New Orleans
DRI 2012 Annual Meeting
The 21st Century Lawyer October 24 – 28 New Orleans Marriott
DRI
The Voice of the Defense Bar

ADVANCED PROGRAM SPONSORED BY

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP

DEAR FRIENDS:

Join us for DRI's 2012 Annual Meeting—"The 21st Century Lawyer"—October 24–28, 2012, at the New Orleans Marriott Hotel. Located in southeastern Louisiana on the banks of the mighty Mississippi River, New Orleans is a city full of history, culture, mystery, and sensuality. It is called the "Queen of the Mississippi River" and "the Paris of the Americas," and is known for its Old World charm and "joie de vivre." Its music is sweet, its food divine, and its atmosphere is enchanting. Don't miss this opportunity to experience a city full of life, attend stellar education programs, and visit with friends and colleagues, new and old.

We begin our meeting on Thursday with a point/counterpoint discussion of the political landscape by Ambassador Karen Hughes and Dee Dee Myers, both having worked for President George W. Bush and President Bill Clinton, respectively. This timely debate, just two weeks before the presidential election, will be informative. Our Awards Luncheon speaker, Roy Blount, Jr., is a Southern humorist, author, and a familiar voice on National Public Radio's *Wait Wait, Don't Tell Me*. His presentation is sure to be entertaining. Friday's keynote speaker is internationally acclaimed author, Niall Ferguson, one of the world's leading historians of the global economy. His latest book, *Civilization: The West and the Rest*, is already an international bestseller. Controversial, expansive, and eloquent, Mr. Ferguson has been called "the most talented British historian of his generation." Other notable speakers on the program are Terri Morrison, author of *Kiss, Bow or Shake Hands*, presenting on Thursday; Paul Sullivan, author of *Clutch*; and Shankar Vedantam, author of *The Hidden Brain*, will present on Saturday. All of these exciting and extraordinary presentations are not to be missed.

Earn up to 12.25 hours of CLE credit by attending our outstanding educational programming. Our substantive law and practice area committees have also planned cutting edge programs. New this year these sessions are broken into four time slots allowing attendees to participate in more than two committee CLE sessions. Join over 1,100 attorneys and clients for evening entertainment, beginning on Wednesday with a reception for new and prospective members in the Exhibit Showcase, followed by the Welcome Reception—New Orleans Style! Thursday spend the evening at the Mercedes-Benz Superdome participating in healthy competitions, while being amazed by your surroundings and enjoying good food, drink, and music. Friday evening brings the Diversity Networking Reception and is open to all. This is a perfect place to meet friends prior to enjoying an evening on the town. The President's Gala on Saturday night, with gourmet food and exquisite wine, will again feature the DRI Silent Auction. Don't miss the excitement of out-bidding your friends and colleagues for many exciting prizes. Monies raised from the auction will benefit the National Foundation for Judicial Excellence (NFJE). To learn more about the silent auction, visit www.dri.org or www.nfje.net.

We look forward to welcoming you to New Orleans, for an enjoyable opportunity to experience the Crescent City, stellar education, and outstanding networking events!

Sincerely,

Mary Massaron Ross
President, 2012-2013
Detroit, MI

T. Sky Woodward
Chair, 2012 Annual Meeting
Baltimore, MD

MITCHELL J. LANDRIEU, MAYOR

CITY OF NEW ORLEANS

DRI—*The Voice of the Defense Bar*
55 West Monroe Street, Suite 2000
Chicago, Illinois 60603

Dear DRI Attendee:

As Mayor of New Orleans, it is my pleasure to welcome DRI to our city. I want to assure you that my commitment to your meeting in the Crescent City will be that you will experience warm hospitality and a unique culture that only New Orleans has to offer.

We trust that New Orleans will serve as the perfect backdrop as you network, learn, advance partnerships and expand your knowledge in our growing hospitality community. You will see…we are striving to become the most meeting-friendly city in America.

I also hope that at the end of the day you will take time to relax and explore New Orleans, dine in our incomparable restaurants, enjoy our great music scene, tour the historic French Quarter and Garden District, and shop in our antique and specialty shops and boutiques throughout the City, including the bustling Magazine Street corridor. We greatly appreciate your business and are glad you are here.

Again, thank you for coming and we hope you return often to our wonderful city.

Sincerely,

Mitch

Mitchell J. Landrieu
Mayor

1300 PERDIDO STREET | SUITE 2E04 | NEW ORLEANS, LOUISIANA | 70112
PHONE 504-658-4900|FAX 504-558-4938

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KEYNOTE SPEAKERS

Karen Hughes

Dee Dee Myers

THURSDAY, OCTOBER 25

10:30 AM–11:30 AM

Ambassador Karen Hughes and Dee Dee Myers present

A Point/Counterpoint—
The Political Landscape

Karen Hughes is a senior strategist, helping business leaders strengthen their corporate/CEO reputations, achieve business goals through effective communications, and shape positive public and stakeholder perceptions. Since joining Burson-Marsteller in 2008, she has brought to the business world her unique expertise, honed over more than 30 years of public policy, communications, and political experience, from helping lead winning presidential and gubernatorial campaigns to serving at the highest levels of federal and state government. Ambassador Hughes served as counselor to President George W. Bush in the White House from 2001 to 2002 and led the White House Offices of Communications, Press Secretary, Media Affairs, and Speechwriting. From 2005 to 2007, she served as Under Secretary of State for Public Diplomacy in the U.S. Department of State with the rank of ambassador.

Dee Dee Myers is the first woman and one of the youngest people ever to serve as White House Press Secretary. During the first years of the Clinton Administration, Ms. Myers explained the actions of the new president to a vigilant press corps and to the nation. She earned the respect of both with her sharp political instincts, sense of humor, and ability to explain complex subjects in straightforward language. Ms. Myers brings the same sense of clarity and humor to her speeches that she brought to the White House briefing room, and she talks candidly about the players in Washington and the world of politics. Since leaving the White House, Ms. Myers has worked as a political analyst, commentator, and writer. She is currently a contributing editor to *Vanity Fair* magazine and a frequent guest on broadcast and cable television networks.

FRIDAY, OCTOBER 26

10:30 AM–11:30 AM

Niall Ferguson, Internationally Acclaimed Author

Niall Ferguson

Niall Ferguson is one of the world's leading historians of the global economy and author of such internationally acclaimed works as *The Ascent of Money: A Financial History of the World*, *The Pity of War*, *The Cash Nexus: Money and Power in the Modern World*, and *The War of the World: Twentieth Century Conflict and the Descent of the West*. His recent book, *Civilization: The West and the Rest*, is an international bestseller. Controversial, expansive, and eloquent, Mr. Ferguson has been called "the most talented British historian of his generation." But the ambitious themes he explores in his work have urgent relevance to the present as well as the past: the costs and benefits of economic globalization; the interface between finance and politics; the lessons to be learned from the British experience of empire; and most recently, the strengths and limitation of American global power. A public intellectual whose work impacts finance, government, and academia, Mr. Ferguson is Laurence A. Tisch Professor of History at Harvard University and William Ziegler Professor of Business Administration at Harvard Business School. A prolific commentator on contemporary economics and politics for the American and British press, his work regularly appears in the *New York Times*, the *Wall Street Journal*, *Foreign Affairs*, and the *New York Review of Books*.

SCHEDULE OF EVENTS

TUESDAY, OCTOBER 23

8:30 AM–5:00 PM	MEETING: Law Institute
5:00 PM–5:30 PM	MEETING: 2012 Annual Meeting Steering Committee

WEDNESDAY, OCTOBER 24

8:00 AM–12:30 PM	MEETING: DRI Board of Directors
12:45 PM–2:45 PM	MEETING: NFJE Board of Directors
2:30 PM–5:00 PM	MEETING: Law Institute with Committee Chairs, Vice Chairs and Program Chairs
4:00 PM–5:00 PM	MEETING: Membership Committee
4:00 PM–6:30 PM	Registration and Exhibit Showcase
5:00 PM–6:00 PM	MEETING: Committee Membership Chairs
5:30 PM–6:30 PM	Reception for New and Prospective Members
6:30 PM–8:00 PM	Welcome Reception—New Orleans Style!

