



Eagle News

Issue XIV December 2015

Eagle International Associates, Inc.
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MESSAGE FROM THE CHAIR

By: Jeffrey V. Hill, Esq.
Hill & Lamb LLP

Dear Members and Friends of Eagle International:

Welcome to the Eagle International Associates Winter 2015 Newsletter. Thanks very much to our Publications Committee and its Chair, John VanDenburgh for producing this outstanding newsletter, as well as all of our Eagle Legal Updates during the year. We completed another successful year of industrywide conferences in Kansas City, Chicago, Boston and Richmond in addition to our client specific conferences at Church Mutual Insurance Company in Merrill and ALPS and ATTIC in Missoula. Another year of action is planned for 2016 with stops in Scottsdale, Philadelphia, Merrill and New York.

This is my second letter to you as Chair of Eagle. Our organizational goals are to expand the individual business reach of our members and friends, and the organization itself, and to build on the professional friendships that Eagle makes possible for all of us. As one of our members told me years ago – hint, he is the subject of our Member Spotlight – “we are members of a legal organization and we actually really like each other.” We are always reminded of our twin goals and they both always move forward.

As I write this, I am thinking more about the second goal, as the news from Paris, Beirut, Israel, Gaza and Africa reminds us of the value of distant but close friendships in our increasingly fragile and fragmented world. When flooding hits South Carolina, alternating drought and flooding in Texas, storms everywhere, or the recent incomprehensible cruelty in Europe, the Middle East and Africa, the Eagle family keeps us connected. Our first thoughts, when tragedy strikes a member’s region, go to our friends there. Someone starts a communication link and we all quickly

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know how our members are. Our members know that it is not just them that members are anxious for but the entire circle of our member's communities. Our contact, and our affection, provide each of us a reciprocal return – and further forges the bonds of our professional and personal friendships.

We do a lot of good business in Eagle. The professional and personal friendships that we have is what drives us. I have the privilege of knowing people like Mario Ciano and David Hudgins – with their always open and generous hearts – better I am sure than partners in large national law firms know each other. And there are tens of Marios and Davids for all of us in Eagle.

The state of Eagle is very good. Our past and upcoming events were and are outstanding and unique

in our business world. We are privileged to have dedicated and gifted committee members and Chairs, seminar planners, speakers and our dear tsarina, Terri Napolitani. Without Terri, we all know that we would struggle to accomplish a fraction of what we are able to do. Frank Napolitani, our Executive Director, steered Eagle through the formidable and some difficult times and continues to give us his long industry wisdom. On behalf of all of us at Eagle thank you all very much for all you do for Eagle. And thank you all for the privilege of leading Eagle. We all need very dark sunglasses because the future of Eagle is so bright. Best to a productive and wonderful 2016 to all of us and our families.

Jeff

A NOTE FROM THE PUBLICATIONS COMMITTEE

By: John W. VanDenburgh, Esq.
Chair, Publications Committee

Happy Holidays to all Eagle members. The Publications Committee would like to thank all of our Eagle members for the time, effort and responsiveness given in support of our publication projects throughout this past year. At the fall meeting in Boston I saw the publications package that was given to client attendees and the scope and quality of our publications are impressive and greatly appreciated by our clients.

This past year, in addition to updating our 50-state survey of *Fair Claims Handling Statutes*, a momentous undertaking, we also managed to produce a high quality single page reference sheet on *Subrogation Notice Requirements From Carrier to Insured for the 50 States and the District of Columbia* as well as a *State by State Guide to Sex Offender Notification Requirements and Not-for-Profit Volunteer Protection Provisions*. These publications are an effective

way to keep Eagle International Associates, and our individual members, in the minds of, and at the fingertips of, our clients on a daily basis.

Our first publication effort of the New Year will be updating two existing publications: *Statute of Limitations and Rules for Comparative/Contributory Negligence* and *Negligence Defenses and Age of Risk Appreciation in Child Sexual Abuse Claims*. We anticipate publishing the updates during the early first quarter of 2016 and within the next few weeks I will be sending an e-mail to the membership regarding the information needed. Thanks in advance for your help.

If you have any suggestions, or are interested in joining the Publications Committee, please contact me at jwv@nvnolaw.com.

SPOTLIGHT ON EAGLE MEMBER - GENE BACKUS

By Stephen J. Fields, Esq.
Brinker & Doyen, LLP

Gene Backus is a man of many talents, stories and gifts. Yes, he is one of the founding partners of Backus, Carranza & Burden a highly successful litigation firm in Las Vegas, Nevada. No, his favorite hobby is not playing blackjack at the Golden Nugget. Gene is a student of life, and when speaking with him, one certainly comes to appreciate the enthusiasm and passion he has for life.

