



2018 Fall Seminar For Insurance Claims Managers & Defense Counsel

Friday, September 28, 2018
Grandover Resort & Conference Center, Greensboro NC



The annual NCADA Fall Seminar will be here before we know it! We look forward to seeing you in Greensboro at the Grandover Resort on Friday, September 28, 2018.

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. This year's Seminar will include the popular bi-annual Recent Decisions Case Law Update, tips on data-privacy and security, ethical considerations in light of emerging technologies, and using geosocial data for insurance investigations.

This year's featured speaker is Angieszka McPeak, Associate Professor of Law at Duquesne University. Professor McPeak has published numerous articles on the shortcomings of social media discovery. According to her bio she "studies all things law and technology." She will give a lively and in-depth seminar on technology trends and the challenges they create for lawyers. Professor McPeak holds a J.D., magna cum laude, from Tulane University. Originally from Poland, she now resides in Pittsburgh, PA, a city which shares her love of pierogis.



Being an election year, the NCADA is inviting candidates running for the North Carolina Supreme Court and Court of Appeals to participate in our **10th biennial Judicial Candidates' Forum**.

Don't miss this opportunity to share in the great fellowship and practical education offered by the NCADA.

Register Today! And invite a claims client to meet you there too.

Judicial Candidates' Forum 11:15 a.m.—12:15 p.m.

Our 10th biennial Judicial Candidates' Forum will be held in conjunction with this year's Fall Seminar. The Forum will feature judicial candidates in statewide elections for seats on the North Carolina Supreme Court and North Carolina Court of Appeals.

The **Judicial Candidates' Forum** provides members of the bar, the business community, and the public an opportunity to learn about the candidates who wish to serve the state at the appellate court level. Each candidate will have the opportunity to briefly discuss his or her qualifications for the position and answer brief questions regarding areas of concern for businesses, civil defense attorneys and their clients. NCADA members are encouraged to invite clients to attend the Forum.

Early Registration Deadline:
September 19, 2018. Registrations received after September 19, 2018 are an additional \$50.

Refund Policy:
Due to guarantees being placed, we will not be able to offer refunds after September 19, 2018.

Continuing Credit Information:
Requests for continuing education credits have been submitted to the N.C. State Bar and the N.C. Department of Insurance Agent Services Division.

Total Credit Hours:
(pending approval by NC State Bar and NC Dept. of Insurance)

MCLE: 6.75 Hours,
including 1.75 hours of ethics
ICEC: 6.0 Hours
Including 1.0 hour of ethics

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 \$179 single or double occupancy. The reservation deadline date for these rates is **September 1, 2018**. The hotel *may* honor the reduced rate after September 1st 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.

NCADA 2018 Fall Seminar Agenda

7 a.m. Registration & Continental Breakfast

8:15 am—8:30 am **Welcome & Announcements**
Lawrence A. Baker, Willson Jones Carter & Baxley, PA, President
David Wisz, Bailey & Dixon, LLP, Program Chair

8:30 am—9:30 am **Recent Decisions of Relevance**
Dixie T. Wells, Ellis & Winters LLP, Greensboro
This fast-paced presentation provides an overview of opinions of general interest to trial lawyers decided by the North Carolina appellate courts since the annual meeting in June 2018.

9:30 am—10:15 am **Cyberlaw & Best Practices**
F. Marshall Wall, Cranfill Sumner & Hartzog, LLP
This seminar will discuss (at a high level) the law applicable to data privacy and security in North Carolina, including North Carolina's Identity Theft Protection Act, and litigation and regulatory issues resulting from data breaches and other security incidents.

10:15 am—10:30 am **Morning Networking Break & Visit Exhibitors**

10:30 am—11:15 am **Investigations in the Age of Geosocial Data**
Stephen Roper, Digistream
The current growth of geosocial data is changing the face of risk management and investigations. Learn what geosocial data is, and exactly how this type of information is used to investigate insurance claims of all kinds.

