

FEDERATION OF DEFENSE & CORPORATE COUNSEL



FDCC

DEFENSE LAWYERS. DEFENSE LEADERS.



June 7, 2024 -- Issue 227

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.



Please [click here](#) to register for the 2024 Annual Meeting at the Fairmont Royal York Hotel in Toronto, Ontario - July 28 to August 3!

In today's issue:

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#1 2024 Annual Meeting Brochure Now Available

Our exciting brochure for the FDCC's 2024 Annual Meeting is now available by clicking on the box below and scrolling to the link for the brochure.

You can now:

- view the entire agenda for the meeting;
- preview the relevant CLE programs;
- get details on all the on-site and off-site events and excursions (for which you can now also register on the website); and
- see all the fun things to do, explore and see in our host city, and where to dine off-site if you wish.



If you have not yet had the chance to register for the 2024 Annual Meeting at the Fairmont Royal York Hotel in Toronto, ON, please consider doing so now.

[Click here for the Brochure](#)

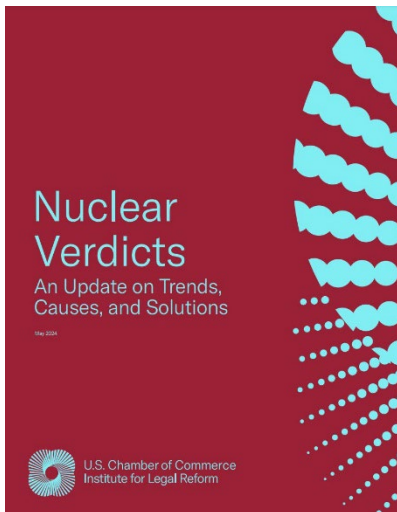
[Click here to register](#)



The Annual Meeting Convention Team (left to right) of [Tiffany Alexander](#) - Program Chair; [Marisa Trasatti](#) - Convention Chair; and President [Craig Marvinney](#) & First Lady [Paula McQueen](#) have worked hard to put together this memorable annual event for you and your family.

We look forward to having you join us for this not to miss annual gathering of the defense bar's premier members!

#2 The Current Impact of Nuclear Verdicts



Nuclear verdicts drive up the costs of goods and services, make insurance riskier to offer and more difficult to obtain, and undermine fundamental fairness and predictability in the rule of law. And, as the latest edition of the US Chamber of Commerce Institute for Legal Reform's research on nuclear verdicts reveals, the problem is getting worse.

The report on nuclear verdicts (defined as jury verdicts worth \$10 million or more), examines 1,288 such verdicts awarded in the 10-year period between 2013 and 2022. It found that while nuclear verdicts dropped off significantly during the period of court closures caused by the COVID-19 pandemic, they quickly rebounded to near-record highs by the third quarter of 2021. Indeed, excluding the pandemic years, nuclear verdicts are on an upward trajectory.

ILR's research dives into the factors driving this trend, looking at different case types behind these verdicts and their variation across the states. Among other findings, the paper found that:

- California, Florida, New York, and Texas collectively produce half of the nation's nuclear verdicts.
- Product liability nuclear verdicts are increasing in size far more quickly than other verdict types, rising to a median value of \$36 million in 2022 from a starting median of \$24 million in 2013 (a 50% increase).
- Noneconomic compensatory damages continue to play an outsized role in nuclear verdicts. In fact, in six out of 10 years in the dataset, the total amount of noneconomic damages exceeded the total amount of economic damages and punitive damages combined.

If left to develop along their current trajectory, nuclear verdicts promise to become further entrenched and to continue threatening livelihoods and raising costs across the economy. The paper diagnoses a range of phenomena that drive nuclear verdicts, including trial lawyer advertising, third party litigation funding, and plaintiffs' lawyer tactics like the reptile theory, and concludes with a set of solutions that policymakers can implement.

[Click here to get the ILR's Report](#)

#3 Elevating Your Practice with LitSuite



Tara Cheever



Steve Embry

We are pleased to bring you this week's podcast in which we delve into legal technology and innovation. Listen in as Defense Counsel member [Steve Embry](#) of [TechLaw Crossroads](#) welcomes [Lit Software](#) co-founder [Tara Cheever](#), which has developed and released TrialPad, Document Review Pad, TranscriptPad and Exhibit Pad.

Tara describes the continued evolution of the iPad and how it has revolutionized presentations, and provides an update of what's coming next. By extending the iPad to televisions in the courtroom, boardroom, meeting room or before mediators, the mobile device can instantaneously access everything in your files. The ease and intuitiveness of the iPad and the TrialPad case file allows attorneys to singlehandedly control the presentation from the palm of your hand - and making you more efficient and effective.

[Click here to listen to the podcast](#)



members of the FDCC.

You can listen to the FDCC's FedSpeaks podcasts on Spotify, iTunes, Stitcher, the Fed365 app or wherever you get your podcasts. Find out what over 10,100 listeners have already discovered by downloading and subscribing to these enlightening episodes by, about and for

#4 Members in the Spotlight: Christian Lang & Chris Rodd

You just never know where FDCC Friends will get together. This past week, our International Members, Christian Lang from Zurich, Switzerland (left) and Chris Rodd from Melbourne, Australia (right) took this selfie while attending the [10th AIDA Europe Conference](#) in Athens, Greece.



