

FEDERATION OF DEFENSE & CORPORATE COUNSEL



FDCC

DEFENSE LAWYERS. DEFENSE LEADERS.



May 10, 2024 -- Issue 223

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 Three Ways to Make a Difference This Mental Health Awareness Month

By: Claire Parsons



As a mindfulness teacher, Well-Being Week in Law is an important week for me. It's also an important reminder of my own history with a mental health challenge. Right about this time twelve years ago, a fellow lawyer encouraged me to get help for a mental health challenge. The lawyer happened to be my mom, who practiced family law for over thirty years, and my challenge was post-partum depression.

I was exhibiting all the signs of depression. I knew all the signs of depression. I would not have gotten help if my mom, a person accustomed to guiding others through crises, had not encouraged me to seek treatment. This is why I teach mindfulness now because I know that the combination of kindness and awareness at the right time can make all the difference.

I know that mental health is a challenging subject that can make many of us feel overwhelmed. Even so, lawyers are uniquely positioned to make a difference both in our profession and in our communities. If you aren't sure how to start, here are three things to consider and explore for the rest of Mental Health Awareness Month.

1. Know the Basics

The rates of depression, anxiety, substance abuse, and suicide are higher in the legal profession in comparison to other professions. The simplest way for you to help make a difference for yourself and others is to familiarize yourself with the signs and symptoms of these conditions and resources that can help. You probably heard of the [988 Suicide & Crisis Lifeline](#) but [you can also familiarize yourself with its affiliated website](#) in case you or someone you know is ever in need of it.

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



Claire E. Parsons is an FDCC Defense Counsel member and Of Counsel with **Bricker Graydon** in Ft. Mitchell, KY where she specializes in school law, administrative law, municipal law, employment law, and litigation. She is also an **author**, **blogger**, and sought out speaker on topics relating to mindfulness, compassion, mental health, stress management, confidence, and more for lawyers, and a Mom to two daughters.

#2 "We Can Be More Than Defense Counsel" FDCC Civil "Writes" Monthly Newsletter By: Monté Williams



Monté Williams - Then



Monté Williams - Today

Practicing law is my second career. My first career was as a West Virginia State Trooper. I spent 10 years with the West Virginia State Police. It remains one of the most meaningful times of my life. To this day, some of my closest friends are police officers (federal, local, and state).

I was inspired to write this article specifically because of a question I was asked by one of my closest friends (now a retired state trooper) in 2000. On a spring afternoon, while we were both still in uniform, but while I was in my first year of law school, my friend asked whether being in law school helped me to

like people again. The question hits on a sentiment that is shared by many law enforcement officers I know. In the world of law enforcement, the question, and the issues it raises, is timeless.

Among other things, the question addresses whether there is a disconnect between police officers and those they serve. Whether the disconnect impacts the manner in which the officers do their jobs and whether it impacts how the public sees them. I sincerely believe the vast majority of police officers do their job competently and professionally. I also believe most appreciate them and the job they do.

This article, however, offers a perspective that points to a simple, but sometimes forgotten tactic, based on many conversations I've had with police officers during my law enforcement career and during my time as a civil defense attorney.

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

Monté Williams is an FDCC Defense Counsel member and a Member at **Step toe & Johnson** in The Woodlands, TX, where he heads the firm's Oil & Gas Emergency Response Team. He is also a member of the Workplace Safety Team focusing on OSHA issues.

#3 Your LCJ In Action By: Bob Christie



Lawyers for Civil Justice's (LCJ) Spring meeting in Washington, D.C. just finished with record attendance.

FDCC Past President Scott Kreamer has moved up to become President Elect of LCJ and will work over the next year with former IADC President and now LCJ President Molly Craig. Other LCJ Past Presidents at the meeting were FDCC Past Presidents Wayne Mason and Tim Pratt.

