



ALFA International Product Liability & Complex Torts Charlotte Regional Seminar

Thursday, April 11, 2019
Hyatt Place Charlotte Downtown
222 South Caldwell Street
Charlotte, North Carolina 28202



 **ALFA International**
The Global Legal Network
Local Relationships Worldwide

SEMINAR PROGRAM SCHEDULE

Wednesday, April 10, 2019

Charlotte Hornets vs. Orlando Magic

Spectrum Center

333 East Trade Street, Charlotte, NC 28202

7:00 p.m.

Thursday, April 11, 2019

Welcome & Introduction

Steve Hamilton (Hall & Evans, LLC) 8:45 - 9:00 a.m.

Product Hacking, Cyber Security for Products, and the Internet of Things: 9:00 a.m. – 9:30 a.m.

Speaker: Chris Collier (Hawkins Parnell & Young, LLP)

As products get “smarter,” they often become more vulnerable to security breaches that result in unauthorized access and disclosure of personal financial, medical, family, or other private information. Products usually become smarter based on constant feedback from the consumer’s use of the product and input of information. This session will explore how and why smart products are vulnerable in ways that are difficult to protect from hackers, and the liability issues that can arise for the manufacturers of smart products.

Emerging Trends in Mediation: Act: 9:30 a.m. – 10:00 a.m.

Speaker: Joe Moore (McCandlish Holton)

Mandatory and voluntary mediation are still some of the most common ways that claims and suits get resolved. We take a look at how mediations have changed in the last few years, identify trends we have seen, and discuss how defendants can use these to maximum effect in their own mediations.

Break: 10:00 a.m. – 10:15 a.m.

The Impact of European Union’s General Data Protection Regulation and

California’s Consumer Privacy Protection Act: 10:15 a.m. – 10:45 a.m.

Speaker: Michael Ward (McCandlish Holton)

GDPR is not a German micro-brew! GDPR is now in effect, and California’s consumer protections are coming into effect before you know it. These major consumer privacy laws are probably only the forerunners of more to come. Claims professionals need to understand now what these privacy regulations are, what they do, and how they impact claims.

You’re Suing me for What?: 10:45 a.m. – 11:15 a.m.

Speaker: Audra Dickens (McCandlish Holton)

Sometimes it seems like there are new laws going into effect every day. The ever growing web of local, state, and federal laws and regulations can provide innovative claimants with new and unexpected theories of liability. We look at how defendants can effectively respond against novel legal theories and, when appropriate, use them in the defense of claims.

Break: 11:15 a.m. – 11:30 a.m.

Protecting Your Brand with Tested Paper and Electronic Swords – Indemnity in the Electronic Age: 11:30 a.m. – 12:00 p.m.

Speaker: Mark Castleberry (Lewis Thomason)

Protection of the company brand occurs at many different levels. One catastrophic claim where the company was underinsured, where indemnity terms and conditions were ambiguous, unenforceable or perhaps cut and pasted from someone else’s untested agreement can cause shareholder revolt, affect stock prices, expose corporate assets and ruin a company’s reputation. This panel will focus on issues and the nuances involved beyond the product drawing room and courtroom, ones often overlooked that are equally as important in protecting your brand including: the origins of your terms and conditions, electronic purchase requirements, and indemnity provisions; electronic sales terms and tracking and preservation of electronic purchases; additional insured provisions properly tracking your indemnity requirements; and being an additional insured on a primary and non-contributory basis giving you potential rights to a declaratory action for coverage following a catastrophic claim.

Social Media Tips and Tricks for Pre-Litigation Claims: 12:00 p.m. – 12:30 p.m.

Speaker: Michael Rainey (Young Moore and Henderson P.A.)

Notions of privacy are continuing to change as technology evolves and the social media explosion continues. This panel will discuss tips that can be used from the moment you learn of a potential claim to identify witnesses and potential evidence, obtain information on potential claimants, and discovery and preserve other information and evidence that will assist you once a claim is presented.

Lunch 12:30 p.m. - 1:00 p.m.

SPEAKERS



Mark Castleberry is a shareholder with ALFA International firm Lewis Thomason based in the firm's Knoxville office and has a varied litigation-based practice in the areas of product liability defense, health care law to include medical malpractice and long-term care defense, commercial/business litigation, and professional liability defense. Mr. Castleberry has extensive experience as lead counsel representing numerous clients in complex, high exposure litigation in trial courts in both state and federal courts, at mediation, at arbitration, and on the appellate level. As a former high school teacher and coach, Mr. Castleberry remains actively involved in his community through area athletic programs, through his service with the Knoxville and Tennessee Bar Associations, and through his involvement with this local church and with various organizations, including JDRF and Autism Speaks. He currently serves on the board of directors for the Autism Society of East Tennessee.