11:15 am—12:15 pm **2018 Judicial Candidates' Forum**

12:15 pm—1:10 pm **Networking Lunch**

1:15 pm—2:00 pm **Breakout Sessions -- Block 1**

Product Liability: Sweating the Small Stuff...Impact of Nanotechnology on Failure Analysis *Joseph Lemberg, Ph D, P.E., Exponent*
This session will discuss the increasing use of nanomaterials used in a plethora of FDA-regulated products, the implications of these nanomaterials in failure analysis, and tips to avoid a Daubert challenge.

Government & Medical Malpractice: Intersection of Law and Medicine in North Carolina Jails

Bradley O. Wood & Sonny S. Haynes, Womble Bond Dickinson
This seminar will provide a discussion regarding the statutory and common law responsibilities of counties and county sheriffs for the provision of medical care and attention to inmates in local jails, along with typical scenarios or triggers that lead to litigation. Various immunities that may apply in litigation involving medical malpractice, etc. in jails will be discussed.

Workers' Comp: The Basics of Falls: From Slip/Trip to Falling From Heights *Amber Rath Stern, Ph.D., P.E., ESi*

This presentation discusses the technical aspects of accidental falls on the same level, as well as accidental falls from an elevated level, and reviews them from a safety, human factors, and engineering perspective. Project examples of falling from slips/trips, ladders, lifts, and stairways/openings will highlight the investigative tools and techniques, as well as relevant standards.

Paralegals: Emerging Ethics *Camille Stell, Lawyers Mutual NC*
New technology and digital communication is pushing the limits of the Rules of Professional Conduct. Can we apply the rules designed for old school law practice to the internet, email, blogging and social media? In this presentation, we will discuss: How ethics opinions are issued from the NC State Bar; New and pending NC State Bar ethics opinions; Update on technology, advertising, and social media ethics opinions.

2:05 pm—2:50 pm **Breakout Sessions -- Block 2**

Construction: Passing The Buck: An Overview of Sending and Receiving Additional Insured Tenders in North Carolina
Speaker TBA
This breakout will focus on policy provisions, authorities, and practical considerations relevant to sending and receiving additional insured tenders in North Carolina in a construction context.

General Liability: Technology at Trial—Litigating with Video Evidence *Christopher M. Kelly, Gallivan White Boyd, P.A.*
This presentation will focus on the persuasive power of video and its use in society and the courtroom. The discussion will focus on the law related to the use and weight to be given to video evidence in the context of summary judgment and trial. Finally, the presentation will discuss issues of authentication and alteration.

Employment: The Paralegal Is Not Exempt: FLSA Horror Stories and Useful Best Practices *Jeremy A. Stephenson, Golding Holden & Pope, LLP*
FMLA starts at 50 employees, Title VII, ADA and the ADEA at 15. The Fair Labor Standards Act hits every employer and employee no matter how small. This seminar will address the basic rules of the FLSA, available defenses and recent cases, and paint a stark picture of worst case scenarios. Attendees will leave equipped with tools and best practices to reduce FLSA liability.

2:50 pm—3:00 pm **Afternoon Networking Break & Visit Exhibitors**

3:00 pm—4:00 pm **New Tech & the Ethical Lawyer: Trends and Challenges (ethics)**
Angieszka McPeak, Duquesne University School of Law
This ethics hour will cover the latest in technology trends and the challenges they create for lawyers, including social media & spoliation, data security, confidentiality in the digital age, and more.

4:00 pm—4:45 pm **Understanding and Mitigating Risk in a Digital Age (ethics)**
C. Patrick F. Brown, Lawyers Mutual NC

This seminar is a discussion of ethical considerations in light of emerging technologies. It will cover traps for the unwary – threats both foreign and domestic, plus quick and easy ways to protect yourself and your clients. The discussion will end with information on where we go from here regarding privacy, ethics, and the future.

