



**Tri-State Defense Lawyers Association**  
**11<sup>th</sup> Annual Meeting**  
**REGISTRATION BROCHURE**

**September 14 & 15, 2017**

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**Red Jacket Mountain View Resort**  
**2251 White Mountain Highway**  
**North Conway, NH**

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**TDLA Chairperson**  
***Paul C. Catsos***

Paul C. Catsos, Maine President  
Christopher J. Pyles, New Hampshire President  
Andy MacIlwaine, Vermont President

## MESSAGE FROM THE CHAIR



Dear Defense Counsel of Northern New England,

We hope to see you at this year's annual TDLA meeting, to be held on September 14<sup>th</sup> and 15<sup>th</sup> at the Red Jacket Mountain View Resort in North Conway, New Hampshire. We have negotiated very reasonable room rates, so please consider joining us with family or significant others and perhaps make it in to a long weekend.

For those interested, we plan a short hike at a local destination to be determined on Thursday the 14<sup>th</sup>. We will of course be back in time for the social/cocktail hour which will be followed by dinner and a trivia challenge with our featured speaker, Michael Kennedy, Esq., Vermont's Bar Counsel. Friday's presentations will include Attorney Kennedy's session on ethics and a presentation on appellate advocacy by Matt Wessler, principal at Gupta Wessler PLLC. Matt has argued multiple cases before the U.S. Supreme Court. We also anticipate a presentation on the state of the *Affordable Care Act* (or whatever it becomes by September) by Thomas J. Dawson III, Chief Executive Officer of TD&P Consulting, Inc.

Weather and water levels permitting, on Friday the 15<sup>th</sup> TDLA will also coordinate with Northern Extremes to provide a three-mile canoe/kayak trip down the Saco and back to the resort. If that level of exertion is not how you would like to unwind on a September Friday in New Hampshire, there are many other fine opportunities for fun with your colleges or family in North Conway, of course including the tax-free retail outlet experience.

And as always, we welcome your feedback as to how TDLA can better serve your needs and the needs of other civil defense lawyers here in Northern New England.

Regards,

*Paul C. Catsos*

Tri-State Defense Lawyers Association

## With Thanks To Our 2017 Annual Meeting Sponsors

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Tri-State Defense Lawyers Association

## 11<sup>th</sup> ANNUAL MEETING

Red Jacket Mountain View Resort—North Conway, NH  
September 14 & 15, 2017

### SCHEDULE

#### Thursday, September 14, 2017

- 6:00 p.m.** Reception with Open Bar  
**7:00 p.m.** Dinner  
**7:45 p.m.** Welcome and Introductions  
Paul C. Catsos, Thompson Bowie & Hatch, LLC (Portland, ME)  
**8:00p.m.** Trivia Challenge with Michael Kennedy, Esq., Vermont Bar Counsel

#### Friday, September 15, 2017

- 7:00 a.m.** Breakfast  
**8:00-8:10 a.m.** Opening Remarks  
Paul C. Catsos, Thompson Bowie & Hatch, LLC (Portland, ME)  
**8:10-8:25 a.m.** Business Meeting (all members are invited to attend)  
**8:30-9:30 a.m.** ETHICS  
Michael Kennedy, Esq., Vermont Bar Counsel

Michael will discuss ethical issues specific to defense counsel, such as issues that arise in the tri-partite relationship.

- 9:30-10:30a.m.** **THE IMPACT OF THE AFFORDABLE CARE ACT ON THE COLLATERAL SOURCE RULE AND ITS FUTURE UNDER A TRUMP ADMINISTRATION**  
Thomas J. Dawson III, Chief Executive Officer of TD&P Consulting, Inc.

By-in-large, juries are not permitted to hear collateral source evidence in malpractice and other personal injury cases. Opponents of the rule question its practicality with the passage of the Affordable Care Act. Proponents claim that the ACA's guarantees and future are at best uncertain. We will discuss Congressional Efforts to Dismantle the ACA, the ACA's Future under the Trump Administration, and the Impact of the Trump Healthcare Agenda on the Collateral Source Rule.

- 10:30-10:45 a.m.** BREAK  
**10:45-11:45am** APPELLATE ADVOCACY  
Matthew Wessler, Principal at Gupta Wessler PLLC

The session will cover tips and strategies for effective appellate brief writing and oral argument, as well as a discussion of both the past and upcoming terms in the U.S. Supreme Court.

### Just for the Well of It! Sign up for one of these family-friendly wellness opportunities:

**Hike-Thursday Afternoon-September 14:** Arrive early and join us for a short afternoon hike. Location to be determined.  
**RSVP: Email Paul Catsos—[pcatsos@thompsonbowie.com](mailto:pcatsos@thompsonbowie.com)**

**Paddle on the Saco River-Friday Afternoon-September 15:** We are coordinating a 3-mile paddle on the Saco River with Northern Extremes immediately following Friday's formal presentation. Transportation to launch site will be provided. Canoe/kayak rentals available. Visit [www.northernextremes.com](http://www.northernextremes.com).  
**RSVP: Email Samantha Lednicki—[slednicki@drm.com](mailto:slednicki@drm.com)**



View from Mt. Kearsage North  
Photo by Paul Catsos

## THE IMPACT OF THE AFFORDABLE CARE ACT ON THE COLLATERAL SOURCE RULE AND ITS FUTURE UNDER A TRUMP ADMINISTRATION



**Thomas J. Dawson III—TD&P Consulting (Silver Spring, MD)**

Thomas (Tom) J. Dawson III, is the founder and CEO of TD&P Consulting, Inc., a health policy firm focused on health reform and its impact on private and public health insurance markets. With over 23 years in healthcare policy, Dawson has served on Capitol Hill, at the Department of Labor, with non-profits and in the private sector.

