



June 2, 2023 -- Issue 174



**BUILDING NETWORKS BUILDING FRIENDSHIPS**

*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.

**#1 Can You Use \$50,000?**



That's the prize money up for grabs to the first golfer to get a hole in one at the 172 yard Par 3 - 16th hole (designed by Donald Ross), on The Broadmoor's East Course during the FDCC's Annual Golf Tournament! Click on the "Play" button above for a full flyover view of the entire course.

Known for its wide, tree-lined fairways and expansive greens, the 16th combines challenging terrain and amazing mountain vistas, The East Course is ranked among the best golf courses in the country. Since the large trees can alter your shots and the putting greens difficult to read, the best secret tip we can offer for those taking on this open course is to remember that putts break away from the mountains.

Registration for the golf tournament will close once the first 40 golfers have signed up or at the latest by July 10th - so be sure to [register today!](#) For questions, please contact Golf Chair [Gary Johnsen](#).

**#2 Annual Meeting Programming:  
Exclusive...Insightful...Inspirational.  
By: Marisa Trasatti - Program Chair**

Each day of programming at the FDCC Annual Meeting will consist of Thought-Leader-Theaters (TLT) followed by our three plenary tracks:



- **Personal Development:** will discuss topics: gratitude, believing, leadership, happiness, and true grit.
- **Skills Training:** will include new technologies, the growing captive insurance market, living life beyond your career, and more
- **Emerging Areas of Law:** will focus on all the latest topics in the legal field including cyber-attacks and social media crisis

TLT will consist of short, salient 20-minute talks early in the morning from our section contributors and others.

Don't miss **“Evolve Lab: A Hands-on Technology Workshop”** with Tara Cheever, Ned Currie, and Jimmy Wilkins on Thursday starting at 7:00am! Be sure to check out **“Fraternity Hazing”** by David MacMain and **“Civil Claims Arising from the Imposition of International Economic Sanctions and Economic Warfare”** – a first ever panel comprised solely of our international members! We hope to inspire you personally and professionally during our four programming days.

[Please click here for the entire article & Program Schedule](#)

[Please click here for the Annual Meeting Brochure](#)



On-site and off-site events and excursions are filling up fast! Please register yourself and your family to take full advantage of all Colorado Springs & the Annual Meeting have to offer!

Just follow the FDCC's Broadmoor Bee to register for all the events and excursions today! Registration is easy:

1. log into your FDCC profile on the [FDCC website](#),
2. click “Welcome (your name)” at the top of the Home Page
3. on your member page click on the tab “Participation”

4. then scroll down and go to the “Upcoming event registrations”
5. Click on “2023 Annual Summer Conference”
6. and you will be able to edit your meeting registration for you and any guests.

***Want more, do more, be more at The Broadmoor!***

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## #3 Umbrella Policy Coverage Extended Beyond Service Contract Requirements

### By: Melissa Brill



While not often in the limelight, standard business practice relies on service contracts and, in turn, risk transfer through those contracts.

Critical issues can arise regarding whether a party seeking additional insured

coverage is actually an additional insured, and if so, the amount of policy limits available. As extreme jury awards, or “nuclear verdicts,” become more common, the limits of insurance available become increasingly significant in addressing catastrophic claims.

Service contracts and insurance policies often specifically address additional insured coverage and policy limits, as in *ExxonMobil Corporation v. National Union Fire Insurance Company of Pittsburgh, PA*, No. 21-0936, 2023 WL 2939596 (Tex. Apr. 14, 2023). The additional insured’s coverage is often limited to (1) the policy limits or (2) the amount required by contract, whichever is less. In *ExxonMobil*, however, the Texas Supreme Court held that the umbrella policies did not incorporate the policy limits set forth in the underlying service contract and, therefore, the additional insured (Exxon) was entitled to the full policy limits under the umbrella policies.

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**[Melissa Brill](#)** is an FDCC Defense Counsel member and Co-Chair of the Global Insurance Department of **[Cozen O'Connor](#)** in New York City, NY. William H. Craven of the firm's Dallas, TX office assisted in the writing of this article.

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

## #4 Providence Meets!



First Lady Roni Dash and President Howard Merten organized a get together of our FDCC members in Providence, RI last week to share an adult beverage and to spend some time with friends. They also welcomed Ned & Sue Currie who had traveled north to be part of awarding the Foundation's annual Diversity Scholarship.

Would you like to organize a local/regional meeting in your neck of the woods? The first round is on us. Just contact FedMeets Chair [Dan McGrath](#) for all the details.

## #5 FDCC Responds to FMCSA's New Trucking Task Force



The Federal Motor Carrier Safety Administration (FMCSA) recently appointed nine members to serve on a task force charged with evaluating truck lease agreements and the potential safety and financial impacts they have on owner-operators.

The DOT's Truck Leasing Task Force (TLTF) is tasked with compiling best practices and assessing the impacts of leasing agreements and submit recommendations on new laws promoting fair leasing arrangements.