Gene has many passions and currently one of his favorite passions right now is the charitable organization he has started with his wife Cathy called "Send Me On Vacation." The idea for the charity came from a friend of theirs who is a two-time breast cancer survivor. Cathy asked what she could do, and her friend just wanted to sit on a beach. From this discussion and their contacts with the resort industry, the genesis of an organization was to send underprivileged women on vacations to exotic resorts. The charity has lasted over five years, which is when breast cancer survivors deem they have survived, and therefore the charity has "survived." They send women to a resort where they would never, ever, in their life have dreamed to be able to enjoy with their families, including one woman with seven children. Recently, they have expanded the experience to transform women into mermaids for beautiful self-portraits. These experiences have transformed these women to make them feel better about themselves and transforming to a new normal. They have sent over 150 women on vacation! This passion among many others he has is not surprising given his career path.

Gene grew up in a small ranching town of Winnemucca, Nevada. Winnemucca is named for a Paiute Indian Chief and the name loosely translates to mean "one moccasin." Gene's grandfather was the local District Attorney, but that's not really the reason why Gene ended up going to law school. His mother was an artist, and Gene admires those individuals



who have artistic talent and who perform before an audience. He would have loved to become a musician or an artist, but he chose a different path in life. He attended UNLV and thought he would start with math and science because those subjects really intrigued his interests. Looking back, his chemistry and biology background was essential for understanding concepts in the law. It was not until he was a senior in college though that he really thought about law school.

Gene started working in the public defender's office interviewing inmates, and this was when the Warren Court was very pro-criminal with Miranda, etc. He worked with some very bright attorneys that encouraged him to go to law school. After scoring 100 points higher than anyone else on the LSAT, he thought "*maybe* I should look into law school."

He attended UCLA law school, which was a stimulating environment. He was a self-admitted radical and activist at UCLA and was part of the protest for the administration building at UCLA. He even shared a seat next to the big red head Bill Walton. Despite his activist activity, UCLA grooms their individuals to be corporate lawyers and that is essentially what he thought he would do with his time. He preferred moot court and the order of barristers as opposed to the law review. He interviewed with the big firms in New York and San Francisco. However, it was his father who mentioned to him, "Why not interview here in Las Vegas?" From there, he went back home to Nevada, and started working with an insurance defense firm. Gene recalls the early days of trying cases where he would bring one red folder for a six-week death case! Today, a case of that size would encompass thousands of pages of documents. However, when he was 33 years old, his career really ignited.

The old MGM Grand Hotel Fire in Las Vegas sparked an onslaught of litigation. 86 people were killed and

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SPOTLIGHT ON EAGLE MEMBER - *Continued from page 3*

700 injured. There were 1,327 lawsuits against 118 companies. Gene was tasked with managing the defense litigation. The case took over three and a half years of his legal career, he hired 85 attorneys and 50 paralegals, reviewed over 10,000,000 documents and they took over 2,000 depositions. Multiple depositions were going at a rate of 20 a day. Over 75 college graduates were hired to review the construction documents. He met several attorneys nationwide that reciprocated his referral of cases. The management of this litigation opened many doors and steered his career to be one of the leading attorneys in large loss cases for the Hilton Hotel Fire and Dupont Plaza Hotel among many others. Gene became involved with another MGM lawsuit concerning Project City Center and the Harmon Tower. This construction litigation consisted of over twelve and a half terabytes of data. The cost to review documents alone was over \$50,000 a month. The trial was expected to last up to two years. They were able to develop a trial protocol and persuaded the judge to have all of the documents produced electronically to usher in a new era of litigation. Gene broke ground on technology and construction cases that has paved the way for the future.

With respect to Eagle, he was on the ground floor. He was introduced by an independent adjuster that was a friend of his in the southwest. When he first started, it was certainly a different organization than it is now. He is currently the Treasurer of Eagle because mainly, as he joked, "somebody's got to be in Las Vegas to

sign the checks." But the wonder of Eagle from his perspective is the collegiality and closeness of the members. He considers the members to be friends as opposed to resources. Eagle is not just a way to get more business but to share experiences. There are tremendous attorneys in Eagle. Newer and young attorneys need to take advantage of this collegiality, and the rest of it will take care of itself. Over the last four years, he has seen a huge opportunity for attorneys. As his dad said, "A little bit of elbow grease is required and you cannot be a joiner." When he was a member of a club, he was told that 80% were joiners, 15% responsive, and 5% are the self-starters and inventive. People have to "dig in and do stuff" in order to get where they want to go. Good advice for all Eagle members.

Gene still admits the practice of law is his recreation. Every day he gets paid to be a student of life. Each case brings a new area where he gets to learn. The practice of law is not just about reading case law, but learning something every day such as neurosurgery, brokering loans or construction. The upside is so great that he really couldn't see himself doing anything else with his time. Luckily he has a great family to fill his time. In addition to their foundation, Gene and Cathy renew their vows every year. As for Cathy, Gene has Eagle's own Frank Napolitani to thank for meeting her. Cathy was invited to an Eagle golf event, and she was supposed to ride with Frank. Frank's neighbor wanted to ride with Frank in a golf tournament. Gene and Cathy rode together and off into the sunset.

