

Update on the Malpractice Claims Landscape and COVID-19 Immunity Challenges

The COVID-19 pandemic has dramatically altered the way healthcare professionals practice, introducing new challenges that require updated practices, policies, and treatments. Similarly, we can expect a dramatic shift in the way that medical malpractice and long-term care claims are handled as the pandemic influences the severity and number of claims filed, gross negligence standards, and challenges to immunity and recent defense successes. It's important for those who defend healthcare professionals in all settings to stay current on the claims landscape and to be armed with the knowledge of current legislation and recent decisions to advocate for their clients. Join us for this timely overview of the key statutes and decisions and discussion among fellow members of the North Carolina defense bar.

Panelists: Jason Newton, Associate General Counsel & Senior Vice President, Curi; Christy Dunn, Young Moore & Henderson, PA. Additional Panelists TBA; Moderator: Ashley Brathwaite, Ellis & Winters, LLP

1:00 – 1:45 p.m.
Product Liability
45 min



Asbestos Litigation in North Carolina – Still Going Strong

Asbestos-based products liability lawsuits have remained an active area of litigation in North Carolina despite the fact that since the mid-1970's there has been a steady and substantial decline in the manufacture and use of asbestos-containing products. A recent plaintiff's verdict garnered national headlines and the attention of plaintiffs' attorneys around the country. As a result, new national plaintiffs' firms are filing lawsuits in federal courts throughout the state. Mr. Kiger and Ms. Ries will discuss the current state of play of asbestos litigation in North Carolina including topics relating to the admissibility of expert testimony, defending against claims for punitive damages, attacking the sufficiency of the Plaintiff's exposure evidence, and recent decisions and verdicts of interest.

Addie Ries and Chris Kiger, Smith Anderson

2:00 – 3:00 p.m.
Worker's Comp
60 min

Recent Cases of Importance and What You Can Learn from the Experiences of the Attorneys Involved

Three case, three perspectives. Join the discussion as speakers share lessons learned from recent decisions in *Dunbar v. Acme Southern*, *Embery v. Goodyear Tire & Rubber*, and *Suazo v. Gutierrez-Bojorquez, et. al.*

Angela Craddock, Young, Moore & Henderson, PA; Michael Ballance, Dickie McCamey & Chilcote, PA; Duane Jones, Hedrick Gardner Kincheloe & Garofalo, LLP