We contacted the Task Force Administrator who immediately responded with appreciation for the offer of assistance our Transportation Law Section and other members specializing in the field can offer. Given the nationwide and state-by-state experience in representing and insuring OTR, LTL, owner operators, independent contractors and others engaged in leasing operations of tractors and trailers and on intermodal transportation issues, these members can contribute tremendous value to the Task Force. We will now be kept advised of further developments and opportunities to provide further comment.

## #5.1 Is Your Child a Recording Artist?



FDCC Defense Counsel member [Scott Salter](#) at [Starnes Davis Florie](#) in Birmingham, AL and his wife Allison can easily answer this question as they are celebrating today's release of their son Dan's new EP rap song "Holding".

As Scott says, "rap may not be everyone's favorite," however, it is still quite an accomplishment and a lot to be proud of! You can find the song on [Spotify](#) (if you have a subscription) All of which leads to the question of whether that is Dan's Lamborghini in the photograph...or is Scott just lending him his for the photo shoot?

Congratulations Salter Family!

## #5.2 What's on the Docket? FDCC's Upcoming Events



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

- **June 14, 2023 at 1:00PM ET - FDCC Law Practice Management Town Hall Meeting: "Strategic Planning: process, purpose & goals."** Join Moderator Jody Briandi and her guests: John Trimble; Steve Embry & Frank Ramos. [Click here to register.](#)
- **July 23 - 28, 2023: FDCC's Annual Meeting at The Broadmoor Resort & Hotel** in Colorado Springs, CO. Convention Chair: [Casey Stansbury](#). Program Chair: [Marisa Trasatti](#). Registration coming soon.
- **October 22 - 24, 2023: FDCC's Corporate Counsel Symposium** at the Philadelphia Downtown Marriott Hotel in Philadelphia, PA. *"The Leader in WE"*. Co-Chairs: [Alison Christian](#) and [Bill Vita](#).
- **November 8 - 10, 2023: FDCC's Insurance Industry Institute (I-3)** at the Sheraton Times Square Hotel. *"Insights, Innovation & Inspiration: New Approaches for Insurance Leaders."* Co-Chairs: [Micalann Pepe](#) and [Alycen Moss](#).
- **February 25 - 29, 2024: FDCC's Winter Meeting at the Vinoy Renaissance Hotel** in St. Petersburg, FL. Convention Chair [Sean Griffin](#); Program Chair: [Frank Ramos](#)

...and finally...  
**Have a Nice Day  
William Toles !**



William is a Shareholder with **Munsch Hardt Kopf & Harr, P.C.** in Dallas, TX, where he has successfully tried more than 60 civil jury trials to verdict.

His trial experience throughout Texas includes tort litigation, ranging from negligence and transportation matters to more complex premises liability, Deceptive Trade Practices Act (DTPA), commercial and contractual dispute litigation. He has been selected by D Magazine as one of the "Best Lawyers in Dallas" since 2016.

William serves on the Board of Directors for the Cotton Bowl Athletic Association, is a member of the Washington & Lee University Board of Trustees and is a class agent for his law school class.

He has been a valued FDCC Defense Counsel member since 2015...and will be celebrating his birthday on Tuesday.

Please join us in sending him an email:

**[wtoles@munsch.com](mailto:wtoles@munsch.com)**

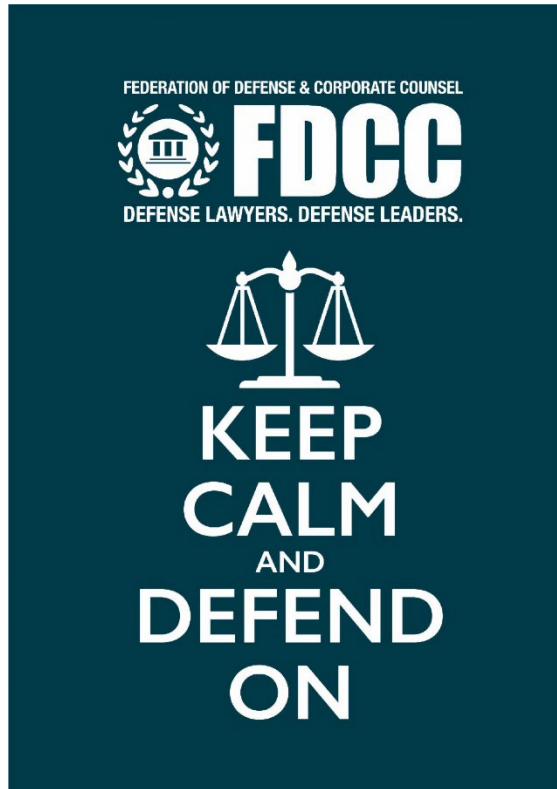
to wish him a very Happy Birthday!

Congratulations William, and our very best wishes for continued good health, success and happiness!

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**Why FDCC?**

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



**Be Exceptional Today!**

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