Chris Collier is Deputy Partner-in-Charge of the ALFA International Atlanta office of Hawkins Parnell & Young, LLP. Chris represents individuals as well as businesses, ranging from family-owned businesses to Fortune 250 national and multinational corporations. Chris concentrates his practice in the areas of Premises Liability, Product Liability, Toxic Tort & Environmental Litigation, Transportation, and General Negligence. Chris focuses his practice in federal and state courts in Alabama, Connecticut, Georgia, Illinois, Missouri, and West Virginia but has represented clients in numerous jurisdictions throughout the United States. In addition, Chris manages and coordinates litigation in Alabama, Arkansas, California, Connecticut, Delaware, Georgia, Illinois, Louisiana, Maryland, Missouri, New Jersey, New York, North Carolina, South Carolina, Texas, and West Virginia. involving contaminated food allegations.



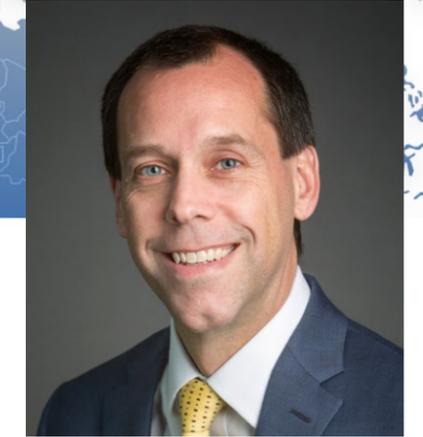
Audra Dickens is a Director in the litigation practice group at the ALFA International Richmond, Virginia firm McCandlish Holton. Her practice focuses on civil litigation, primarily in the areas of trucking and transportation defense, as well as premises and products liability defense. Audra, as a member of her firm's "Go Team," has experience coordinating post-accident investigations throughout Virginia. She has successfully represented clients in jury and bench trials across the Commonwealth, regularly appears in both state and federal courts, and has briefed and argued a variety of appellate matters. Audra is the current Chair of the Auto & Transportation Liability section of the Virginia Association of Defense Attorneys (VADA).



Joseph M. Moore of the ALFA International Richmond, Virginia firm McCandlish Holton, has successfully represented Fortune 100 companies in a wide range of civil litigation matters, with emphasis in the areas of premises liability and commercial disputes. Mr. Moore has handled every phase of the litigation process, from investigation through discovery and trial. He also has significant experience handling mediations and other forms of alternative dispute resolution. Mr. Moore regularly practices in all state and federal courts in Virginia, including the Eastern District of Virginia, the "rocket docket." He has also argued appellate matters before the Supreme Court of Virginia and the United States Court of Appeals for the Fourth Circuit. Mr. Moore was selected for inclusion in Super Lawyers for civil litigation – defense in 2017 and 2018. He was also recognized as a "Future Litigation Star" by Benchmark Litigation in 2018. Mr. Moore serves as the Program Chair for the Hospitality & Retail Group.



Michael Rainey is a shareholder with the ALFA International Raleigh, North Carolina firm Young Moore and Henderson P.A. He focuses his practice on the field of complex civil litigation, with an emphasis on the defense of trucking and transportation, product liability, premises liability, and insurance defense cases. He has dedicated a large portion of his practice to defending against wrongful death and catastrophic injury claims. As a member of the firm's Transportation "Go Team," Michael has substantial experience in coordinating emergency response and investigation of catastrophic losses throughout North Carolina. Michael also represents landowners and condemning authorities in condemnation/ eminent domain cases. Michael is licensed to practice in the North Carolina State Courts and Federal District Courts for the Eastern, Middle, and Western Districts. He represents numerous national clients on a state-wide basis.



Michael Ward of ALFA International Richmond, Virginia firm McCandlish Holton Morris, devotes his practice to civil litigation including commercial litigation, products liability defense, tort defense, professional liability defense, legal malpractice, medical malpractice, representation of local governments and constitutional officers, appeals, employment law, representation of financial institutions, and the defense of consumer credit matters. He practices throughout the Commonwealth of Virginia in both state and federal courts. He has an active trial practice and regularly tries cases to juries and arbitrators. Mr. Ward was selected for inclusion in Super Lawyers in 2010 - 2012 (civil litigation defense) and The Best Lawyers in America in 2011 - 2018 (personal injury litigation and products liability).