MARKETING COMMITTEE GREETINGS

**By: Mitchell A. Orpett, Esq., Committee Chair
Tribler Orpett & Meyer, P.C.**

As we dash into a new calendar year, I can report that Eagle has enjoyed a very busy and successful 2015. As you can read elsewhere in this newsletter, our conferences and client events continue to grow and, more importantly, draw rave reviews from our clients and guests. Speakers have been engaging and are anxious to participate. All seem to be pleased by their experience and by the invitations to join in our

CLE and professional education efforts. Likewise, audiences have been active and enthusiastic and very appreciative of the quality of our conferences. All in all, we are in a very good place with our seminars. So, too, have our accompanying dinners and receptions with our clients been praised and well-attended. While some have noticed a decided shift to wines hailing from the Oregon terroir, no one seems

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MARKETING COMMITTEE GREETINGS - *Continued from page 4*

to be complaining as of yet. I expect any day to see one of our invitations to our guests show up on Stub Hub!

Upcoming conferences promise to be just as successful, provided of course, that we continue to work hard at organizing the panels, selecting our topics and inviting our guests. We do seem to have fallen into the habit of too few inviting a high percentage of our guests and, while the organization as a whole would undoubtedly be even better off with greater breadth of Eagle invitations, ultimately it is those who don't invite guests who fail to maximize the benefits of Eagle affiliation. I would hope that every member would pledge to invite at least two or three guests to events during the upcoming year.

Our schedule for 2016 includes a conference in Philadelphia on March 24, an Eagle post-dinner reception at the CLM Annual Meeting in Orlando, most likely on April 7, our Spring Meeting in Scottsdale on May 12-14, a return to Church Mutual on June 23-24 and our Fall Meeting in New York City on October 13-14. Please mark your calendars and plan on attending and inviting.

As successful and popular as our conferences and live events have been, there are, as Robert Frost (Eagle 1960?) might have said, "miles to go before the Marketing Committee sleeps." We have an ambitious agenda for additional projects and initiatives: from a study of our internal communications and the use of social media, to a review of the Eagle website; from our quest for corporate/risk management involvement to seeking ways to keep in touch with former attendees of Eagle programs; from conference vendors to Eagle apps, we want to continue to explore new ideas and new prospects for increasing the benefits of participation in Eagle. You will hear much more from the Marketing Committee on these and other projects during the upcoming year.

In the meantime, please let me know if you have any ideas for how Eagle might best help you and your firm or company. This is, after all, your organization. We hope to see more of you, more often and will always listen to any ideas. Make 2016 the year of the Eagle. Commit to the bird!

DIVERSITY INITIATIVES

**By: Annarita L. McGovern, Esq., Committee Chair
Owen Gleaton Egan Jones & Sweeney, LLP**

The Eagle Diversity Committee has now been in existence for a year, and thanks to everyone who has helped to support the goals of the committee in increasing diversity throughout all aspects of Eagle, and especially to the committee members who have worked to accomplish our goals for this year. In this first year, the organization has adopted a diversity mission statement; has incorporated this statement into publications and the website; and committee members have worked on each conference to facilitate diversity among panelists, members, and attendees. The statistics from the 2015 seminars show strong numbers for diversity in panelists and attendees. However, diversity among membership attendance at the seminars is an area we can continue to improve

on in 2016, so please keep in mind opportunities to include diverse Eagle colleagues in the coming year.

The Diversity Committee is preparing to work with the committees for next year's conferences in Philadelphia (March), Scottsdale (May), Church Mutual (June), and New York (October). As we work to include increased diversity in each of these conferences, please consider clients, potential panelists and others within your firms of diverse backgrounds who may be able to participate in these seminars next year. Thanks to all for your continuing support, and we look forward to continuing to expand the depth and breadth of diversity in all Eagle programs in the coming year.

RECAP OF 2015 MARKETING EVENTS

CHURCH MUTUAL

By: Mitchell A. Orpett, Esq.
Tribler Orpett & Meyer, P.C.

The Eagle Players, having rested languorously on the laurels of its critically acclaimed past performances of mock mediations, boldly traveled to Merrill, Wisconsin, in late June to expand its repertoire and introduce its latest production in summer stock. Enlisting the talents of Eagles and Church Mutual claims professionals alike, the performance of “I’ve Fallen and Can’t Get Up – But I Can Sue” (“*Fallen*”) turned out to be a theatrical tour-de-force and, true to ancient theatrical traditions, proved highly educational and cathartic as well.

Fallen told the sad and, ultimately, unpreventable (so said the jury) story of Frannie Forgetful, an elderly and infirm resident of the Kingdom Come Adult Living Center, who fell victim to the chaos resulting from the actions of Lester Molester, a paroled sexual offender who was mistakenly allowed into the Center. Lester fell over some loose tiles. When he fell, a concealed knife fell out of his pocket, causing the lone security guard to leap into action. Regrettably, his leap was directly into Frannie, who filed suit against the Center alleging negligence and serious permanent injury. Frannie’s fate was, as the performance started, still unknown and was eventually decided by a live jury of her peers (if a group of liability claims adjusters can be considered “peers” of a personal injury plaintiff).