THURSDAY, OCTOBER 25

7:00 AM–8:30 AM	Continental Breakfast in Exhibit Showcase
7:00 AM–4:00 PM	Registration and Exhibit Showcase
7:15 AM–8:30 AM	SLDO: Leadership Breakfast Featuring Malcolm Kushner *(Invitation only)*
8:00 AM–8:30 AM	MEETING: Substantive Law Committee Business Meetings **Note:** CLE sessions immediately follow.
8:30 AM–9:30 AM	EDUCATION: Substantive Law Committee CLE Sessions **Note:** Come early for the committee business meetings.
8:30 AM–11:30 AM	MEETING: Nominating Committee (Member appointments)
8:45 AM–9:15 AM	EDUCATION: Learning Lounge in Exhibit Showcase
8:45 AM–9:45 AM	SLDO: Executive Directors Program
9:30 AM–10:00 AM	EDUCATION: Learning Lounge in Exhibit Showcase
9:30 AM–10:00 AM	Refreshment Break in Exhibit Showcase
10:00 AM–10:30 AM	Opening Ceremony and Welcome
10:30 AM–11:30 AM	KEYNOTE: Ambassador Karen Hughes and Dee Dee Myers, A Point/Counterpoint—The Political Landscape
11:30 AM–1:00 PM	Awards Luncheon: Featuring Roy Blount, Jr. (Ticketed event)
1:00 PM–1:30 PM	EDUCATION: Learning Lounge in Exhibit Showcase
1:00 PM–2:00 PM	EDUCATION: The Twenty-First Century Lawyer—Communicating Effectively to an Increasingly Diverse Audience
1:00 PM–2:00 PM	EDUCATION: Acceptable Activity? Or Alert Your Malpractice Carrier? Navigating the Tripartite Relationship in the Twenty-First Century
1:10 PM–5:30 PM	MEETING: Nominating Committee (Member appointments)
1:15 PM–2:30 PM	DRI Book Review—Featured Book: *Dancing on Glass*— Pamela Binnings Ewen, Author
1:45 PM–2:15 PM	EDUCATION: Learning Lounge in Exhibit Showcase
2:00 PM–3:30 PM	EDUCATION: Are Mortgages Really the Same as Toasters? Is a Credit Card Akin to an Anti-Depressant? A Deep Dive into Defending Industries Subject to Federal Regulations
2:00 PM–2:30 PM	MEETING: Diversity Committee Business Meeting **Note:** CLE session immediately follows.
2:00 PM–3:30 PM	EDUCATION: When the Players Are All In—Successfully Resolving High Stakes Litigation in the Twenty-First Century
2:15 PM–3:15 PM	SLDO: Executive Directors Concurrent Breakouts
2:30 PM–3:30 PM	EDUCATION: Diversity Committee CLE Session **Note:** Come early for the committee business meetings.
2:45 PM–3:15 PM	EDUCATION: Learning Lounge in Exhibit Showcase
3:30 PM–4:00 PM	EDUCATION: Learning Lounge in Exhibit Showcase
3:30 PM–4:00 PM	Refreshment Break in Exhibit Showcase
3:30 PM–5:30 PM	SLDO: National Program for State and Local Defense Organizations
4:00 PM–4:30 PM	MEETING: Substantive Law Committee Business Meetings **Note:** CLE sessions immediately follow.
4:30 PM–5:30 PM	EDUCATION: Substantive Law Committee CLE Sessions **Note:** Come early for the committee business meetings.
4:30 PM–6:00 PM	Past Board Members Reception
6:00 PM–9:00 PM	Networking Reception at the Mercedes-Benz Superdome

FRIDAY, OCTOBER 26

7:30 AM–9:00 AM	Continental Breakfast in Exhibit Showcase
7:30 AM–4:00 PM	Registration and Exhibit Showcase
8:00 AM–8:30 AM	MEETING: Substantive Law Committee Business Meetings **Note:** No CLE sessions follow these two meetings.
8:30 AM–9:00 AM	MEETING: Substantive Law Committee Business Meetings **Note:** CLE sessions immediately follow.
8:30 AM–9:45 AM	MEETING: State Representatives
8:30 AM–11:30 AM	MEETING: Nominating Committee (Member appointments)
9:00 AM–10:00 AM	EDUCATION: Substantive Law Committee CLE Sessions **Note:** Come early for the committee business meetings.
9:00 AM–10:00 AM	MEETING: Expert Witness Database, Webpage and Publication Chairs and Newsletter Editors
9:15 AM–9:45 AM	EDUCATION: Learning Lounge in Exhibit Showcase
10:00 AM–10:30 AM	EDUCATION: Learning Lounge in Exhibit Showcase
10:00 AM–10:30 AM	Refreshment Break in Exhibit Showcase
10:30 AM–11:30 AM	KEYNOTE: Niall Ferguson
11:30 AM–12:45 PM	DRI Veterans' Network Luncheon (Invitation only)
11:30 AM–12:45 PM	SLDO: Executive Directors Networking Luncheon
11:30 AM–12:45 PM	Women's Networking Luncheon (Ticketed event)
12:45 PM–1:15 PM	EDUCATION: Learning Lounge in Exhibit Showcase
12:45 PM–1:15 PM	MEETING: Women in the Law Committee Business Meeting **Note:** CLE session immediately follows.
12:45 PM–2:15 PM	EDUCATION: Marvelous Mobility—Using Technology to Represent Your Clients Efficiently, Effectively, and Ethically
1:00 PM–5:00 PM	MEETING: Nominating Committee (Member appointments)
1:15 PM–2:15 PM	EDUCATION: Women in the Law Committee CLE Session **Note:** Come early for the committee business meetings.
1:30 PM–2:00 PM	EDUCATION: Learning Lounge in Exhibit Showcase
2:15 PM–3:30 PM	EDUCATION: Twenty-First Century Leadership—Perspectives from a New Generation of General Counsels from Fortune 500 Companies
2:15 PM–2:45 PM	MEETING: Young Lawyers Committee Business Meeting **Note:** CLE session immediately follows.
2:30 PM–5:00 PM	SLDO: National Program for State and Local Defense Organizations
2:45 PM–3:15 PM	EDUCATION: Learning Lounge in Exhibit Showcase
2:45 PM–3:45 PM	EDUCATION: Young Lawyers Committee CLE Session **Note:** Come early for the committee business meeting.
3:30 PM–4:00 PM	EDUCATION: Learning Lounge in Exhibit Showcase
3:30 PM–4:00 PM	Refreshment Break in Exhibit Showcase
4:00 PM–4:30 PM	MEETING: Substantive Law Committee Business Meetings **Note:** CLE sessions immediately follow.
4:30 PM–5:30 PM	EDUCATION: Substantive Law Committee CLE Sessions **Note:** Come early for the committee business meeting.
5:00 PM–5:45 PM	MEETING: Regional Meetings
5:30 PM–7:00 PM	Diversity Networking Reception—Open to all

SATURDAY, OCTOBER 27

7:30 AM–9:00 AM	MEETING: 2013 Annual Meeting Steering Committee
8:00 AM–9:30 AM	Continental Breakfast
8:00 AM–12:30 PM	Registration
9:00 AM–10:00 AM	EDUCATION: Supreme Court Review—The 2011 Term: Your Clients and Your Practice
10:00 AM–10:15 AM	Refreshment Break
10:15 AM–12:15 PM	EDUCATION: The "Hidden Brain" and How It Can Make You a "Clutch" Player
12:30 PM–5:00 PM	MEETING: DRI Board of Directors
6:30 PM–10:00 PM	President's Gala and Installation Ceremony (Ticketed event)

CLE SESSIONS

THURSDAY, OCTOBER 25

8:30 AM–9:30 AM
APPELLATE ADVOCACY
A Rich Appellate Gumbo in New Orleans

Judge Jennifer Elrod of the U. S. Court of Appeals for the Fifth Circuit will provide her thoughts on how attorneys can improve their briefing and oral sessions, as well as specific tips on class actions, bankruptcy appeals, and the use of graphics in briefing. Amy Hale-Janecke, Reference Librarian for the U.S. Court of Appeals for the Fifth Circuit, will discuss an overview of the Fifth Circuit's history from 1891 to the present; the role the Fifth Circuit played during the civil rights movement from the 1950s through the 1970s; the original Texas to Florida configuration of the court and its division into the Fifth and Eleventh Circuits in 1982; and the Fifth Circuit's experience with Hurricane Katrina.

SPEAKERS

Hon. Jennifer Walker Elrod, United States Court of Appeals for the Fifth Circuit

Amy Hale-Janeke, Librarian, United States Court of Appeals for the Fifth Circuit

8:30 AM–9:30 AM
AVIATION LAW
Hot Topics in Aviation Law

The Aviation Law Committee will present a top flight CLE program, including developments in the law of implied and express preemption, forum non conveniens, passenger rights claims, GARA, and the Montreal Convention. A best practices instruction in deposing aviation expert witnesses will round out this session.

SPEAKERS

Petra L. Justice, Banker Lopez Gassler PA

Albert M. Orgain IV, Sands Anderson PC

George N. Tompkins, Jr., Wilson Elser Moskowitz Edelman & Dicker LLP

8:30 AM–9:30 AM
CONSTRUCTION LAW
Advanced Techniques for Cross-Examination of the Technical Expert

Architects and engineers are a triple threat: highly educated, rigorously trained in their areas of expertise, and adept at presenting testimony, whether on direct or cross-examination. Successful construction litigators must know how to handle these witnesses. Mr. Kelley, an experienced litigator, will discuss advanced techniques to handle the technical expert on cross-examination.

SPEAKER

Toyja E. Kelley, Tydings & Rosenberg LLP

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8:30 AM–9:30 AM
CORPORATE COUNSEL
Branding Yourself for Success—A Guide for In-House Counsel

Join fellow corporate counsel for an informative session addressing key issues facing in-house legal departments, as they seek to maintain and develop an efficient and effective training session that enhances the talents and skills of their lawyers. This is an interactive session that will provide practical advice and tools that participants can put to use right away. Improve your ability to make sound decisions confidently and efficiently within the considerable time constraints under which in-house counsel operate.

SPEAKERS

Mark A. Fuchs, Vice President, General Counsel, and Corporate Secretary, Louisiana Pacific Corporation

Angel G. Gomez, President, AG Gomez Consulting LLC

CLE SESSIONS

8:30 AM–9:30 AM
GOVERNMENTAL LIABILITY

Ethical Issues Faced by the Municipal Attorney

Session qualifies for one hour of ethics credit.

This session will touch on issues related to coverage, reservation of rights by insurers, conflicts, and joint defense agreements in the context of multiparty municipal liability matters. The speakers will cover key issues to understand before you make your first appearance in court.

