

FEDERATION OF DEFENSE & CORPORATE COUNSEL



FDCC

DEFENSE LAWYERS. DEFENSE LEADERS.



August 23, 2024 -- Issue 238

Good Morning!

Here are your 5+ things to know on developments, upcoming events and progress being made on initiatives the Federation of Defense & Corporate Counsel is undertaking on behalf of all our members.

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#1 CCS Room Block is Full...but the Hotel Still Has Rooms Available!



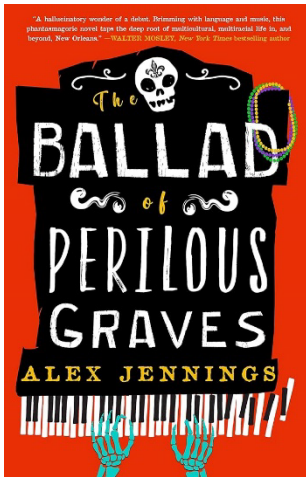
Our room block filled yesterday for the special negotiated room rate at the Windsor Court Hotel in New Orleans for the Corporate Counsel Symposium. However, [rooms are still available at the Hotel](#) for you to join us from September 15-17, 2024.

New Orleans has been named Best Food Destination in the US (for the second year in a row) in the 2024 Travelers' Choice Awards. In addition to the dynamite CLE, the Symposium will feature ample opportunities for fellowship and networking, including Dine-Around dinners in some of the best restaurants in New Orleans! The Dine-Around on September 15th and 16th include Compere Lapin, Gianna, Meril, Commander's Palace and many more. The slots are filling up quickly...[click here](#) to reserve your seat!

Our theme this year is "Solving the Hard Problems in the Big Easy." You can find all of the information in the [brochure](#), which also contains the full agenda and information on the speakers that have been assembled for the CLE sessions. Please click on the following links to [register for the symposium](#).

We look forward to seeing you in New Orleans!

#1.1 CCS Update - Diversity Book Club Announcement



In an exciting development, Alex Jennings, Author of “**The Ballad of Perilous Graves**”, the Diversity Book Club selection for September, has agreed to lead our book club discussion on Sunday, September 15, in New Orleans and join the Diversity Dinner later that evening.

You may not have ever read anything like this before—and this trip to New Orleans is the perfect opportunity to try something off the beaten path! Properly classified as a fantasy novel, this book combines vivid descriptions, complex characters, and elements of authentic New Orleans culture to create a riveting story that is imaginative, thrilling, and magical.

Final details are forthcoming on the dinner, but if you are interested in joining, please email [Kelly Brilleaux](#) and [Linda Knight](#) to get your name on the list!

#2 Member in the Spotlight:

LaShawnda Jackson



Please join us in congratulating FDCC now former Defense Counsel Member, [LaShawnda Jackson](#), who was just elected Circuit Judge for the Ninth Judicial District in Florida.

Prior to her recent elevation to the Bench, LaShawnda was a Partner with [Rumberger Kirk](#) in Orlando, FL where she practiced in the areas of casualty and product liability. She defended companies against premises liability, product defect, and motor vehicle accident liability claims involving personal injury, wrongful death and

property damage cases.

She also represented public entities such as housing authorities and various governmental agencies and municipalities, with regard to civil rights claims, public record laws and compliance with Section 119 of the Florida Statutes.

Congratulations, Your Honor!

#3 Opening Statements

By: Lonnie Johnson



Mediation took hold in the late 1980's and early 1990's, and thereafter radically changed the landscape of litigation in America forever. In the early days of mediation, lawyers presented an opening statement, which looked like...well, an opening statement. Lawyers carted in overhead projectors along with boxes full of transparencies, ("of what?" you may be asking) poster boards and easels, all while dressed in formal courtroom attire.

Mediation openings typically went on far longer than opening statements presented in court, so, it could take a while. Reflecting on my early days as a lawyer, my mentors emphasized the importance of addressing opposing parties directly during mediations. Not the mediator or lawyer, but to look the opposing party directly in the eye and state exactly what you think of their case and what you intended to do if it didn't settle. This tactic led to a few tense mediation moments.

There was one time a P.I. Plaintiff and her lawyer did not take it well when, as a young lawyer, I looked the Plaintiff in the eyes and said, I don't think you are hurt at all! And if we do not settle this case today, I am going to put you under surveillance all the way to the trial," (admittedly a punkish move).

[Please click here to read the entire article](#)

Lonnie D. Johnson is a Senior Partner at **Clendening Johnson & Bohrer, P.C.** with over 30 years of experience practicing law and is also a member of The Mediation Group. This article is submitted on behalf of the FDCC's **Alternative Dispute Resolution Substantive Law Section** - which you can also join as a member benefit. Just click on the blue "Join Section Now" button on the webpage!

#4 Silicon-Anode Batteries:

More Power...More Risk?



FDCC Platinum Sponsor

Knowledge Center

We're pleased to present this first in a four-part series written by subject matter experts at **Exponent**, one of the FDCC's valued Platinum Sponsors. This week's installment is written by Keith Beers, Ph.D., P.E. and Timothy Bogart, Ph.D., P.E.

For more information on the full suite of services offered by the experts at Exponent, please contact **Bette McKenzie**.