The performance unfolded in ten acts which, but for their utter drama and emotional tenor, would have eclipsed even *Nicholas Nickleby* for protracted staging. The audience was treated to a live voir dire of the jurors by counsel for both Frannie and the Center, opening statements, a hearing presided over by “Judge” Peter Miller involving plaintiff’s counsel’s unethical online contact with jurors, the cross-examination of Frannie, played by Dawn “Meryl Streep has nothing on me” DeKeyser in a bravura performance, the cross-examination of the Center’s insurance adjuster, who managed to lose the potentially incriminating video of Lester’s entry into

the Center, the direct and cross-examinations of the Center’s CEO, Harald Costcontainment (played as a charming and urbane, but oddly aloof administrator by our own Jeff Hill), the cross of the plaintiff’s expert and closing arguments. In addition, we elicited the reactions, concerns, questions and emotions of our audience throughout the presentation, which kept interest high, gave us great feedback and led to confrontations reminiscent of the later Jerry Springer episodes.

At the end of the performance, the jury retired (although not, as many of them may have feared, from their jobs) to a separate jury room, where they deliberated for as long as it took to serve lunch. They returned to announce their unanimous verdict for the defense, finding that Kingdom Come had breached no duties owed to Frannie, who was left to return to the Center to watch her beloved Packer games with only her dignity as a companion.

Eagle’s profound thanks go to John VanDenburgh and John D’Amelio, who took great pains to develop an entertaining but realistic premises liability/spoliation fact pattern. In addition, the tremendous cast of Eagle players, attorneys and adjusters alike, made the characters of *Fallen* as real as our last case. A copy of the Cast List, including Church Mutual jurors, is included here. The performance was exceedingly well attended but, due to other jobs and inadequate payment for the cast, the decision was made to close the show after this single performance. Quipped the current producer, Jeff Hill, “you can’t improve on perfection, so why even try?” The critical reviews mirrored this modest self-assessment, expressing great thanks to Eagle and acknowledging valuable perspectives on the trial process gained. The world eagerly awaits the next undertaking of the Eagle Players!

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RECAP OF 2015 MARKETING EVENTS

CHURCH MUTUAL - Continued from page 6

THE CAST

I'VE FALLEN AND CAN'T GET UP – BUT I CAN SUE

Eagle Chair	Jeff Hill
Emcee	Mitch Orpett
Judge	Peter Miller
Juror #1	Lisa Duginski
Juror #2	Laura Duginski
Juror #3	Judy Frymark
Juror #4	Renae Koblitz
Juror #5	Jeff Waldman
Juror #6	Jody Zuelsdorff-Hamerla
Plaintiff ~ Frannie Forgetful	Dawn DeKeyser
Adjuster ~ Arnie Adjuster	David Meisner
Defendant Rep ~ Harald Costcontainment	Jeff Hill
Summary of Expert Report	Dan Ripper
Security Expert ~ Sam Sleuth	Mike Zoovas
Security & Premises Liability Update	Stan Sliwa
Presentation: Ethical Considerations at Trial & in Adjusting Claims	John Cuttino
Legal Teams	
For the Defense:	For the Plaintiff:
Melvin Davis	Dora Brantley
John VanDenburgh	Mike Woodson
John Egan	Paul deLorimier
Tim Waldeck	Burt Satcher
Annarita McGovern	Paul Finamore
Dave Thomas	
John D'Amelio	

ALPS

On September 10 and 11, 2015 eighteen Eagles traveled to Missoula, Montana to host a reception and dinner and conduct a seminar for the claims attorneys and staff of ALPS along with several adjusters from ATTIC, RRG. An after-work reception was held in the ornate lobby of the beautiful ALPS building followed by a fine dinner in an adjoining restaurant suggested by Brad Dantic, the General Counsel of ALPS. Our Chair Jeff Hill handled the introductions

of the guests and everyone enjoyed the opportunity to network and meet new friends.

The next morning, following a complimentary breakfast buffet, a group of Eagle Volunteers presented a program entitled "Crossing the ALPS and Insulating the ATTIC: Eagle's View of Avoiding Legal Liabilities." After welcoming remarks by Jeff Hill, David Hudgins thanked our guests and introduced ALPS CEO David Bell, who spoke briefly about

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**By: David D. Hudgins, Esq.
Hudgins Law Firm**

RECAP OF 2015 MARKETING EVENTS

ALPS - Continued from page 7

the company and its status as the largest single-line insurer of attorneys in the U.S. Our program featured three panels consisting of and moderated by Eagle members on topics of interest identified by ALPS claims director, Rob Tameler. The discussions were informative and prompted a good deal of audience response and participation. The program concluded with a luncheon and more networking opportunities. A number of Eagles remained in Missoula to explore the environs and enjoy the unique flavor of the city. A

dinner hosting several of our ALPS friends was held that evening. Eagle participants in the program were Rob Anderson, Gene Backus, John Cuttino, Mitch Orpett, Dan Ripper, Matt Schrader, Paul Finamore, Jeff Hill, David Hudgins, Tiffany Norton, Ted Waldeck and Michael Woodson. The reviews from ALPS were all positive and there was much support for repeating the visit to Missoula in the future. Thanks for Terri and Frank for all their good work in organizing another successful Eagle event.