The conference brings together top subject matter experts from across the European continent and the world to network and collaborate on current topics impacting the industry including:

- Catastrophe Perils & Climatic Change
- Insuring Political Risks During the War in Ukraine
- Recent Developments in Cyber Insurance and D&O Coverages
- Digital Risks & Challenges of New Technology and Other Disruptors

Did you know...every FDCC member is also granted free membership within the the [AIDA](#) as a member benefit? Many of our members have had the privilege of speaking at prior AIDA conferences.

While Christian and Chris struck their pose in front of the historic [Acropolis](#) in Athens, you can also make history and take your own selfies in front of a Castle by attending our Annual Meeting - July 28-August 3, 2024 in Toronto

where one of our events will be a fabulous dinner event and evening at [Casa Loma](#)! Register for the meeting by [clicking here](#).

#5 FDCC Speaker Wanted for New Zealand Insurance Lawyers Conference



Speaking of our International opportunities, Chris Rodd has asked whether you might be interested in being one of the prominent speakers to be featured at the [New Zealand Insurance Lawyers Association](#) Annual Conference in Christchurch on [September 4-5, 2024](#).

The organization is looking for a speaker on either one the topics noted below:

- Climate Change litigation and its implications for the insurance industry
- Conflicts abroad. NILA is looking for and FDCC member to sum up all various global issues worldwide that are affecting, or may affect, insurance law such as kidnapping and ransom, shipping in the Red Sea, war, Russia/Ukraine, sanctions, etc.

Please email [Chris Rodd](#) directly with any questions or to express your interest in speaking at NZILA's conference.

#5.1 Welcome Our New Member



Please join us in welcoming the following new member who has been admitted to our membership:



Daniel I. Graham, Jr. is a Partner with **Nicolaides Fink Thorpe Michaelides Sullivan LLP** in Chicago, IL, where his practice is focused on insurance coverage analysis and litigation across the country on matters involving commercial general liability, bad faith, in primary and excess policies. Dan is also a well-regarded speaker, often called upon by bar associations and clients to speak on technology-related insurance coverage issues. The Defense Research Institute (DRI), the Journal of Reinsurance, the Chicago Bar Association, and the Illinois Institute of Continuing Legal Education have all published Dan's articles and training materials.

Dan is a DRI Insurance Coverage and Claims Institute program vice chair and previously served on the steering committee. He is a former director of the Chicago Bar Association's Young Lawyer's Section (YLS) and co-chair of the Chicago Bar Association's YLS Insurance Coverage Committee. Dan and his wife **Monica** reside in Grayslake, IL.

#5.2 What's on the Docket?



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

- **June 13, 2024 at 11:00AM ET: Law Firm Practice Management Zoom Meeting on "Law Firm Culture."** Join moderator [Jodi Briandi](#) and her guests: [Amanda Cialkowski](#), [Stacy Broman](#) and [Nick Haigler](#), and [Kim Ess](#). [Click here to register](#).
- **June 20, 2024 at 1:00PM ET: "FDCC Diversity Book Club"** discussing "The Sum of Us." [Click here to register](#).
- **June 21, 2024 at 12:00PM ET: FDCC Insurance Coverage Webinar: "The Role of Coverage Counsel in Mediating Liability Claims,"** moderated by [Adam Durst](#) with [Jean Lawler](#) and [John Trimble](#). [Click here to register](#).
- **June 26, 2024 at 5:30PM: FedMeets with All Hoosiers!** Meet us at the [Public Greens](#), 902 E 64th St, Indianapolis. Please RSVP no later than June 12 via email to becky.mcdonald@ya.law.
- **July 10, 2024 at 2:00PM ET: FDCC Corporate Roundtable on the Intersection of DEI and ESG** moderated by [Michael Rettig](#), Global CLO and CCO of Giorgi Global Holdings, Inc. **OPEN TO FDCC CORPORATE COUNSEL ONLY**. [Click here to register](#).
- **July 28 - August 3, 2024: FDCC Annual Meeting at the Fairmont Royal York Hotel in Toronto, ON.** Convention Chair: [Marisa Trasatti](#); Program Chair: [Tiffany Alexander](#).
- **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"
Tom Bazemore!



Tom is a Partner with [Huie, Fernambucq & Stewart LLP](#) in Birmingham, AL where his practice is focused on product liability, automotive product liability, medical malpractice, trucking and transportation, bad faith / insurance litigation, business and negligence cases. He has been a valued member of the FDCC since 2011.

Since joining the firm in 1996, Tom has successfully defended clients in various trial venues at both the State and Federal Courts and in both rural and urban court systems. He has tried 41 cases to verdict.

On Wednesday this week, Tom celebrated his birthday, but we're sure he wouldn't mind a few belated good wishes! Would you please join us in sending him a Happy Birthday email to:

tbazemore@huielaw.com

Congratulations Tom, and our very best wishes to you, Ashley and the family for continued good health, success and happiness in the years to come.

Why FDCC?

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

FEDERATION OF DEFENSE & CORPORATE COUNSEL



FDCC

DEFENSE LAWYERS. DEFENSE LEADERS.



**KEEP
CALM
AND
DEFEND
ON**

Be Exceptional Today!