SPEAKERS

Professor Dane S. Ciolino, Loyola University Law School

Mickey S. deLaup, deLaup & Enright LLC

8:30 AM–9:30 AM
LIFE, HEALTH AND DISABILITY

Preserving the Attorney-Client Privilege When Communicating with Corporate Counsel

Special issues exist with in-house legal departments that can expose usually privileged communications to discovery. This session will address what constitutes privileged legal advice vs. business or other advice, corporate over-dissemination, implicit waiver, bad faith and fiduciary exceptions, and other factors that play into the determination of whether courts will find and then uphold the attorney-client privilege when corporate attorneys are involved.

SPEAKERS

D. Larry Kristinik III, Nelson Mullins Riley & Scarborough LLP

William P. Neubauer, Transamerica Life Insurance Company

The Judicial Treatment and Future Impact of State Laws Prohibiting Discretionary Authority

A number of states have passed laws that prohibit provisions in insurance contracts that vest discretionary authority in the decision-maker. This session will discuss how courts are addressing those laws and the impact on ERISA litigation in the future.

SPEAKER

Michael W. DeWitt, Nelson Levine de Luca & Horst LLC

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When Is a Disability Not a Disability?

An alleged disability can be adjudicated in several ways. There can be significant differences, though, between a finding of disability in the pain-and-suffering arena (including no-fault threshold cases), and under private disability policies. This session will examine the differences among workers' compensation, social security, and statutory disabilities, and address how a finding of disability in one context may not establish disability in another.

SPEAKER

Eileen E. Buholtz, Connors & Corcoran PLLC

CLE SESSIONS

8:30 AM–9:30 AM

TOXIC TORTS AND ENVIRONMENTAL LAW

Is Litigation Killing Us? Or Are We Killing Litigation?

This session will include an analysis of the impact of tort reform laws over the past 10 years, including the identification of the major changes and arguments for and against additional changes. We will look at statistics and trends regarding trials and the effect of recent laws on the prevalence of trials (specifically with regard to complex litigation such as toxic tort and environmental claims). We will discuss potential impacts of these trends on the capability of our profession to continue providing qualified, competent litigators to handle future claims. We will close with a discussion of whether the jury trial continues to be—or even should be—the ultimate crucible of truth in litigation.

SPEAKER

T. McRoy Shelley III,
Rogers Townsend & Thomas PC

At the Intersection of International and Domestic Law—The Supreme Court to Address Corporate Liability for Violations of International Law

This session will explore the emerging issue of corporate liability for violations of customary international law. In *Kiobel v. Royal Dutch Petroleum*, residents of Nigeria brought suit in U.S. district court against foreign oil companies for alleged human rights abuses in connection with oil exploration activities in Africa. The issue before the Supreme Court is whether the Alien Tort Statute, 28 U.S.C. § 1350, affords jurisdiction over the plaintiffs' claims. This presentation will explain the role of domestic and international law in the analysis and show how the outcome of the case may have important ramifications on corporate liability for foreign operations.

SPEAKER

Joshua D. Shaw,
Turner Padget Graham & Laney PA

Subsequent Purchaser Doctrine—An Evolving Affirmative Defense in Toxic Torts or an Outlier?

Contamination of property often is not discovered until years later, and sometimes the property will have been sold to a new owner in the meantime. Many states recognize the "subsequent purchaser doctrine," which provides that a claim for damage to property accrues at the time the damage occurs, and the claim belongs to the person who owns the property at that time. This session will give an overview of this important, but often unknown doctrine.

SPEAKER

Sean A. Simmons,
Alston + Bird LLP

The Significance of Statistical Significance

Epidemiology studies are central to proof of general causation in most toxic torts cases. If the results of any study are not statistically significant, however, they have limited value and in many jurisdictions may be excluded. This session will help you understand the concepts of both statistical significance and confidence intervals for *Daubert* challenges, cross-examination of opposing experts, and session of your client's experts and case.

SPEAKER

Melanie R. Edwards,
Managing Statistician,
Exponent Inc.

10:00 AM–10:30 AM

Opening Ceremony and Welcome

10:30 AM–11:30 AM

Ambassador Karen Hughes and Dee Dee Myers present

A Point/Counterpoint—The Political Landscape

CLE SESSIONS

1:00 PM–2:00 PM

The Twenty-First Century Lawyer—Communicating Effectively to an Increasingly Diverse Audience

Presented by the Diversity Committee and DRI International

Being skilled in intercultural communications is vital in the global marketplace. Attorneys must be prepared to negotiate through different business practices, cognitive styles, and protocol. Understanding whether a culture generally accepts facts as evidence, or opts for a combination of feelings, faith, and facts, can be a critical edge in a deposition, jury selection, or settlement negotiations. Those who understand cultural differences will gain a strategic advantage defending clients and developing business opportunities. In this session you will learn how culture shapes beliefs, practices, and values so you can avoid common misunderstandings and faux pas. You will gain practical tips for navigating cultural differences, skills to deal with foreign clients, work with foreign witnesses, and to persuade culturally diverse jury pools.

SPEAKERS

Miko A. Brown, Wheeler Trigg O'Donnell LLP

Terri Morrison, Author, *Kiss, Bow, or Shake Hands*

Wadi Muhaisen, Muhaisen & Muhaisen LLC

1:00 PM–2:00 PM

Acceptable Activity? Or Alert Your Malpractice Carrier? Navigating the Tripartite Relationship in the Twenty-First Century

Presented by the Insurance Law and Professional Liability Committees

Session qualifies for one hour of ethics credit.

Could you be sued for failing to obtain alternative coverage for a claim? Do you risk an ethics investigation as a result of conflict issues? Do you know the risks that you face, whether as outside counsel, the insured, or an insurance carrier? In today's world the intersection of insurance law and professional responsibility creates new challenges as defense lawyers representing policyholders routinely are faced with conflicts of interests between the insured and the insurance carrier. Conflict issues need to be identified by insurance claim professionals and counsel to guard against extra-contractual and malpractice claims.

To help defense counsel and insurance professionals identify and resolve these conflicts, a panel of leading authorities will explore real-life scenarios in which the audience will have the opportunity to weigh-in through "real-time" electronic voting. For those who represent clients or work in this industry, this is a must-attend session.

MODERATOR

Douglas R. Richmond, Senior Vice President, Aon Risk Services

SPEAKERS

Nancy J. Marshall, Deutsch Kerrigan & Stiles LLP

Leo P. Martinez, Albert Abramson Professor of Law, University of California Hastings College of the Law

Suzanne Raudenbush, National Claims Manager, The Beazley Group

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CLE SESSIONS

2:00 PM–3:30 PM

Are Mortgages Really the Same as Toasters? Is a Credit Card Akin to an Anti-Depressant? A Deep Dive into Defending Industries Subject to Federal Regulations

Presented by the Commercial Litigation, Drug and Medical Device, and Product Liability Committees

Prior to the passage of the Dodd-Frank Act, two law professors proposed that the safety paradigm applicable to consumer products such as toasters be applied to financial products such as home mortgages. That philosophy guided formation of the newest federal regulatory agency, the Consumer Financial Protection Bureau (CFPB). Not surprisingly, the CFPB has suggested adopting a number of measures used by the Consumer Product Safety Commission, including an online consumer complaint database, as well as heavy reliance on the states' attorneys general, who regularly supplement their enforcement budgets by outsourcing contingency fee contracts to private plaintiffs' firms. In early 2012 a pair of law professors argued that new financial products should be screened for social utility, along the lines of Food and Drug Administration scrutiny over pharmaceutical innovations, and regulated accordingly.

As newly aggressive federal agencies borrow regulatory models from each other, learn how to prepare for the next wave of regulatory enforcement and consumer claims. This session will provide critical insight and cutting edge defense strategies for responding to federal regulators, defending multi-district and class action litigation, and marshalling resources to defend against plaintiffs' lawyers representing individual clients or the government.

MODERATOR **SPEAKERS**

Michelle M. Fujimoto, Shook Hardy & Bacon LLP

John F. Kuppens, Nelson Mullins Riley & Scarborough LLP

Ava E. Lias-Booker, McGuireWoods LLP

Mark A. Rowe, General Counsel and Chief Compliance Officer, Techtronic Industries North America Inc.

Professor Todd J. Zywicki, George Mason University School of Law

2:00 PM–3:30 PM

When the Players Are All In—Successfully Resolving High Stakes Litigation in the Twenty-First Century

Presented by the Alternative Dispute Resolution, Employment and Labor Law, Medical Liability and Health Care Law and Toxic Torts and Environmental Law Committees

Whether you are inside counsel, the insurer, or outside counsel, this is an interactive session you cannot afford to miss. Our panel of experts will incorporate audience participation through "real-time" voting as they navigate the multi-faceted valuation process in a complex fact scenario facing a hypothetical Fortune 100 company.

This session will demonstrate how widely the value of cases can differ among the stakeholders involved in cases where the claims range from product and premises liability to toxic torts, employment disputes, and beyond. You will learn how to evaluate the different factors that cause the range of reasonableness to fluctuate and change, as well as strategies to best evaluate, negotiate and resolve high stakes claims. The session will also teach you how to consider the extent to which Medicare Secondary Payer obligations and related federal reporting requirements can impact settlement dynamics for all kinds of claims.