BOSTON

Eagle returned to historic downtown Boston for its Fall Meeting on October 15-16, 2015. The festivities began with a lovely cocktail reception and dinner at the InterContinental Hotel which allowed old friends and new contacts to meet and connect in a relaxing atmosphere.

On Friday morning, over forty Eagles and their guests gathered for a half day seminar ***“IT’S A WHOLE NEW GAME: Adapting Your Litigation Strategies to the Changing Times.”*** The impressive guest list included representatives from numerous carriers, clients and self-insureds.

The first panel tackled “Cutting Issues in Employment Law” including the unique challenges posed by the legalization of marijuana in many jurisdictions. Moderator and seminar co-chair, John Egan and industry experts Jeffrey Benedict (Church Mutual); Heather Lacey (Legal Sea Foods); Ellen McCann (Unum Group); and Stacey Widlansky (Allied World) shared their insights on navigating this emerging area of law and potential pitfalls for employers. It was an excellent discussion.



**By: Alison M. Crane, Esq.
Bledsoe Diestel Treppa & Crane, LLP**

David Abrams and Peter Waldeck hosted a very interesting panel discussion on trends on concussion and head injury litigation.

The panel featured Kathleen Austin (Hanover) and Therese Sizer (West Bend) who discussed trends in head injury claims as well as the insights of neuropsychologist Robert McCaffrey, Ph.D. on the science (or lack thereof) that underlies some claims. The panel offered

practical thoughts and advice on handling these challenging claims.

Matt Schrader provided an entertaining look at the serious issues posed by juror misconduct in the social media age. With real life examples of jurors inappropriately using social media during trial, Matt reminded us of the potential obligations of attorneys to monitor social media during trial in order to find and avoid juror misconduct.

Our last panel, hosted by John D’Amelio, took a fresh look at “Creative Settlement Strategies.” From

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RECAP OF 2015 MARKETING EVENTS

BOSTON - Continued from page 8

mediation to Offers of Judgment, James DeDonato (Beazley); Robert Irish (Allied World); Cy McFarlin (United Church Insurance Board) and Rebecca Selinger (General Star) walked us through ways to create leverage and maximize value.

John Egan and Alison Crane wish to thank the members of the committee who worked so hard to make this event a success: David Abrams, John VanDenburgh, John D'Amelio, Matt Schrader, and Peter Waldeck.

The generosity of their time, knowledge and good humor were instrumental in creating a successful seminar. Our thanks to Frank Napolitani for his leadership and Terri Napolitani for coordinating yet another outstanding Eagle event. Engineering a seamless affair is no small feat and her dedication to managing the countless details that make these events run smoothly is unparalleled. Congratulations to Eagle on another successful conference!

RICHMOND



To closeout an extremely busy but highly successful 2015 for Eagle International, Eagle hosted another outstanding and well attended conference in Richmond, VA on December 2nd at

the illustriously distinguished Commonwealth Club. The program was entitled “**Bad Auto Accidents, Big Injuries and Bad Brain Injuries**”. Many Eagle members and participants who attended the event truly enjoyed themselves and viewed the program as one of the best held so far in Richmond.

What made the program particularly special was its highly renowned speakers including Dr. Ray Shelton, crisis management and psychologist, who spoke on “Catastrophes and Managing the Psychological Trauma”. In addition, Dr. Peter Sorman, neuropsychologist and traumatic brain injury forensic expert, presented on the “Forensics of Traumatic Brain Injuries and PTSD (Post-Traumatic Stress Disorder)”. And lastly, professional engineer, James Whelan, principal of Beacon Engineering, spoke on “Emergency Rapid Response to Trucking Accidents”.

By: Paul J. Graf
Claims Service Corporation of America

The educational program was rounded off by a terrific exchange between Eagle members David Hudgins and Mitch Orpett along with their panelists who thoroughly debated the common and more popular issues that surround “Ethical Conduct & Bad Faith Avoidance”.

What also lead to the program’s success was the interactive nature of how each educational segment was delivered in order to encompass and engage key panelists as designed by the Eagle planning committee and its moderators. The panelists were also deemed professional claim and legal experts who are highly established in their specialty field.

The committee had a lot of fun with the planning process. The end result was a highly informative and interactive educational experience for all involved to which our Eagle clients ultimately benefited from. The positive synergy throughout the conference was contagiously rewarding.

Following the educational program and cocktail reception at The Commonwealth Club was a delightful evening over dinner at the historically majestic Jefferson Hotel where Eagle clients and friends dined in a private room off the hotel’s regal atrium. During our formal dinner, a wonderful set of accolades was set forth by Eagle Chair, Jeff Hill, thanking all in attendance who made the event such an overwhelming success.