Before his time as a senior lobbyist for the American Dental Association, Dawson acted as the senior health care counsel to the U.S. House of Representatives Committee on Small Business during the 110th and 111th Congress. In his role, Dawson provided guidance on healthcare reform, Medicare and Medicaid reimbursement policy and commercial health insurance markets. During his time on the Hill, Dawson also provided healthcare policy guidance as an advisor to the Congressional Hispanic Caucus (CHC) Health Care Task Force and drafted legislation relevant to the health science industry and small businesses.

From 2001 to 2007, Dawson served as a pension law specialist with the U.S. Department of Labor's Employee Benefits Security Administration (EBSA). His responsibilities included advising senior leadership on health care and pension issues affecting ERISA-covered employee benefit plans. During this time, Dawson was appointed as special assistant to the deputy assistant secretary for the Office of Program Operations. He also served as a trial attorney in the Office of the Solicitor in the Pension Benefits Security Division.

Prior to joining EBSA, Dawson managed government relations for Financial Executives International, working with senior executives on public policy, strategic planning, and legislative strategy in health care and retirement income policy. As an associate with Health Policy Analysts, Inc., Dawson served as senior staff to the Corporate Health Care Coalition and the Employer Health Care Innovation Project.

Dawson has also been on the frontlines of healthcare as a provider relations associate, physician contract negotiator and health insurance broker. Dawson holds a law degree and Master of Public Health from George Washington University, in addition to degrees from University of Florida and Morehouse College.

## ETHICS

### Michael Kennedy, Esq.—Vermont Bar Counsel (Montpelier, VT)



Michael Kennedy graduated from the University of Vermont and the George Washington University Law School. After gaining admission to the Vermont bar, he worked for several years as an Assistant Attorney General. He was named Disciplinary Counsel in 2000, a position he held until 2012 when he was appointed as Bar Counsel.

Michael is the current President of the Vermont Bar Association's Board of Managers, a former member of the Board of Bar Examiners, a marathoner, and a happily retired high school basketball coach.

## APPELLATE ADVOCACY

### Matthew Wessler—Gupta Wessler PLLC (Cambridge, MA)



Matt is principal at Gupta Wessler PLLC, where he focuses on public interest and plaintiffs'-side appellate and complex litigation. He handles high-profile cases at all levels of both state and federal court and has argued multiple cases before the U.S. Supreme Court, including *Coventry Health Care of Missouri v. Nevils* and *US Airways v. McCutchen*—a landmark ERISA case. Outside of the Supreme Court, Matt's practice involves a wide range of areas including class actions, health care, personal injury, employee benefits, consumer protection, preemption, arbitration, antitrust, and banking. He has been named a *Washington DC Rising Star* in appellate

litigation for the past three years and has been profiled by the National Law Journal for his appellate work. In addition to his appellate work, Matt frequently co-counsels with trial firms in complex, ground-up litigation.

Before starting the firm in July 2015, Matt spent six years as a staff attorney at Public Justice, P.C. in Washington, DC, where he spearheaded the firm's focus on Supreme Court litigation and earned national attention for taking the lead in high-profile cases involving ERISA, preemption, arbitration, and health care. Matt previously practiced at the Washington law firm of Williams & Connolly LLP and was a member of Obama for America's sensitive litigation team, where he handled election litigation on behalf of the presidential campaign. He clerked for the Honorable Richard L. Nygaard of the U.S. Court of Appeals for the Third Circuit and the Honorable William E. Smith of the U.S. District Court for the District of Rhode Island. Matt is a graduate of Cornell Law School and Williams College.



# Tri-State Defense Lawyers Association

## 11<sup>th</sup> Annual Meeting

September 14 & 15, 2017

Red Jacket Mountain View Resort

North Conway, New Hampshire

### REGISTRATION FORM

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Spouse/Guest Name: \_\_\_\_\_

Check states for which you wish to receive CLE credit: ME  NH  VT

State Bar Number: ME \_\_\_\_\_ NH \_\_\_\_\_ VT \_\_\_\_\_

#### MEETING REGISTRATION FEES:

Registration fee includes Thursday night reception and dinner, Friday breakfast and CLE program.

*Handout materials will be emailed prior to the meeting.*

Member of TDLA:	\$195	_____
Non-Member Attorney:*	\$310	_____
New-Member Attorney:	\$270	_____
<i>*Not a member of TDLA? Join today for \$75.00 and register at the member rate!</i>		
(\$75 new member dues plus \$195 member registration rate)		
Spouse/Guest of Registrant:	\$100	_____
(No CLE, includes reception, dinner, and breakfast)		

**TOTAL FEES:** \_\_\_\_\_

**TO REGISTER:** Register and pay online by visiting [www.tristatedefenselawyers.org](http://www.tristatedefenselawyers.org) or make a check payable to TDLA and mail with this registration form to:

**Mark Filler, TDLA Treasurer**  
**P. O. Box 4177, Portland, ME 04101-0377**

#### ACCOMMODATIONS:

A block of rooms has been reserved at the **Red Jacket Mountain View Resort**

2251 White Mountain Highway, North Conway, NH 03860

Rate: \$129+. To reserve a room, call 800-672-0500 and use group reference #477570.

**The deadline for the block rate is August 13, 2017.**

For more information, please contact: Sheri Leahan, Executive Director, TDLA  
Email: [sleahan@tristatedefenselawyers.org](mailto:sleahan@tristatedefenselawyers.org) | [www.tristatedefenselawyers.org](http://www.tristatedefenselawyers.org)