MODERATOR **SPEAKERS**

J. Michael Weston, Lederer Weston Craig PLC

Kathryn Bucher, Wiley Rein LLP

Barbara E. Daniele, Senior Vice President and General Counsel, General Electric Capital Americas USA

John M. Johnson, Lightfoot Franklin & White LLC

Malcolm L. Myers, Vice President, Resolute Management Inc.

CLE SESSIONS

2:30 PM–3:30 PM
DIVERSITY
Leveraging Differences in an Increasingly Borderless World

Diversity means different things to different companies. This session will highlight various perspectives, philosophies, and practices to achieve diversity objectives. The panelists will explore the intersection of the real-world ramifications of fitting a diversity agenda into law firm and corporate cultures. Join this candid discussion and find out what clients have to say about diversity and inclusion efforts.

MODERATOR

Pamela W. Carter, Carter Law Group LLC

SPEAKERS

Dominique Bright-Wheeler, Director/ Vice President, Capital One Financial Corporation

Fred J. Keeton, Vice President of Finance, External Affairs and Chief Diversity Officer, Caesars Entertainment

Mark E. (Rick) Richardson III, Vice President and Associate General Counsel, GlaxoSmithKline PLC

Jacqueline Vines, Senior Vice President and General Manager, Cox Communications

4:30 PM–5:30 PM
EMPLOYMENT AND LABOR LAW
"Waging" a Two-Front War—The Latest in Battles with the DOL and Plaintiffs in FLSA Litigation

With the ongoing explosion of wage-and-hour claims from the plaintiffs' bar, as well as increased Department of Labor enforcement, employment practitioners must arm themselves and their clients for a war on two fronts. This session will explore the latest from the DOL and recent cases from across the land. It will provide practical advice on how to combat these latest trends and tactics, and prepare clients for claims of this nature.

SPEAKER

Paul A. Wilhelm, Dykema Gossett PLLC

4:30 PM–5:30 PM
GOVERNMENT ENFORCEMENT AND CORPORATE COMPLIANCE
SOX to Dodd-Frank—10 Years of Increased Government Enforcement and Current Trends

Highly publicized fraud involving Enron, Tyco, WorldCom, and others begat the Sarbanes-Oxley Act (SOX). The economic crisis of 2008 spawned even more legislative and regulatory initiatives, notably the Dodd-Frank Act of 2010. Sweeping changes over the past decade have caused corporations to change the way they view corporate governance and its relationship to government regulation and enforcement.

Our experienced panel will discuss the practical impact of the changing landscape of governmental enforcement, providing both a historical perspective and analyses of current trends in the "policing" of corporate governance by both government regulators and the U.S. Department of Justice. This will include discussion of current application of DOJ's Principles for Prosecutions of Business Organizations, recent regulatory actions against and prosecutions of corporate officers, and the impact of enhanced whistleblower provisions under both the False Claims Act and Dodd-Frank.

MODERATOR

James W. Kraus, Pietragallo Gordon Alfano Bosick & Raspanti LLP

SPEAKERS

Scott A. Coffina, Drinker Biddle & Reath LLP

José P. Sierra, Fish & Richardson PC

Timothy L. Sturm, Vice President and Division General Counsel, Schlumberger Limited

CLE SESSIONS

4:30 PM–5:30 PM
INSURANCE LAW
The Fall of the House of Zeus

Session qualifies for one hour of ethics credit.

The career and downfall of the powerful plaintiffs' lawyer, Dickie Scruggs, shocked the legal circles of Mississippi, where accusations of "jackpot justice"—resulting in huge judgments in civil trials—were countered by complaints that the campaigns of elected judges, including justices on the state's Supreme Court, were won by heavy infusions of money from business interests. The *Scruggs* case also played out against the backdrop of bitter quarrels among leading trial lawyers involving the distribution of funds won in tobacco, asbestos, and post-Katrina settlements. And by the time Scruggs, whose stake in the tobacco initiative came to $1.6 billion, pleaded guilty to corruption charges, questions arose not only over his behavior, but over the tactics used by the federal prosecutors to ensnare the defendants. The author of the acclaimed book about Dickie Scruggs and the events that led to his fall will give life to events as a storyteller during this session.

SPEAKER

Curtis Wilkie, Kelly G. Cook
Chair and Associate Professor
of Journalism, Overby Center for
Southern Journalism and Politics

4:30 PM–5:30 PM
LAWYERS PROFESSIONALISM AND ETHICS
The Five Ws (and an H) of Reporting Unethical Conduct—Who, What, When, Where, Why and How?

Session qualifies for one hour of ethics credit.

Model Rule 8.3 requires that lawyers who know that another member of the bar has engaged in unethical conduct must report that member to the appropriate disciplinary authority. The failure to make a mandatory report can subject the non-reporting lawyer to discipline. Unfortunately, the rule has led to confusion among lawyers regarding when they need to report and the appropriate time to report. Our experienced panel will discuss the standards and timing for mandatory reporting and also other issues lawyers must consider before reporting on the conduct of other lawyers.

SPEAKERS

Charles B. Plattsmier,
Louisiana Attorney
Disciplinary Board

Joseph J. Popolizio,
Jones Skelton &
Hochuli PLC

4:30 PM–5:30 PM
PRODUCT LIABILITY
Twenty-First Century Pattern Products Litigation—Litigation at the Speed of the Internet

Internet-generated claims, consolidated and coordinated multiform assaults, regulatory agency lobbying, congressional hearings, 24-hour media coverage, securities, and criminal claims—are these really the new face of product liability pattern litigation? Hear directly from the front lines in this discussion of the changing face of high profile product liability litigation. The session will discuss the plaintiffs' bar's new approaches to large scale pattern product defect litigation; why they are trying to turn individual personal injury and economic loss claims into "mass torts"; and how companies can prevent, detect, defend, and resolve these multi-front, high profile attacks on their reputations and their products.

SPEAKER

Paul G. Cereghini,
Bowman and Brooke LLP

CLE SESSIONS

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4:30 PM–5:30 PM

RETAIL AND HOSPITALITY

Midnight Madness: Emerging Trends When the Victim Is Your Employee

This session will investigate trends and issues in negligent security cases where an employee such as a housekeeper at a hotel is assaulted in a room, or a retail associate is injured during a Black Friday midnight sale opening of the store. Is the employer immune? Is the employee really an independent contractor or employed by a sub-contractor? If the employer is not immune, is there insurance coverage?

SPEAKERS

Paul Caleo,
Burnham Brown

Jennifer Anderson Hoffman, Marlow Connell Abrams Adler Newman & Lewis

⚜ FRIDAY, OCTOBER 26

9:00 AM–10:00 AM

ALTERNATIVE DISPUTE RESOLUTION

Arbitration Clauses That Work

Clients want arbitration clauses that will be enforced and result in an expedient and cost efficient resolution to disputes, while keeping the dispute in a confidential setting. Errors in drafting can result in arbitration clauses that are not enforced or proceedings that are inefficient and costly. This session will focus on how to draft an arbitration clause that will stand up to challenges, avoid mistakes and ambiguities, and streamline the arbitration process.

SPEAKER

Chrys A. Martin, Davis Wright Tremaine LLP

Is the Supreme Court Marching Arbitration to Waterloo?

This session will address how the U.S. Supreme Court in *CompuCredit Corp. v. Greenwood* and *KPMG LLP v. Cocchi* has continued its trend in favor of arbitration in holding that arbitration must be compelled even if it leads to piecemeal litigation and even in the face of a statute that mandates notice to consumers that they have "a right to sue." The session will focus on the recent opinions, trends, and whether the Court has gone so far that it is inviting Congress to step in and act.

SPEAKER

Jorge A. Mestre,
Rivero Mestre LLP

© Louisiana Office of Tourism

9:00 AM–10:00 AM

DRUG AND MEDICAL DEVICE

New Lessons from an Old Doctrine—An Update on the Learned Intermediary Doctrine

Depending on the source, one could conclude that the learned intermediary doctrine is either a viable, winning argument for pharmaceutical defendants, or an outmoded vestige of a time gone by. Although some jurisdictions have whittled away at the doctrine through exceptions and the West Virginia Supreme Court rejected it altogether—later prompting the state legislature to intervene—the doctrine presents a worthwhile defense argument in most jurisdictions.

SPEAKER

Heather M. Howard,
King & Spalding LLP

CLE SESSIONS

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State Attorney General Actions Against Drug and Medical Device Manufacturers—Current Issues

Over the last few years, the attorneys general of many states have been active in pursuing litigation against drug and medical device manufacturers, raising a variety of claims based upon different theories. These cases present a number of issues, including the retention of private attorneys to prosecute the case, attorneys general acting in parens patriae capacity, the active participation by the attorneys general in MDLs, and the aggregation of claims by attorneys general through the procedural device of joining multiple defendants as opposed to through class actions.

SPEAKERS

John F. Olinde,
Chaffe McCall LLP

Douglas A. Pearson,
Bayer Corporation

9:00 AM–10:00 AM
ELECTRONIC DISCOVERY

Proportionality—Emerging Trends

This session will explore the meaning of proportionality and the key cases discussing its application. A panel of attorneys and an ESI consulting firm will discuss emerging litigation strategies, key decisions, techniques, and technology trends that reduce costs and burdens and will help you make sure that ESI does not dominate the substantive issues in your case.