2016 LINE UP

MARCH 24
PHILADELPHIA
 Le Meridien Hotel
 Afternoon Seminar
 Reception and Dinner



APRIL 8
HILTON ORLANDO
BONNET CREEK
 CLM Event
 Hospitality Suite
 Reception



MAY 12-13
SCOTTSDALE
 Royal Palms Resort
 May 12:
 Annual Meeting
 Reception and Dinner
 May 13:
 Morning Seminar
 Afternoon Golf Outing



JUNE 23-24
CHURCH MUTUAL
 June 23: Reception and Dinner
 June 24: Morning Seminar



OCTOBER 13-14
NEW YORK
 Venue to be confirmed
 October 13:
 General Membership Meeting
 Reception and Dinner
 October 14:
 Morning Seminar/Lunch

REFERRALS

JULY

I am pleased to report that so far this year we have received 5 Church Mutual cases: 3 slip and falls on church property, 1 dog bite and 1 settlement involving a minor. **Chris Harrington, Howard Kohn**

..... There is no substitute for the annual pilgrimage to Merrill, Wisconsin. June 23-24. **John Egan, Rubin and Rudman**

I am happy to report that we have received an assignment from Mario Ciano with Reminger Co. in Cleveland, OH to assist on an investigation for Berkley Specialty Underwriting Managers. We also recently received an assignment from Shea Conley in Reminger's Lexington, KY office for CE/ESIS Insurance. EAGLE REALLY WORKS!!! Thanks again Shea & Mario. **David Meisner, Metro Adjusting Service**

I am pleased to report the recent assignment of two Church Mutual files – one shortly before and one after – the trip to Merrill, Wisconsin. Thanks to all who have laid the groundwork for our relationship with this valuable client. **John W. VanDenburgh, Napierski, VanDenburgh, Napierski & O'Connor**

I too, thankfully received a Church Mutual assignment today. **Jamie Sullivan, Howard Kohn**

Being an Eagle member is so rewarding. Not only do we benefit from the many referrals, but the ability to call upon our fellow members for help is so beneficial. E.g., I am taking depositions in NYC. Called David Abrams, Strongin, Rothman & Abrams, who recommended a court reporter and graciously offered his office as the venue for the deposition. Eagle Works! **George Lieberman, Vetter and White**

I would like to thank Art Kutzer from our Colorado attorneys at Senter Goldfarb & Rice, LLC for the referral of a trucking liability matter that is likely to develop into further claims. It was a really nice referral you sent them on our behalf. Thanks, again, Art. **Paul de Lorimier, McKay, deLorimier & Acain**

Thanks to our fellow Eagle members in New York, Strong, Rothman and Abrams LLP, and the recommendation of Barry Rothman, we have received our second assignment KLLM Inc. defense assignment, here in Ohio. Our first assignment in March was in Indiana. **Mario Ciano, Reminger Co.**

AUGUST

I want to thank John VanDenburg and his partner Shawn Brousseau for referring a new retail client my way who is opening a location in CT to give them employment advice and to defend it from any employment claims. Really decent and sophisticated folks. John and Shawn, thank you for thinking of me! I look forward to thanking you in person in Beantown! **Jamie Sullivan, Howard, Kohn, Sprague & Fitzgerald**

Our continued thanks to David Pennington for the referral of his client Equity Office. We received a new assignment this week. We much appreciate his efforts and those of all of our Eagle brethren in making this organization work for the mutual benefit of its members and our respective clients. **David Abrams, Strongin Rothman & Abrams**

Our firm just received a new assignment from Larry Warshaw of Carl Warren. If you have been to an Eagle event over the past few years, you must have met Larry when he performs his magic tricks. Thanks to, I believe, Mitch Orpett for first inviting Larry to Eagle. **Steve Fields, Brinker & Doyen**

I would like to thank David Abrams for referring a minor settlement probate approval file for Club Med. **Art Kutzer, Senter Goldfarb & Rice**

Thanks to Stephen Fields and Michael Bowgren of Brinker & Doyen, LLP, for referring a Gallagher Bassett matter to our office for handling. I will echo the sentiments of all the other emails sent on this subject – we have a great group that really does work. **Sean Sturdivan, Sanders Warren & Russell LLP**

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MORE REFERRALS

AUGUST - Continued from page 11

Our firm just received our first assignment from Church Mutual. I want to thank all who have laid the groundwork for our relationship with this great client. Special thanks to Mitch Orpett for assisting in the initial introductions. **Michael Bowgren, Brinker & Doyen**

We appreciate a referral through the recommendation of New Orleans attorney Jeff Clayman for the possible representation of a national health care provider regarding a matter in upstate New York. Eagle works. **John W. VanDenburgh, Napierski VanDenburgh Napierski & O'Connor**

SEPTEMBER

David Macdonald of Macdonald Devin in Dallas advised that he received a new assignment from AXA Insurance Company. AXA has been a long time Eagle contact and we are happy to see that they continue to use the Eagle network!

Church Mutual sent me a new case. May such blessings never cease! **David Hudgins, Hudgins Law Firm**

Wow. Within 30 minutes of sending the message above, another CMIC case came in. Hallelujah! **David Hudgins, Hudgins Law Firm**

We have been neglectful when it comes to reporting assignments but we are now up to our seventh United Church of Christ case since 2011 and sixth from Church Mutual. We thank all of those who have been instrumental in making this possible.

