



FDCC
DEFENSE LAWYERS. DEFENSE LEADERS.



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Scan the QR Code to easily access the registration page for the 2025 Annual Meeting at the spectacular Stein Eriksen Lodge and its sister property, the Chateau Deer Valley Resort located on the eastern slopes of the Wasatch Mountain Range in Park City, UT.

While the Stein Eriksen Lodge is now sold out, rooms remain available at the Chateau Deer Valley Resort across the street. If you need to cancel your room reservation, please contact [Martha Heinze](#), so we can use that reservation for other members who will be registering between now and the meeting.

We look forward to seeing you **July 28 - August 2, 2025** as we "Train with Champions" and "Go for Gold" together!

Good Morning!

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

#1 Diversity Talks Roundtable:

June 26th at 2:00PM ET / 11:00AM PT



Carolyn Ramos



Alonzo Washington

The Diversity Committee is proud to continue providing a forum for meaningful, open dialogue regarding topics near and dear to our Committee’s heart: “FedTalks: Diversity Talks.” Hosted by several members of our Diversity Committee, this roundtable discussion opportunity is open to all FDCC members who wish to engage in respectful and educational dialogue with their FDCC peers.

Our next “FedTalks: Diversity Talks” will take place on **June 26, 2025 at 2:00 PM (ET) / 11:00AM (PT)**. This informal discussion will be lead and moderated by FDCC Defense Counsel Members [Carolyn Ramos](#) of YLAW and [Alonzo Washington](#) of Flaherty Sensbaugh Bonasso who will help guide a dynamic, member-driven conversation exploring timely topics—including the implications of recent Executive Orders aimed at eliminating DEI initiatives. This is not a panel presentation. It’s a collaborative space for learning, listening, and sharing—open to all FDCC members who value diverse perspectives and open exchange.

Don't miss this chance to be part of the conversation that matters. We look forward to seeing you your colleagues and clients at this informative session.

[Please click here to register](#)

FDCC On the Road at DRI's Diversity Seminar



Meanwhile, a number of our FDCC colleagues got together Wednesday evening to share a meal while attending the DRI Diversity Seminar in New Orleans, LA.

President Heidi Goebel hosted the table on the left, while President-Elect Marc Harwell hosted the one on the right, and were joined by FDCC members Michael Walshe, Sean Griffin, Dessi Day, Dafney Dubuisson Stokes and James Gulotta.

Looking Good Folks!

#2 Civil "Writes" Monthly Newsletter

Our thanks to Guest Editor and FDCC Defense Counsel member [Megan Coluccio](#) of [Baker Sterchi Cowden & Rice](#) in Seattle, WA for providing this month's issue of the Federation's Civil Rights & Public Entity Substantive Law Section.



Please click on the red button below to access the articles on:

- The Issue of the month: SCOTUS Decision in *Barnes v. Felix*: Rejecting the “Moment of Threat” Limit in Excessive Force Cases, and
- Meet Featured Section Member Vicki Smith of Chinn Smith Winters, LLP of Lake Oswego, OR

[Click here to read the entire newsletter](#)

#3 Please Send a Card to John Trimble

Our good friend FDCC Defense Counsel John Trimble of Lewis Wagner Trimble in Indianapolis, IN has entered Hospice care this week with Stage IV lung cancer.

John has been waging a courageous battle with the disease for several years now, and we are sure he would enjoy receiving a card or note of support from all his Federation friends and colleagues.



Please send your cards to John's home:

9543 Cedar Springs Drive

Indianapolis, IN 46260

Thank you very much.

#4 LCJ Files Amicus Brief on FRE 502 Privilege & Non-Privilege Waivers



Clarity on the application of [Federal Rule of Evidence 502](#) regarding privilege and non-privilege-waiver determinations is the focus of the amicus brief filed by our colleagues at [Lawyers for Civil Justice \(LCJ\)](#) in the 9th Circuit last week.

The brief supported a petition for writ of mandamus filed by Amazon.com in *De Coster v.*

Amazon.com, in which Amazon seeks reversal of a ruling regarding Federal Rule of Evidence 502(d)'s protection against privilege waiver.

[LCJ's amicus brief](#), prepared by FDCC Defense Counsel Member [Todd Presnell](#) and his colleagues Adam Williams, Zachary June, and Casey Miller, with [Bradley Arant Boult Cummings LLP](#), argues that that “despite 502(d)'s plain text,” the district court incorrectly expanded on 502(d) by requiring that an order contain “concrete directives” disavowing Rule 502(b) standards.

LCJ urged adoption of FRE 502 in 2007 to control the rising litigation costs associated with electronically stored information (ESI), and argued specifically for the inclusion of Rule 502(d) language providing predictability on waiver of privilege related to disclosure of protected information during ESI productions.