SPEAKERS

Thomas M. Jones,
Cozen O'Connor

Robert Pallasch, Vice
President of Client Solutions,
DiscoverReady

Thomas E. Stevens,
Senior Vice President,
DiscoverReady

David J. Walton,
Cozen O'Connor

© NewOrleansOnline.com

9:00 AM–10:00 AM
TECHNOLOGY

From Complaint to Closing Argument—Navigating the Maze of Social Media Discovery and Liking What You Find

This session will provide an overview of technology that can help litigators in the handling of a moderately complex case. It will follow the chronology of a typical defense case from the moment a complaint is received until closing argument and will include a discussion on how to navigate social media discovery. Also included in the session will be information about the practical use of technology that helps 1) organize the key facts and law, 2) efficiently leverage information to create strategic advantage, and 3) create a compelling visual session during closing argument.

SPEAKER

Ernest E. Svenson,
Svenson Law Firm LLC

CLE SESSIONS

9:00 AM–10:00 AM
TRIAL TACTICS

Beyond Tweeting and Status Updates—Social Media as a Powerful Impeachment Tool

For defense litigators, impeaching a plaintiff's credibility on liability and damages issues is one of the most difficult aspects of most cases. With the recent boom in social networking and media, defense litigators have the ability to access reams of valuable evidence with a simple click of a mouse and few taps of a keyboard. However, in order to appreciate the advantages social media offers, and all the potential useful evidence lurking on the Internet, one must first know where to look and how. While most attorneys are familiar with various social networking options, many lack proficiency when it comes to their use, which prohibits those lawyers from finding the "silver bullets" that can break a witness. This session will focus on how to navigate social media and obtain information about your witnesses. It will describe the information you need to start your investigation, as well as an overview of Facebook and Twitter.

SPEAKER

Daniel J. Arnett,
Arnett McCann LLC

Generation Y as Jurors

Generation Y, born between 1980 and 2000, now make up 20 percent of the U.S. population and likely an even higher percentage of today's jurors. Given the growing presence of this youngest generation in the jury box, attorneys should be aware of the differing expectations of these jurors.

This session provides a general overview that will help you better understand this generation, so you can develop and modify your trial strategies accordingly.

SPEAKER

Lenae M. Pederson,
Meagher & Geer PLLP

9:00 AM–10:00 AM
WORKERS' COMPENSATION

From Land to Sea: Federal Statutes Addressing Workplace Injuries

Most attorneys practicing in the area of workers' compensation law deal exclusively with a particular state's workers' compensation statute. This session will focus on two federal statutes that address work injuries within particular industries. A session on the Federal Employers' Liability Act (FELA) will include an overview of FELA, along with some practical tips related to defense of workplace injuries on behalf of railroad employers. The session will also discuss the jurisdictional elements of the Longshore and Harbor Workers' Compensation Act and how the recent U.S. Supreme Court case of *Pacific Operators Offshore LLP v. Valladolid*, 132 S.Ct. 680 (2012), has expanded jurisdiction to include workers who traditionally may not have had coverage under the Act.

SPEAKERS

Stephen J. Heine,
Heyl Royster
Voelker & Allen PC

Jeffrey C. Napolitano, Juge
Napolitano Guilbeau Ruli
Frieman & Whiteley PLC

10:30 AM–11:30 AM

Niall Ferguson, Internationally Acclaimed Author

12:45 PM–2:15 PM

Marvelous Mobility—Using Technology to Represent Your Clients Efficiently, Effectively, and Ethically—No Matter Where You Are

Presented by the Technology and Young Lawyers Committees

Session qualifies for one hour of ethics credit.

New technologies, such as tablet computers and the Cloud, are empowering the mobile workforce and leading clients, judges, and jurors to expect a high level of technical savvy from attorneys. In this session a technology guru and a seasoned road warrior trial lawyer will demonstrate how to use twenty-first century technologies to bolster everything from trial strategy to client sessions. The speakers also will discuss security requirements and breaches, ethical considerations, and the instances where reliance on technology can backfire. This session will help all lawyers develop and optimize their mobility tool belt.

SPEAKERS

Brett Burney, Burney
Consultants LLC

Sandra Giannone
Ezell, Bowman and
Brooke LLP

CLE SESSIONS

1:15 PM–2:15 PM
WOMEN IN THE LAW

Legally Blonde Meets *The Godfather*—Communication, Negotiation, Implementation

Do men and women communicate differently? If so, then because "negotiation" is, at its core, "communication to persuade," those communication differences may impact negotiation behaviors. With the help of Elle Woods, Michael Corleone, and others, we will look at ways to overcome gender differences and improve our negotiation skills.

SPEAKER

Amy Mass,
The Hanover Insurance Group

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2:15 PM–3:30 PM

Twenty-First Century Leadership—Perspectives from a New Generation of General Counsels from Fortune 500 Companies

Presented by the Corporate Counsel and Women in the Law Committees

This dynamic panel will share the insider's view of the ever-evolving role and responsibilities of general counsel in the post-Sarbanes-Oxley era, which has been redefined even more by the global economic crisis of the last five years. They will explore the complex business and ethical considerations that drive the day-to-day strategic decisions made by the modern in-house legal team. Likewise, the GCs will reveal their keys to effective collaboration with outside counsel to achieve the company's legal objectives while respecting its business goals.

MODERATOR

Sheryl J. Willert,
Williams Kastner

SPEAKERS

Kara Baysinger,
SNR Denton

Michele Coleman Mayes,
Executive Vice President and General Counsel,
Allstate Insurance Company

Teri Plummer McClure, Senior Vice President of Legal, Compliance, Audit and Public Affairs, General Counsel and Corporate Secretary,
UPS

Gloria Santona,
Executive Vice President, General Counsel, and Secretary,
McDonald's Corporation

2:45 PM–3:45 PM
YOUNG LAWYERS

Top 10 Ways to Become a Statistic on a Bar Ethics Website

Session qualifies for one hour of ethics credit.

This session will discuss the top 10 reasons attorneys are disciplined, based on a multistate survey of bar disciplinary findings. The session also will analyze the discipline-worthy act, the ethics rule it violated, whether the type of misbehavior is on the rise, the type of punishment that was given by the bar, and how the attorney could have handled the situation differently.

SPEAKERS

Stephen M. Gracey,
TriHealth Inc.

John S. Leinicke,
Wicker Smith O'Hara McCoy & Ford PA

CLE SESSIONS

4:30 PM–5:30 PM
COMMERCIAL LITIGATION
Like Drinking from a Fire Hose

Commercial Litigation Committee members will get a rapid-fire update on what's hot for 2013, when fellow committee members present a briefing on seven separate substantive areas in just 60 minutes. Topics to be covered include class settlements, letters of intent, discovery, antitrust decisions, Janus, sports law, and the Protect Intellectual Property Act. Get the latest insights from those "in the know."

SPEAKERS

Joseph R. Carnicella, Picadio Sneath Miller & Norton PC

Timothy Liam Epstein, SmithAmundsen LLC

Robert L. Guerra, Jr., Royston Rayzor Vickery & Williams LLP

J. Russell Jackson, Skadden Arps Slate Meagher & Flom LLP

Tamara Hoffbuhr Seelman, Gordon & Reese LLP

K. Todd Wallace, Liskow & Lewis PLC

Paul E. White, Sugarman Rogers Barshak & Cohen PC

4:30 PM–5:30 PM
DRI INTERNATIONAL
A View from the Other Side of the Pond—What You Need to Know About Europe

In today's global economic environment, in-house and outside counsel increasingly face the prospect of litigation all over the world, Europe especially. The panel will discuss the increasing litigious nature of many European countries, the importation of U.S.-style litigation to Europe, tips and thoughts on how to coordinate litigation issues effectively in a global environment, and how North American lawyers can provide legal services to European clients.

SPEAKERS

Mary Katherine Brink, Vice President & Associate General Counsel, Philip Morris International Management SA

Christopher P. Nease, Shook Hardy & Bacon LLP

© Chris Granger

4:30 PM–5:30 PM
MEDICAL LIABILITY AND HEALTH CARE LAW
Liability Medicare Set Asides—Has the Time Come?

With all of the confusion surrounding Medicare Secondary Payer obligations in general and Medicare Set-Asides specifically, this session will address the legal underpinnings to the Liability Medicare Set Aside (LMSA) discussion. Starting with the Medicare Secondary Payer Act itself, the session will outline the statutory, regulatory, and administrative guidance provided by the Centers for Medicare and Medicaid Services (CMS) on the issue of future medicals in liability settlements. The critical question of "How much deference does the settlement community owe CMS on the LMSA issue?" based on currently enacted law will be analyzed. Additionally, the session will provide a roadmap that attorneys and insurance carriers should follow to ensure compliance on the LMSA issue, such that CMS will not seek reimbursement for future medical expenses.

SPEAKER

John V. Cattie, Jr., Garretson Resolution Group

CLE SESSIONS

4:30 PM–5:30 PM
PROFESSIONAL LIABILITY

Zen and the Art of Getting the Second Case

Professional liability claims against in-house and defense counsel, though growing in number, is still infrequent. But this does not mean that clients are without alternative means of recourse when faced with their attorneys' missteps, whether those missteps rise to the level of malpractice or not. Part art and part skill, lawyers need to master the craft of meeting client expectations or risk their relationships—or worse. This session will also include topics such as the "art" of client communication; "mastering" the mechanics—keeping abreast of legal and technological advances; the "pure truth" about client dissatisfaction; "wisdom" in engaging and disengaging; and "flexibility" in litigation strategy.