In addition, I received a recent assignment from Bernard Mettetal from Paris to monitor a Reinsurance matter on behalf of Allianz. **Dave Pennington, Harvey Pennington**

I am also pleased to report the receipt of an assignment, and from a new client! I participated in the Eagle trip to ALPS in Montana earlier this month. I got a call late last week with my first ALPS legal malpractice case assignment! Thanks to all who make Eagle the strong organization it is. Eagle works again! **John Cuttino, Gullivan White & Boyd**

I am happy to report the assignment of a new case from our friends at Church Mutual. Thanks to all who have nurtured this client relationship. **John Egan, Rubin and Rudman**

OCTOBER

I am pleased to advise that I recently received a new assignment from Church Mutual Insurance Company. **David Macdonald, Macdonald & Devin**

I am pleased to advise that I have been contacted by Jennifer R. Perri, CIS, CISR of the Insurance Board requesting that my firm present a seminar concerning sexual abuse at First Presbyterian Church – Dallas, one of the largest Presbyterian churches in the Dallas/Fort Worth area. The seminar is being coordinated through Ms. Perri of the Insurance Board and it is my understanding she will be attending the seminar, along with approximately 50 church employees.

Although this is not an assignment where our firm has been formally retained, it does provide a terrific opportunity to interact with potential clients and the Insurance Board. I am thankful for this opportunity and hopefully it will lead to a new assignment in the future. **David Macdonald, Macdonald & Devin**

We received a GL claim from a fellow member. Thank you MacDonald Companies and Eagles!!!! **Kathy Bowser, Parker & Associates**

MORE REFERRALS

NOVEMBER

I am pleased to report receipt of 2 new assignments from Church Mutual. Our continued appreciation to all who have fostered a truly unique relationship with the good folks in Merrill. Stan Sliwa, Sliwa & Lane

Reminger is pleased to share recent assignments by Peter Christel and his associate of RSUI Group Inc., the specialty surplus and professional liability carrier in Atlanta, GA. Peter Christel and Mark Reese of RSUI were attendees of our September 2012 Atlanta/Turner Field Seminar. **Mario Ciano, Reminger Co.**

Just to inform you that I am working in Pennsylvania with David Pennington on an interesting case in which we are instructed by the French market on a CAR policy. The client and ourselves appreciate the quality of the work being done by David and his team, particularly Melissa, in a difficult case. Best regards to all. **Bernard Mettetal, HMN & Partners, Paris**

Thanks to Sean Sturdivan in KC for recommending our firm to Brotherhood Mutual Insurance Company to represent a co-defendant on a case.

(I waited a week to send because I wasn't sure if Sean was done partying after the Royals World Series win...)

Thanks to John Egan for bringing Cy McFarlin of the Insurance Board to the October Eagle Conference in Boston. Cy tried to send us a case, but unfortunately we had a conflict. Cy did indicate he would keep us in mind for the future. **Steve Fields, Brinker & Doyen**

I would once again like to thank Peter Miller and all those members who have so carefully nurtured and provided excellent representation for Church Mutual Insurance Company. We have received two new assignments over the past two weeks. **David Abrams, Strongin Rothman & Abrams**

I just received another Church Mutual assignment. Thank you, Peter, and thanks to all the Eagles who work hard to sustain our relationship with this good client. **David Hudgins, Hudgins Law Firm**

I am very pleased to advise that we have received an assignment to monitor a Re-Insurance mediation in Pittsburgh, Pennsylvania from Bernard Mettetal of Paris. It is a very interesting and complicated matter involving coverage issues. **David Pennington, Harvey Pennington, Ltd.**

Just wanted to thank Paul Finamore for referring a potential employment law client to our firm. **Gene Backus, Backus Law Firm**

Reminger is please to advise of an assignment received from Denise LaSorte of XL Catlin's Atlanta office. Denise was an Eagle guest last year in Arizona. We also received a referral from Paul Moore, who is now with XL Catlin, but came over from Hiscox. Paul was an attendee at our Atlanta Turner Field seminar in 2012. **Mario Ciano, Reminger Co.**

Last week we received a new assignment from the Insurance Board/United Church of Christ involving an employment matter. Many thanks to John Egan and Mario Ciano for the introduction to this client and also to all those Eagle members who continue to nurture this client relationship through their excellent representation. **David Abrams, Strongin Rothman & Abrams**

Reminger Co., L.P.A. is pleased to report the receipt of Kinsale Insurance assignment to Danny Newman in our Northwest Indiana office by Ashley Driscoll. Ginny Brooks of Kinsale will be attending our December 2 Richmond seminar. We nurtured our relationship with Kinsale with the Chief Claim Officer Ann Marie Marson attended our Richmond seminar in 2012. **Mario Ciano, Reminger Co.**

Another CMIC assignment this week. Thanks, Eagle! **David Hudgins, Hudgins Law Firm**