The FDCC, along with DRI and IADC, formed LCJ in 1987. The mission of this unique organization, made up of major corporations and 70 individual law

firms, is to collaborate on initiatives to improve the procedural fairness and efficiency of the U.S. civil litigation system. The work is profound and reshaping the rules to balance the field of play for businesses and civil defendants. LCJ was responsible for the amendment to FRCP 26(b)(1), introducing “proportionality” as a limit on the scope of discovery.

LCJ’s latest success was spearheading the major change to Federal Evidence Rule 702, effective last December, codifying the gatekeeping role of the courts and requiring the proponent of an expert to prove by a preponderance of the evidence that each element of the rule is satisfied pre-trial. The rule change makes clear that all foundational challenges to an expert opinion are a matter of admissibility for the court to decide, not a matter of weight for the jury. The latest cases interpreting the new rule are found here:

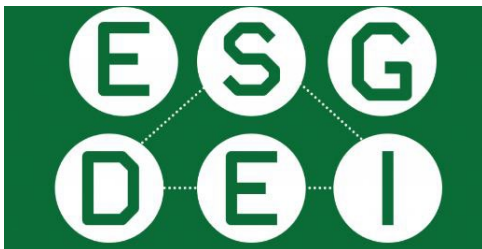
DontsayDaubert.com. Cite them in your next motion and help unify our defense voice on this key evidence rule.

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



Bob Christie is an FDCC Defense Counsel and Past President of the FDCC. He is founder of the [Christie Law Group](#) in Seattle, WA and is widely recognized as one of the foremost lawyers defending police officers and their agencies in civil rights cases in Washington.

#4 "In House Role After SFFA" In House Counsel Roundtable July 10 at 2:00PM ET



In the wake of the Supreme Court’s decision in *Students for Fair Admissions v. Harvard*, 143 S. Ct. 2141 (2023), companies’ DEI initiatives and policies are coming under scrutiny.

Given the current landscape, in-house counsel need to be able to navigate and address the potential challenges to their DEI efforts.

We invite all in-house and corporate counsel to join us for an interactive roundtable to discuss the impact of the Court's ruling. The topics of discussion will include:

- (1) where does your company stand regarding current DEI initiatives;
- (2) have you seen any challenges to your DEI efforts internally or externally;
- (3) how are you advising and addressing these challenges and
- (4) how it is potentially affecting your ESG efforts as a whole.

Please click [here](#) to register and join [Michael Rettig](#), CLO and CCO of [Giorgi Global Holdings](#) on July 10, 2024 at 2:00 EST for this Roundtable **exclusively** for our Corporate Counsel members..

#5 Member in the Spotlight: Sean Griffin



FDCC Defense Counsel member [Sean Griffin](#) of [Robinson + Cole](#) has just been certified as an Artificial Intelligence Governance Professional by the [International Association of Privacy Professionals](#) – making him one of the first people in the world to receive this certification.

The AIGP certification designates individuals who can ensure safety and trust in the development and deployment of ethical artificial intelligence (AI), the ongoing management of AI systems, and how major frameworks can be governed in compliance with applicable laws in the United States and Europe.



#5.1 Let's Try This Again!

Last week our platform provider jumbled a few of the links to articles and the podcast episode in the Friday 5's. Sorry about that! Kindly see the links below, which we hope will now open properly for everyone.



- **Professional Women's Forum Webinar** "Hysterical: Gendered Communications & Its Effect on Persuasive Advocacy" [Click Here to Register](#)
- **Article on No-Compete Agreements** by Tim Moore and Chad Hatmaker: [Please click here](#)
- **Lifetime Achievement Award Podcast** with FDCC Defense Counsel General Michael Neil (USMC, Ret'd) and Jennifer Hoffman: [Please click here](#)
- **May 22, 2024 FedTalks: Diversity Talks Roundtable Forum** moderated by Alonzo Washington: [Click Here to Register](#)
- **June 20, 2024 FDCC Diversity Committee Book Club Discussion** on *The Sum of Us* moderated by Micalann Pepe: [Click Here to Register](#)

#5.2 Welcome Our New Members



Please join us in welcoming the following new members who have been admitted to our membership:



Kathryn S. Whitlock is a Partner with **McAngus Goudelock & Courie, LLC** in Atlanta, GA where her practice is focused on professional liability, bad faith, sexual misconduct, as well as those in the insurance, healthcare, real estate, accounting and education fields, among others.