SPEAKER

Edward (Ted) Eberspacher,
O'Hagan Spencer LLC

4:30 PM–5:30 PM
TRUCKING LAW

Cell Phones, GPS, and Other Telltale Methods of Uncovering Fraud in Trucking Cases—How the Use of Technology Can Uncover Fraud and Win the Battle of Credibility at Trial

How using everyday technologies can undermine the credibility of plaintiffs and uncover fraud in the claims process.

SPEAKER

Patrick D. DeRouen,
DeRouen Law Firm

Unveiling the Trucking Expert

What you don't know about your own expert or opposing experts can make or break a witness. And with the increase in their use, it can be difficult to find information on out-of-town experts. Learn tips and tricks to "vetting" experts and the best places to find information.

SPEAKER

Noelle M. Natoli-Duffy,
Foley & Mansfield PLLP

DRI™

COMMITTED TO DIVERSITY

DIVERSITY AND INCLUSION IN DRI: A STATEMENT OF PRINCIPLE

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation. Diversity is a core value at DRI. Indeed, diversity is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures and life experiences a diverse membership provides. Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state and local defense organizations to promote diversity and inclusion in their membership and leadership.

Register...

...SAVE $200 WHEN YOU REGISTER BY **SEPTEMBER 26**

⚜ SATURDAY, OCTOBER 27

9:00 AM–10:00 AM

Supreme Court Review—The 2011 Term: Your Clients and Your Practice

Presented by the Appellate Advocacy Committee

The Supreme Court of the United States decides only the cases it chooses. Although thousands of litigants each year ask the Court to "choose me," the Court for the 2011 Term chose only 76 cases. This panel of experts on Supreme Court practice will discuss the important decisions of the 2011 Term, highlight the essential lessons to apply to your practice, and identify trends in the law relevant to civil litigation practices.

MODERATOR

Jonathan Turley, J.B. and Maurice C. Shapiro Professor of Public Interest Law, George Washington University Law School

SPEAKERS

Lisa S. Blatt, Arnold & Porter LLP, former Deputy Solicitor General

Charles Fried, Beneficial Professor of Law, Harvard Law School, Solicitor General Under President Ronald Reagan (1985–1989)

Neal K. Katyal, Hogan Lovells US LLP, Acting Solicitor General Under President Barack Obama (2010–2011)

***Note:** At print time of this brochure, the Supreme Court may have granted certiorari in many cases that will be decided during the 2012–2013 term. The panel will highlight the key cases to watch.*

10:15 AM–12:15 PM

The "Hidden Brain" and How It Can Make You a "Clutch" Player

Presented by the Trial Tactics Committee

As lawyers we are thrown into battle to resolve our clients' biggest problems in a combative, pressure-filled atmosphere that creates clear winners and losers. The stress and anxiety that trial lawyers and appellate advocates experience rivals what great athletes feel in the heat of the championship game. To master our craft, we have to understand people —others and ourselves— and be able to perform at a high level when it counts most. In this session two award-winning authors will provide key insights into the unconscious cognitive processes that drive human behavior and identify the qualities that allow "clutch" lawyers to perform in situations where others fall apart. Moderated by Lynn Roberson, an experienced trial lawyer, this session promises to fascinate you and elevate your game.

MODERATOR

Lynn M. Roberson, Swift Currie McGhee & Hiers LLP

SPEAKERS

Paul Sullivan, Author, *Clutch*

Shankar Vedantam, Author, *The Hidden Brain*

DRI BUSINESS MEETINGS

TUESDAY, OCTOBER 23

8:30 AM–5:00 PM **Law Institute**

5:00 PM–5:30 PM **2012 Annual Meeting Steering Committee**

WEDNESDAY, OCTOBER 24

8:00 AM–12:30 PM **DRI Board of Directors**

12:45 PM–2:45 PM **NFJE Board of Directors**

2:30 PM–5:00 PM **Law Institute with Committee Chairs, Vice Chairs, and Program Chairs**

4:00 PM–5:00 PM **Membership Committee**

5:00 PM–6:00 PM **Committee Membership Chairs**

THURSDAY, OCTOBER 25

8:00 AM–8:30 AM **Substantive Law and Practice Area Committee Business Meetings**

Note: *Plan to stay immediately following the business meetings for cutting-edge CLE sessions.*

Appellate Advocacy
Aviation Law
Construction Law
Corporate Counsel
Governmental Liability
Life, Health and Disability
Toxic Torts and Environmental Law

8:30 AM–11:30 AM **Nominating Committee**
(Member appointments)

1:10 PM–5:30 PM **Nominating Committee**
(Member appointments)

2:00 PM–2:30 PM **Diversity Committee Business Meeting**

Note: *Plan to stay immediately following the business meeting for a cutting-edge CLE session.*

4:00 PM–4:30 PM **Substantive Law and Practice Area Committee Business Meetings**

Note: *Plan to stay immediately following the business meetings for cutting-edge CLE sessions.*

Employment and Labor Law
Government Enforcement and Corporate Compliance
Insurance Law
Lawyers' Professionalism and Ethics
Product Liability
Retail and Hospitality

4:30 PM–6:00 PM **Past Board Members Reception**

FRIDAY, OCTOBER 26

8:00 AM–8:30 AM **Substantive Law and Practice Area Committee Business Meetings**

Fidelity and Surety
Law Practice Management

Note: *No CLE sessions follow these business meetings.*

8:30 AM–9:00 AM **Substantive Law and Practice Area Committee Business Meetings**

Note: *Plan to stay immediately following the business meetings for cutting-edge CLE sessions.*

Alternative Dispute Resolution
Drug and Medical Device
Electronic Discovery
Technology
Trial Tactics
Workers' Compensation

8:30 AM–11:30 AM **Nominating Committee**
(Member appointments)

9:00 AM–10:00 AM **Expert Witness Database, Webpage and Publications Chairs, and Newsletter Editors**

12:45 PM–1:15 PM **Women in the Law Committee Business Meeting**

Note: *Plan to stay immediately following the business meeting for a cutting-edge CLE session.*

1:00 PM–5:00 PM **Nominating Committee**
(Member appointments)

2:15 PM–2:45 PM **Young Lawyers Committee Business Meeting**

Note: *Plan to stay immediately following the business meeting for a cutting-edge CLE session.*

4:00 PM–4:30 PM **Substantive Law and Practice Area Committee Business Meetings**

Note: *Plan to stay immediately following the business meetings for cutting-edge CLE sessions.*

Commercial Litigation
DRI International
Medical Liability and Health Care Law
Professional Liability
Trucking Law

SATURDAY, OCTOBER 27

7:30 AM–9:00 AM **2013 Annual Meeting Steering Committee**

12:30 PM–5:00 PM **DRI Board of Directors**

NATIONAL PROGRAM FOR STATE AND LOCAL DEFENSE ORGANIZATIONS

The DRI Annual Meeting features programs specifically dedicated to today's state and local defense organizations (SLDOs). All state representatives, SLDO officers, and executive directors are strongly encouraged to attend.

THURSDAY, OCTOBER 25

7:15 AM–8:30 AM

SLDO LEADERSHIP BREAKFAST

Leading with Laughter—How U.S. Presidents Use Humor to Relate, Motivate, and Communicate

(By invitation only)

Malcolm Kushner

Malcolm Kushner, "America's Favorite Humor Consultant," is an internationally acclaimed expert on humor and communication. Since 1982 he has trained thousands of managers, executives, and professionals on how to gain a competitive edge with humor. Frequently interviewed by the media, he has been profiled in *Time* magazine, *USA Today*, the *New York Times*, the *Washington Post*, and numerous other publications. His television and radio appearances include CNN, National Public Radio, CNBC, *Voice of America*, and the *Larry King Show*. Kushner is the author of *The Light Touch: How to Use Humor for Business Success* (Simon & Schuster); a main selection of the MacMillan Business Book Club, it has been translated into five languages. He also is the author of *Public Speaking for Dummies* (Wiley Books) and *Presentations for Dummies* (Wiley Books), which have sold over 100,000 copies. His latest book is *The Official Book of Mob Humor*.

8:45 AM–9:45 AM

EXECUTIVE DIRECTORS PROGRAM

Free and Low-Cost Online Resources for Associations

Do you ever feel like the rest of the world knows technology shortcuts and you don't? Discover free and bargain online technology tools to transform your association to high tech for little or no money. Learn the best technology to increase office and personal productivity, create graphics like a pro, work more effectively with groups, collaborate on projects with remote employees and committee members, and more.

SPEAKER

Sandra J. Wulf,
Executive Director, CAE, IOM,
Illinois Association of Defense Trial Counsel

2:15 PM–3:15 PM

EXECUTIVE DIRECTORS CONCURRENT BREAKOUTS

Making the Most of Your Association's Website

Is your association's website stale or stellar? What does it take to have a stellar, user-friendly website that adds value for your membership? Learn tips and tricks for revamping websites, features that appeal to today's attorneys, and what assistance is available to your SLDO.

SPEAKERS

Jane Brown, Executive Director, Mississippi Defense Lawyers Association

Peggy Schultz, Executive Director, Defense Trial Counsel of West Virginia

Glenda F. Weaver, DRI Director of Information Systems

Social Media—From Tweets, to Likes, and Getting LinkedIn with Your Members

What are the steps you need to take to set up a social media community for your members? What are the pros and cons of doing so? Who should control and maintain the community? These questions and many more will be discussed at this interactive session designed just for executive directors.