Each of these amicus briefs and LCJ's 2007 comments on proposed revisions to Rule 502 are available in the [LCJ website document directory](#)

#5. The \$50,000,000 Starbucks Venti

Honey-Citrus Tea

By: M. David Short



As I was just starting my third year of law school at the University of Illinois College of Law, a jury in Bernalillo County, New Mexico, returned a verdict in favor of Stella Liebeck for injuries she sustained after spilling a hot cup of McDonald's coffee onto her lap. The New Mexico jury awarded Ms. Liebeck a net \$160,000 in compensatory damages

and \$2,700,000 in punitive damages. *Liebeck v. McDonald's Restaurants, et al.*, No. CV-93-02419, 1995 WL 360309 (N.M. Dist. Aug. 18, 1994). To a defense-oriented law student such as myself, the jury award seemed inconceivable! Fast forward thirty years and the result seems relatively tame.

Indeed, on June 4, 2025, Judge Frederick C. Shaller of the Superior Court of California, County of Los Angeles, denied Starbucks Corporation's motions for a new trial and for judgment notwithstanding the verdict after a Los Angeles County jury awarded Plaintiff Michael Garcia \$50,000,000 in compensatory damages after his penis was severely burned when a venti honey-citrus tea fell out of the cup container as a Starbucks employee handed the container to him through a drive thru window. *Garcia v. Starbucks Corp.*, Case No. 20STCV10214, Los Angeles County Superior Court.

[Please click here for the full article](#)



David Short is an FDCC Defense Counsel member and a Partner at **Quarles & Brady**, LLP in Chicago, IL where his practice concentrates on products liability, appellate and commercial litigation. He has tried cases to juries in California, Arizona, Florida and Illinois. David also has successfully handled appeals in Arizona, Illinois and New

York, including arguing two matters in the New York Appellate Division, First Department.

#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:

- **June 26, 2025 at 2:00PM ET / 11:00AM PT: FedTalks: Diversity Talks Roundtable** moderated by [Carolyn Ramos](#) and [Alonzo Washington](#).
[Click here to register.](#)
- **July 28 - August 2, 2025: Annual Meeting** at the [Stein Eriksen Lodge & The Chateaux at Deer Valley](#) in Park City, UT. "Go for Gold" with Convention Chair: [Tiffany Alexander](#) and Program Co-Chairs: [Lee Hall](#) and [Kile Turner](#). [Click here to register.](#)

- **September 14-16, 2025: Corporate Counsel Symposium** at the InterContinental Hotel in Chicago, IL. Co-Chairs: [Chelsey Golightly](#), [Nicole Benjamin](#), and [Tim Moore](#), Registration coming in Spring 2025.
- **November 5-7, 2025: Insurance Industry Institute** at the Westin Times Square Hotel in New York City. Co-Chairs: [Sarannah McMurtry](#) and [Jeff Van Volkenburg](#). Registration coming in Summer 2025.
- **February 24-28, 2026: Winter Meeting** at the [J.W. Marriott Desert Ridge Resort](#) in Scottsdale, AZ: "**Together We Rise From the Valley**". Convention Chair: [Frank Ramos](#); Program Chair: [Micalann Pepe](#).
- **July 26 - 31, 2026: Annual Meeting** at the [Corinthia Hotel in Lisbon, Portugal](#): "**A Mosaic of Memories in Lisbon**". Convention Chair: [Lee Hall](#); Program Chair: [Alycen Moss](#).
- **February 28-March 4, 2027: Winter Meeting** at the [Fountainbleu Hotel, Miami Beach, FL](#).
- **July 25-30, 2027: Annual Meeting** at the [Fairmont Banff Springs, Banff, Alberta, Canada](#).

...and finally, Have a Nice Day...

D. Jay Davis, Jr.!



Jay Davis is an FDCC Defense Counsel member and chair of the Professional and Medical Liability Group as well as the Business and Banking Litigation group at [Clement Rivers, LLP](#) in Charleston, SC. He also serves on the firm's management committee.

Jay focuses his defense practice primarily in the areas of professional liability, medical and legal malpractice, nursing homes, business, commercial, and real estate litigation. He has served as an adjunct professor of law at the Charleston School of Law where he taught litigation skills. Jay is also a frequent speaker and presenter on issues related to Litigation and Trial, Insurance Defense, Lender Liability, Cross-Examination Risk Management, and Malpractice Issues.

And today he is celebrating his birthday! Please join us in sending him an email:

jdavis@ycrlaw.com

Happy Birthday Jay...and our very best wishes to you and Ashley for continued good health, success and happiness in the years to come. Thank you for being a valued member of the Federation since 2011!

Why FDCC?

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

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