Outside of MGC, Kate gives her time to non-profit organizations in Atlanta. She has been married to her husband, **David**—who is also an attorney—for over 35 years. Together, they share three grown non-lawyer children and two dogs.



Christopher G. Fusco is a founding Partner and Managing Partner with **Callahan & Fusco, LLC** in Roseland, NJ, where his practice concentrates on the defense of commercial, construction, insurance, transportation, general liability, public entity, constitutional law, and high-profile tort litigation, including negligence cases, NY Labor Law lawsuits, and alleged police misconduct constitutional law claims. He has helped to shape a program using a simple direct negotiation format and designed a

reporting system to fast-track complex cases to settlement.

Christopher previously served as an Assistant District Attorney with the Kings County District Attorney's Office in Brooklyn, New York where he was responsible for managing major felony cases. He has completed over fifty jury trials including cases involving murder, armed robbery, and undercover investigations. He was assigned high-profile cases with special victims.



[Vaughn K. Schultz](#) is a shareholder with [Dickie, McCamey & Chilcote, P.C.](#), in Pittsburgh, PA, where he concentrates his practice in the areas of product liability, commercial litigation, real estate, and outside general counsel services, with a particular emphasis in toxic torts, which he defends throughout the United States alleging personal injuries due to occupational chemical exposures or from exposure to industrial or consumer products.

He also specializes in a wide range of commercial litigation cases, including those involving oil and gas, mineral law, landlord-tenant law, employment discrimination, product liability, medical malpractice, and insurance bad faith actions, residential and commercial real estate transactions and real estate litigation matters. Vaughn and his wife [Irena](#) reside in Bridgeville, PA.

Welcome Aboard!

#5.3 What's on the Docket?



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

- **May 14, 2024 at 12:00PM ET: Professional Women's Forum Webinar: Hysterical: "Gendered" Communication and Its Effect on Persuasive Advocacy** with Professor Marian Braccia, Director of the LL.M. in Trial Advocacy and Practice Professor of

Law at Temple University Beasley School of Law. [Click here to register.](#)

- **May 15, 2024 at 12:00PM ET: FDCC Insurance Substantive Law Section Lunch & Learn Program: "Occurrence v. Claims Made Policies Primer,"** moderated by [Stephen A. Melendi](#) & [Stacy Broman](#). [Click here to register.](#)
- **May 22, 2024 at 2:00PM ET: "FedTalks: Diversity Talks" Roundtable** moderated by [Alonzo Washington](#). [Click here to register.](#)
- **June 20, 2024 at 1:00PM ET: "FDCC Diversity Book Club"** discussing "The Sum of Us." [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](#)
- **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](#)
- **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, 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"

Robert Sumner!



As a member of **Butler Snow's** commercial litigation group in Charleston, SC, Robert focuses his practice on complex civil litigation for a range of business clients including large corporations, small businesses, manufacturers, real estate owners and developers and trustees. He is also engaged in the areas of Commercial

Litigation, Estate/Trust Fiduciary Litigation, Financial Services Litigation, Products, Catastrophic & Industrial Litigation, and Class Actions.

Robert has been a valued member of the FDCC since 2017....and yesterday, he celebrated his birthday. Would you please join us in sending him a somewhat belated Happy Birthday email to:

Robert.Sumner@butlersnow.com

Congratulations Robert, and over very best wishes to you, Kristen 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."

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FDCC

DEFENSE LAWYERS. DEFENSE LEADERS.



**KEEP
CALM
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DEFEND
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Be Exceptional Today!