4:45 pm **Adjournment**





2018 NCADA Fall Seminar for Insurance Claims Managers & Defense Counsel

Grandover Resort & Conference Center, Greensboro
 I am a 1st Time Attendee!

September 28, 2018

- \$ 325 Member Attorney
- \$ 425 Eligible Non-Member Attorney
- \$ 225 Government Members
- Judges & Speakers *Complimentary*
- \$ 150 Insurance Claims Manager/ Supervisor*
- \$ 150 Paralegals/Legal Assistant *
- \$ 225 Eligible Non-Member Paralegals/Legal Asst.
- \$ 35 Printed Materials

NCSB # _____ National Producer #/NPN _____
 Name: _____
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 Street Address: _____
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^{6/39} I need BOTH ICEC and MCLE credits. ^{6/39} I prefer a vegetarian entree.

SELECT BREAKOUTS:

SESSION 1: ^{6/39}Product Liability **SESSION 2:** ^{6/39} Construction
^{6/39} Government & Med Mal ^{6/39} General Liability
^{6/39} Workers' Compensation ^{6/39} Employment
^{6/39} Paralegals

***Special Discounts:** Non-attorney Insurance Claims Managers and Paralegals may attend at the special rate of 2 for 1. Registrations must be received at the same time to receive the discount.

^{6/39} **Yes, we want to take advantage of the 2 for 1 discount!**

NCSB# _____ National Producer #/NPN _____
 Name: _____
 Call Name for Badge _____
 Firm/Company _____
 Street Address: _____
 City _____ State _____ Zip _____
 Telephone _____
 Email: _____

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Payment Information: Checks payable to: NCADA 4030 Wake Forest Rd. Ste. 203 Raleigh, NC 27609 or email to jenniferwards@ncada.org

Credit Card Payment: ^{6/39} MasterCard ^{6/39} VISA ^{6/39} AMEX Exp. Date: _____ CVV#: _____

Account #: _____ Cardholder Name _____

Street Address & Zip Code of Cardholder _____ Signature _____

Children's Book Drive: Please bring a new children's book to the conference. The books will be donated to a private, non-profit organization promoting literacy development. All of the donated books will remain in North Carolina and assist NC children and families. Thank you for your support!

The Fine Print—Early Registration Deadline: September 19, 2018. **NO refunds** after September 19, 2018. **Late &/or on-site registration fees for Member Attorneys - \$375; Non-member Attorneys - \$475; Insurance Representatives & Paralegals - \$175. Credit Information:** Requests for continuing education credits will be submitted to the N.C. State Bar and the N.C. Department of Insurance Agent Services Division. The credit hours applied ICEC's and MCLE hours pending **Hotel Information:** A block of rooms has been reserved for your convenience at the Grandover Resort & Conference Center at a reduced rate of \$179 single or double occupancy. The reservation deadline date for these rates is **September 1, 2018**. The hotel **may** honor the reduced rate after September 1, 2018 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.

*An eligible non-member is an attorney or paralegal who meets the practice requirements stated in the NCADA's Bylaws Article III, Section 2.



NORTH CAROLINA ASSOCIATION OF DEFENSE ATTORNEYS
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**BRING A CHILD A BOOK!
 HELP A CHILD TO READ!**

Please bring a new children's book to the conference and help us promote reading and childhood literacy. The books will be donated to a private, non-profit organization promoting literacy development. All donated books will benefit North Carolina's children and families.



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	LIABILITY INSURANCE COMPANY OF NORTH CAROLINA	Engineering and Scientific Consulting
FORENSIC ACCOUNTANTS	COURT REPORTING LEGAL VIDEOGRAPHY VIDEO CONFERENCING	STRATEGIC SOLUTIONS PREPARE to WIN
Investigative Solutions, Inc.		APPLIED BUILDING SCIENCES INC. ENGINEERS, ARCHITECTS AND ENVIRONMENTAL CONSULTANTS
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		Discovering & Defining Financial Value