Reminger tried to refer a plaintiff personal injury case to our Florida Member, Banker, Lopez & Gassler, but unfortunately they had a conflict. We thank their Wally Van Arx of their Ft. Myers office for referring us to other counsel that could represent the client. **Mario Ciano, Reminger Co.**

(Continued on page 14)

MORE REFERRALS

NOVEMBER - Continued from page 13

I wanted to let everyone know that I received my first assignment from our fellow member, The MacDonald Companies. Eagle Works! **Marc Sheiness, Sheiness Glover & Grossman**

We recently received a new file from Church Mutual which is a related molestation case to a prior suit we defended for a Congregational Church at its District level. **Burt Satcher, Owen Gleaton**

Thanks to our Eagle membership and relation with Church Mutual, our partner Emily Newman in our Louisville, KY office received a new long term care assignment from Jody L. Zuelsdorff-Hamerla. **Mario Ciano, Reminger Co.**

ANNOUNCEMENTS AND ACCOLADES

JOHN E. CUTTINO named President Elect of DRI - The Voice of the Defense Bar

Congratulations to **John Cuttino of Gallivan, White and Boyd, P.A.**, in South Carolina who was named DRI President-Elect for 2016-2017 at the DRI Annual Meeting in October. DRI has 22,000 members, and is the world's largest organization of attorneys who defend the interests of businesses and individuals in civil litigation.

SCOTT SULLIVAN STREETMAN & FOX Super Lawyers

James P. Streetman and Wade G. Manor have been recognized as *Super Lawyers – 2015*; and **Leah L. Ledford and James L. Banks** as *Rising Stars – 2015*. Congratulations to all!

EDMONDS COLE LAW FIRM, P.C. Celebrating Its 30th Anniversary!

Founded in Oklahoma City in 1985, Edmonds Cole Law Firm, P.C. is celebrating 30 years of legal excellence and service to local, statewide and Fortune 100 clients. The firm is AV Peer Review Rated by Martindale-Hubbell, and its partners and associates have been named to the Oklahoma Super Lawyers list for their legal excellence.

Edmonds Cole believes in establishing long term partnerships with clients by striving to prevent legal

problems before they occur, negotiate solutions wherever possible, create reliable budgets, and provide early case evaluations so clients can make informed decisions.

Building on this underlying philosophy, Edmonds Cole draws on the combined strengths of its professionals to provide a balanced approach to solving legal problems in the areas of business law, real estate, construction law, insurance defense, commercial litigation, employment law, personal injury, bad faith.

We want to thank all of our clients for their trust in allowing Edmonds Cole to be a part of their business goals and serve their legal needs. We look forward to another 30 years of providing excellent legal service to all of our existing clients and future clients to come.

HOWARD KOHN SPRAGUE & FITZGERALD News

Jamie Sullivan was selected as a Super Lawyer in the area of civil litigation defense. This is the 8th year in a row he has been so selected. He was also elected into a leadership position with the Connecticut Bar Association. His partner, **Christopher Harrington**, also an active Eagle member, is second vice president of the Connecticut Defense Lawyers Association and is slated to be president in two years.”

MORE ANNOUNCEMENTS AND ACCOLADES

THE REMINGER CO., L.P.A.

Firm received the No. 1 ranking of Northeast Ohio "Top Workplaces" of mid-size companies (200-499 employees) in an annual survey conducted by the Business Section of Cleveland's The Plain Dealer. http://www.cleveland.com/top-workplaces/index.ssf/2015/06/why_reming_co_ranks_first_am.html

News from OWEN GLEATON EGAN JONES & SWEENEY

Satcher, Hall Trial in Muscogee County

In mid-September, Burt Satcher and Ian Hall teamed up to defend a Columbus chiropractor in a wrongful death trial that lasted seven days in Columbus, GA, generally thought of as one of the state's most liberal plaintiff's venues. The plaintiffs alleged negligence in the performance of a cervical manipulation on the decedent causing a vertebral artery dissection. It was further claimed that this injury caused a stroke and the decedent's eventual death. Burt and Ian opposed a team of three accomplished plaintiff's attorneys who

had recently tried a carotid artery dissection case in the same venue resulting in a verdict in excess of \$9 million. During closing argument plaintiff's attorneys asked the jury for an award in excess of \$12 million. After two days of deliberation by the jury, a verdict was returned for the plaintiff for approximately 1/60 of the amount sought in closing.

Best Lawyers® has recently released its list of lawyers recognized for the year 2016. Named to the list are Michael Egan [Construction], Andy Owen, Fred Gleaton, Steve Sparwath [Medical Malpractice Defense], and Philippa Ellis [Product Liability]. Best Lawyers is the oldest and among the most highly-respected peer review guides to the legal profession worldwide. The sister publication of **Best Lawyers®**, **Best Law Firms®**, has also recognized OGEJS again as a Tier One law firm for Medical Malpractice Defense.

Burt Satcher has been selected for the third time to Georgia Trend Magazine's Legal Elite for 2015 in Trial Personal Injury Law.