Higher capacity silicon-anode lithium-ion batteries make data-driven insights more important than ever.

The world is demanding more powerful, longer-lasting batteries for electronics and vehicles. Many new battery technologies and chemistries are rising to the challenge, from sodium-ion to solid state to lithium-ion batteries with

silicon anodes — the market for which is [projected to grow by more than 60%](#) over the next 10 years.

The momentum behind silicon-anode batteries is in large part driven by their ability to store more energy than lithium-ion batteries of equivalent mass and volume. However, their increased energy density could also pose new, different, and potentially more dangerous risks in the event of a failure.

While many startup companies and major manufacturers are ramping up silicon anode production, ensuring these batteries can hold up to real-world use is paramount.

Gaining and maintaining market share for this emerging technology will take special focus on developing effective safety, reliability, and long-term performance testing.

[Please click here to read the entire article](#)

#5 Webinar: Recent Trends in the Enforcement of Non-Compete & Non-Solicitation Agreements 8/30 at 12PM ET



Brian Nally, a Partner with **Reminger** in Cleveland, Ohio, and the Chair of the firm's Business and Commercial Litigation Department will discuss recent case law impacting the enforcement of non-compete and non-solicitation agreements in this webinar exclusively for FDCC members and their colleagues.

The presentation will discuss the recent decision from the U.S. District Court in Texas striking down the FTC's ban on non-compete provisions, but more importantly, it will discuss other recent court decisions that have not made national news. Brian will review the recent Ohio decision in which the Court granted a motion for a preliminary injunction—and prohibited a national accounting/wealth management firm from enforcing its non-compete and non-solicitation agreement with a former equity partner.

You will leave the presentation with a more detailed and nuanced understanding of recent case law impacting this developing area of the law.

[Please click here to register for the free webinar](#)

#5.1 What's on the Docket?



Please register and mark your calendar to attend the following FDCC events of relevant and timely substantive content:

- **August 30, 2024 at 12:00PM ET: Webinar - "Recent Trends in the Enforcement of Non-Compete & Non-Solicitation Agreements,"** presented by [Brian Nally](#) of Reminger Co., LPA. [Click here to register](#) for the webinar.
- **September 15-17, 2024: Corporate Counsel Symposium** at The Windsor Court Hotel in New Orleans, LA. Co-Chairs: [April Berman](#), [Valerie Kellner](#) & [Shelly Masters](#). Click on the links for the [brochure](#) and to [register](#).
- **October 16, 2024 at 2:00 PM ET: Corporate Counsel Roundtable "Legal Department Cost Pressures in the Post-Pandemic World."** Moderator: [Daniel C. DeMerchant](#), Vice President & General Counsel American Nuclear Insurers. **OPEN TO FDCC CORPORATE COUNSEL MEMEBRS ONLY.** Click here to register.
- **February 23-27, 2025: Winter Meeting** at the The Charleston Place Hotel in Charleston, SC. Registration Coming Soon! Convention Chair: [Jeff Kelsey](#) and Program Chair: [Dan McGrath](#)

- **July 28 - August 3, 2025: Annual Meeting at the [Stein Erikson Lodge & The Chateaux at Deer Valley](#) in Park City, UT. Convention Chair: [Tiffany Alexander](#) and Program Chair: [Lee Hall](#)**

...and finally,

"Have a Nice Day"

Roben Casey!



Roben is the Chief Legal Officer at [East Alabama Health](#), a multi-hospital health system located in Opelika, Alabama. She has served in this executive leadership role for the past 17 years. Since 1994, she has served in various management and administrative roles within the organization and has seen the organization grow from a single hospital to a comprehensive, regional health system serving 11 counties and employing almost 4,000 team members.

Roben plays a pivotal role in the organization's operational and strategic plans and focus. She has a wide range of organizational responsibility including legal affairs, risk management, medical staff affairs and regulatory affairs and serves as the organization's HIPAA

Privacy Officer and Corporate Compliance Officer.

She is a member of various professional organizations, has served in multiple leadership capacities for those organizations and has served as a board member for numerous local agencies and charities. She currently serves in an appointed position on the Pro Bono and Public Service Committee of the Alabama State Bar Association, Vice Chair of the [Healthcare Practice Section](#) of the FDCC, the VCOM Anesthesia Assistant Program Advisory Council, the Legislative Committee of AlaHA, and as a representative of the Alabama Commission on Adult Guardianships and Conservatorships.

In her free time, Roben enjoys spending time with her family, including her husband, six children and three grandchildren, traveling, and high altitude mountain hiking.

And tomorrow, she will be celebrating a birthday. Please join us in filling her In Box with congratulatory wishes:

roben.casey@eamec.org

Happy Birthday Roben and all our very best to you and the family for continued good health, success and happiness in the years to come.

Thank you for being a valued member of the Federation since 2016!



Why FDCC?

"To be the inspired community of vetted defense counsel, exceptional leaders and even better people."



**KEEP
CALM
AND
DEFEND
ON**

The central graphic of the poster is a white icon of a balance scale, symbolizing justice and defense. Below the icon, the words "KEEP CALM AND DEFEND ON" are written in a large, bold, white, sans-serif font, arranged in five lines.

Be Exceptional Today!