MODERATOR

Lisa Mortier,
Executive Director,
Defense Trial Counsel
of Indiana

SPEAKER

Lynn M. Conneen,
DRI Director of
Committees

3:30 PM–5:30 PM
SLDO PROGRAM

3:30 PM–4:30 PM
What Will the Defense Practice Look Like in 2025?

Legal associations around the country are struggling to demonstrate relevance to their members in a rapidly changing legal environment. That continuing relevance is dependent on understanding how the defense practice is likely to evolve as a result of these ongoing changes in our profession. A distinguished panel—including a top law-firm consultant, an in-house general counsel who is a former president of the International Association of Defense Counsel, and an in-house counsel from a national insurance company—will examine economic and legal trends and provide insight into how today's and future SLDO leaders can prepare their organizations and members for changes in the defense practice.

SPEAKERS

Ward Bower,
Altman Weil Inc.

Robert D. Hunter,
General Counsel,
Altec Inc.

Linda E. Lu, Allstate
Insurance Company

4:30 PM–5:30 PM
Going from Good to Great

This interactive breakout group discussion will cover ways that SLDOs can make their organizations more effective and influential. Participants will share and learn strategies that will help organizations increase member participation, attract new members, improve programs, effect legislative change, and improve relationships with the judiciary. This session is intended to improve the visibility and perception of your organization with all stakeholders in your state's legal system.

SPEAKER

Charles H. Cole,
Schuyler Roche &
Crisham PC

FRIDAY, OCTOBER 26

8:30 AM–9:45 AM
State Representatives Meeting

11:30 AM–12:45 PM
Executive Directors Networking Luncheon

2:30 PM–5:00 PM
SLDO PROGRAM

2:30 PM–4:30 PM
Building an Effective Board of Directors

An SLDO cannot thrive without a board of directors that understands its roles and responsibilities and is committed to effectively implementing your organization's strategic plan. A nationally recognized speaker and trainer on association management and leadership will lead an interactive discussion on issues critical to the continuing success of SLDOs.

SPEAKER

Robert C. Harris, CAE,
Harris Management Group Inc.

4:30 PM–5:00 PM
Thirty Great Ideas in Thirty Minutes

Leaders of SLDOs from around the country will share unique ideas about what their organizations do that makes them great and how they bring real value to their members.

5:00 PM–5:45 PM
Regional Meetings

NETWORKING **EVENTS**

WEDNESDAY, OCTOBER 24

5:30 PM–6:30 PM

Reception for New and Prospective Members

Sponsored by *BRC* and *Kevin Kennedy Associates Inc.*

Are you a new or non-member of DRI and/or a first-time attendee of the Annual Meeting? Come meet the DRI leadership and learn the benefits of DRI and the Annual Meeting at a networking reception with DRI's senior leaders in the Exhibit Showcase! All DRI members are also encouraged to attend and mingle with DRI leadership, newcomers and non-members and share your DRI experiences. Also, please take the opportunity when picking up your registration materials to visit the exhibitors.

6:30 PM–8:00 PM

Welcome Reception—New Orleans Style!

Sponsored by *Garretson Resolution Group*, *Hawkins Parnell Thackston & Young LLP*, *Shively & Lannin PC LLO* and *Spilman Thomas & Battle PLLC*

Take time to connect with old friends and colleagues—and make new ones too! The Welcome Reception is a great start to a terrific week. Experience the best New Orleans has to offer and enjoy delicious food, beverage, and great conversation along the way.

THURSDAY, OCTOBER 25

11:30 AM–1:00 PM

Awards Luncheon—Celebrating DRI's 2012 Top Honors

Roy Blount, Jr.

Sponsored by *Bradley Arant Boult Cummings LLP*, *Butler Snow O'Mara Stevens and Cannada PLLC*, *Turner Padget Graham & Laney PA* and *Williams Kastner*

Each year DRI presents its top honors to their "Best of the Best" during the Annual Meeting Awards luncheon. Join colleagues and celebrate those individuals recognized for their outstanding achievements. A special feature during the luncheon will be a presentation by Roy Blount, Jr. A familiar voice on National Public Radio's *Wait Wait, Don't Tell Me* and author of books on everything from cats to Robert E. Lee, Roy Blount, Jr., is a Southern humorist who was born in Indianapolis. Mr. Blount was reared in Georgia by Southern parents and attended Vanderbilt University. After receiving his master's degree from Harvard the following year, he served in the U.S. Army for two years before becoming a journalist. His career as a journalist took him to the *Atlanta Journal* and *Sports Illustrated*, where he spent a football season on the road with the Pittsburgh Steelers. The result was his first book, *About Three Bricks Shy of a Load*, which Jonathan Yardley of the *Washington Post* named one of the 10 best sports books of all time. Mr. Blount tells stories—in his writing and his speeches—and gives readers and listeners the feeling that they are enjoying an entertaining afternoon on their front porch.

Tickets to the Awards Luncheon are $60 each. Please purchase tickets by notation on the registration form or online at www.dri.org.

1:15 PM–2:30 PM

NEW—DRI Book Review

Featured Book:

***Dancing on Glass*—Pamela Binnings Ewen, Author**

Dancing on Glass—What would you do if your prayers go unanswered, faith slips away, evil stalks, and you find yourself forever dancing on shattered glass?

Pamela Binnings Ewen exchanged partnership in the law firm of Baker Botts LLP for a writing career a few years ago. She's the author of *Dancing on Glass* and *Chasing the Wind* (a sequel, due August 1st), among other works, both novels about a young woman lawyer struggling with the challenge of creating balance in her life. Set in Ms. Ewen's hometown, New Orleans, in the mid-1970s, these fast-paced stories in the glittering city will keep you up at night.

The discussion will be lead by Joseph J. DeSalvo, Jr., owner and operator of Faulkner House Books and his wife, Rosemary James, a noted author herself and former television journalist covering Louisiana politics for WWL-TV, the CBS affiliate in New Orleans. Ms. Ewen will join Mr. DeSalvo and Ms. James to answer questions and talk about her books. Faulkner House Books is located at 624 Pirate's Alley in the heart of New Orleans' beautiful and historic French Quarter. Faulkner House Books is a sanctuary for fine literature and rare editions and has been described by both collectors and writers as America's most charming book store.

NETWORKING **EVENTS**

6:00 PM–9:00 PM

Networking Reception at the Mercedes-Benz Superdome

Sponsored by *LawyerGuard*

DRI will hold this year's Networking Reception at the Mercedes-Benz Superdome, home to the XLIV Super Bowl champions, the New Orleans Saints. The Superdome sits on 52 acres of land, is 27 stories, over 269,000 square feet, and has a seating capacity of 76,468. It is the world's largest fixed domed structure. Its steel frame covers a 13 acre expanse; the dome is 273 feet and it has a diameter of 680 feet. The first Super Bowl played in the stadium was Super Bowl XII in January 1978, the first in prime time. Spend the evening participating in friendly on-field competitions while enjoying plenty of delicious food, beverages, and music throughout the evening. We hope that you enjoy your visit to this truly amazing stadium!

Note: Dress casually, wear your favorite sports team jersey and don't forget to wear comfortable, flat shoes (no heels) because we will be on the field. Buses will begin departing the New Orleans Marriott at 5:45 PM for transfer to the Superdome and will run continuously throughout the evening.

⚜ FRIDAY, OCTOBER 26

11:30 AM–12:45 PM

NEW— DRI Veterans' Network Luncheon

(Invitation only)

The Veterans' Network will provide a forum for DRI's service veterans to memorialize their service, network, and engage in service work for veterans in need.

© Sarah Essex Bradley

11:30 AM–12:45 PM

Women's Networking Luncheon

Sponsored by *Dinsmore & Shohl LLP*, *Jackson Kelly PLLC* and *Shook Hardy & Bacon LLP*

Join DRI's women leaders and share your tips for networking successes in an informal, interactive forum over lunch, designed to advance women lawyers' professional goals.

Tickets to the Women's Networking Luncheon are $40 each. Please purchase tickets by notation on the registration form or online at www.dri.org.

5:30 PM–7:00 PM

Diversity Networking Reception

Sponsored by *Cranfill Sumner & Hartzog LLP*, *Hinshaw & Culbertson LLP*, *Lederer Weston Craig PLC* and *Page Kruger & Holland PA*

Join your colleagues and embrace DRI's commitment to diversity initiatives by attending the Diversity Networking Reception. This reception is open to all and invites everyone to support inclusion in their firms and businesses. Engage in lively conversation while enjoying delicious hors d'oeuvres and refreshing cocktails.

⚜ SATURDAY, OCTOBER 27

6:30 PM–10:00 PM

President's Gala and Installation Ceremony

Sponsored by *Plunkett Cooney PC*

The President's Gala and Installation Ceremony is an evening devoted to excellent food, exquisite wine and stimulating conversation with your friends and colleagues. Gourmet food and wine offering a variety of choices, as well as entertainment, will be featured. DRI also will host a silent auction, and throughout the evening you will be able to participate in friendly bidding competitions over many fabulous items. Proceeds again will benefit the National Foundation for Judicial Excellence (NFJE). Auction winners will be recognized after the Installation Ceremony and announcement of new DRI leadership. For more information on the silent auction, see page 26. Business attire is requested.

Tickets to the President's Gala are $100 each. Please purchase tickets by notation on the registration form or online at www.dri.org.

GENERAL INFORMATION

CLE Accreditation

The Annual Meeting has been approved for Mandatory Continuing Legal Education (MCLE) credit by the State Bar of California in the amount of 12.25 hours, including up to 5 hours of ethics credit. Accreditation has been requested from every state with MCLE requirements. Certificates of Attendance will be available for each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Credit availability and requirements vary from state to state; please check our website at www.dri.org for more information on your state.

Counsel Meetings

DRI's counsel meetings incentive program provides corporations and insurance carriers with the opportunity to meet with their invited counsel before or after DRI events. The program is based on the premise that the majority of the attorneys representing these companies are most likely DRI members planning to attend the Annual Meeting. DRI's program makes it easy and enticing for companies to hold counsel meetings at the Annual Meeting. Companies such as Arch Insurance, CNA Insurance, Chartis, Comfort Systems USA, The Hartford, and LP Building Products already are committed to holding meetings in New Orleans. A complete schedule of counsel meetings will be distributed on-site. To find out how your company can benefit from the counsel meetings incentive program, please contact Beth DeMars at DRI at 312.698.6234 or bdemars@dri.org.

NEW – DRI Learning Lounge

Having trouble figuring out how to operate your iPad or iPhone? Are mobile apps a mystery?

Spend 30 minutes in the DRI Learning Lounge, participating in small, interactive classes, and you will be amazed at what you can learn. There will be beginner and intermediate level classes available.

Classes are limited to 10 people and on a first-come, first-served basis. You must bring your own iPad or iPhone to use in the classes. The DRI Learning Lounge will be located in the Exhibit Showcase.

DRI Public Service Committee Silent Auction

Please join us as we host the annual Silent Auction to benefit the National Foundation of Judicial Excellence (NFJE). Chances to bid on fabulous prizes will be available to you all week in the Exhibit Showcase area, with the final night of bidding to take place during the President's Gala. Information on the many exciting items up for auction can be found on both the NFJE (www.nfje.net) and DRI (www.dri.org) websites.

If you have an item that you would like to donate to the auction, please contact Tiffany Caldwell by calling 312.698.6230 or emailing tcaldwell@dri.org.

Exhibit Showcase

WEDNESDAY THROUGH FRIDAY, OCTOBER 24–26

Maximize your time at the Annual Meeting by visiting the Exhibit Showcase! Mingle with exhibitors, friends, and colleagues. Discover new technologies, products, and services geared toward assisting you in representing your clients and building your practice. DRI will host a New and Prospective Members Reception in the Exhibit Showcase on Wednesday, October 24 from 5:30 PM–6:30 PM. As always, registration, continental breakfasts, refreshment breaks, and exhibitor raffles will be held in the Exhibit Showcase area. It is also where you will find the Internet café. Be sure to visit the exhibit booths to become eligible to enter the exhibitors raffles. Daily drawings will be held during the refreshment breaks. Attendees must be present in the Exhibit Showcase area to win. Great prizes will be awarded!

Meeting Attire

Business casual attire is appropriate for all DRI functions. Casual attire is a must for the Thursday night party at the Mercedes-Benz Superdome, in fact, we invite you to wear your favorite team jersey and don't forget to wear flat shoes, no heels, as we will be on the field. Business attire for the President's Gala and Installation Ceremony on Saturday night is requested.

Hotel Facility

New Orleans Marriott
555 Canal Street
New Orleans, LA 70130
504.581.1000
www.marriott.com

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Network with other attendees and exhibitors also staying at the hotel! DRI has secured a limited number of rooms at discounted group rates.
Please make your room reservations online by accessing the following link **http://bit.ly/JL8ocP** or directly with the hotel, and be sure to mention the DRI 2012 Annual Meeting to be eligible for this special rate:

$238 Single/Double Occupancy; includes complimentary in-room Internet use.

Rooms are limited and available on a first-come, first-served basis. **Reservations must be made by Wednesday, September 26, 2012, to guarantee these special rates.** If room block capacity is reached on or before **September 26**, the DRI rate will not be guaranteed and may no longer be available. All reservations require a credit card guarantee or a deposit of the first night's room and tax. This deposit is nonrefundable if canceled within 48 hours of the arrival date.

GENERAL INFORMATION

"Suited for Success"
Public Service Project

Sponsored by *Lederer Westin Craig PLC*

The Young Lawyers Committee is partnering with Dress for Success New Orleans and Ozanam Inn to host an on-site drop-off station, where Annual Meeting attendees will be able to donate professional attire and accessories to help disadvantaged women and men become self-sufficient and successful in their careers. Dress for Success is a national organization dedicated to promoting the economic independence of disadvantaged women by providing professional attire, a network of support and the career development tools to help them thrive in work and life. Ozanam Inn is a shelter serving the homeless and needy men of greater New Orleans, providing assistance to develop skills to help with transition from life on the street to independent living, including career development services.

We will accept business suits, blouses and shirts, shoes, business-appropriate handbags and briefcases, unopened makeup or personal care kits, and accessories such as jewelry or belts. Donations must be new or in excellent condition and dry-cleaned, business-appropriate, pressed, and ready to wear. Undergarments, separates, inappropriate clothing, or any items that are dirty, stained, torn, damaged, or outdated, will not be accepted. Annual Meeting attendees can make a difference—by simply throwing an extra suit in your suitcase—and help a struggling woman or man get one step closer to supporting themselves.

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Registration Information

Save $200 when you register before **September 26**! Registration fee includes the following:

- Admission to all CLE programs
- Admission to all non-ticketed events
- Comprehensive CD-ROM containing course materials, speaker, and session information
- Continental breakfast each morning
- Refreshment breaks
- Networking receptions
- Opportunity to purchase tickets to the Awards Luncheon, Women's Networking Luncheon and the President's Gala

To ensure that your name is listed in the Annual Meeting App and on the advance registration list distributed at the Annual Meeting, **DRI must receive your registration, either by mail, online or by facsimile, on or before September 26, 2012**. Registrations received after **September 26** will be processed on-site. For more information call 312.795.1101.

Refund and Cancellation Policy

The registration fee is fully refundable for cancellations received on or before **August 24, 2012**. Cancellations received between **August 25** and **September 26** will receive a refund, less a $200 processing fee. No refunds will be issued for cancellations made after **September 26**. All cancellations and requests for refunds must be made in writing. Substitutions may be made at anytime without charge. All refunds will be processed and mailed within four weeks of the conclusion of the Annual Meeting.

Special Airline Rates

DRI is pleased to announce that discounted air fares are available on various major air carriers for DRI Annual Meeting attendees. To receive these discounts, please contact Hobson Travel Ltd., DRI's official travel provider, at 800.538.7464. If you would like to have access to the DRI online travel booking tool, you must complete a Business Travel Profile form at www.HobsonTravel.com. Within 24 business hours, you will receive information on accessing the system.

Spouse and Guest Hospitality

A hospitality room will be available each morning for spouses and guests to meet for breakfast and conversation. A continental breakfast will be served Thursday through Saturday from 8:00 AM–10:00 AM. Visitor information about New Orleans and its attractions and museums will be available.

Weather

The average high temperature in October is 79°F; however, the nights can be cooler. To be comfortable, a jacket or coat is recommended.

2012 ANNUAL MEETING SPONSORS

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REGISTRATION FORM

2012 Annual Meeting, October 24–28, New Orleans Marriott, New Orleans, LA

Advance Registration Deadline: September 26, 2012

NAME | NAME AS YOU WOULD LIKE IT TO APPEAR ON BADGE | SPOUSE/GUEST BADGE NAME

FIRM/COMPANY

ADDRESS

CITY | STATE | ZIP CODE

PHONE | FAX | EMAIL

HOME ADDRESS

CITY | STATE | ZIP CODE

ARE YOU A FIRST TIME DRI ANNUAL MEETING ATTENDEE ☐ YES ☐ NO

PLEASE LIST ANY SPECIAL NEEDS _____

ANNUAL MEETING FEES

REGISTRATION FEES	On or before Sept. 26th	After Sept. 26th
Member	_____ $795	_____ $995
Non-Member	_____ $895	_____ $1095
Member In-House Counsel	_____ $200	_____ $200
Non-Member In-House Counsel	_____ $895	_____ $1095
Total Registration Fees	$ _____	

TICKETED SOCIAL EVENTS	No. of Tickets	Total Amount
Awards Luncheon (Thur.)	$60/ticket _____	$ _____
Women's Networking Lunch (Fri.)	$40/ticket _____	$ _____
President's Gala (Sat.)	$100/ticket _____	$ _____
Total Ticketed Events		$ _____

* In-house counsel is defined as a licensed attorney who is employed exclusively by a corporate or other private sector organization, for the purpose of providing legal representation and counsel only to that corporation, its affiliates and subsidiaries.

TOTAL AMOUNT DUE

PAYMENT INFORMATION

☐ CHECK WITH AMOUNT $_____ ENCLOSED

(Please make checks payable to DRI. US funds only.)

☐ PLEASE CHARGE MY CREDIT CARD FOR $_____

Check One: ☐ AMERICAN EXPRESS ☐ MASTERCARD ☐ VISA

CARD MEMBER

EXPIRATION DATE

AUTHORIZED SIGNATURE: _____

PLEASE SEND COMPLETED REGISTRATION FORM WITH PAYMENT TO:

DRI—*The Voice of the Defense Bar*
72225 Eagle Way, Chicago, Illinois 60678-7252
312.795.0747 (fax) – credit card payments only

For more information: 312.795.1101 (phone) or annualmeeting@dri.org (email)

OFFICE USE only

Date received _____

FC _____

By _____

2012AM-B

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