



ALFA International
THE GLOBAL LEGAL NETWORK

TRANSPORTATION PRACTICE GROUP REGIONAL SEMINAR



**Off to the Races... A Winning Strategy
for Preparing Your Trucking Collision
for Litigation**

LEXINGTON, KENTUCKY | OCTOBER 26-27, 2022

S O C I A L E V E N T S



WELCOME RECEPTION OCTOBER 26

STOLL KEENON OGDEN PLLC
300 West Vine Street,
Suite 2100

6:00 - 8:00 P.M.
Cocktails & Hors d'oeuvres

A DAY AT THE RACES OCTOBER 27

KEENELAND RACECOURSE
4201 Versailles Road

12:10 - 1:00 P.M.
Lunch

1:00 P.M. - 5:16 P.M.
First & Last Post Times



PROGRAM SCHEDULE

THURSDAY, OCTOBER 27, 2022

Seminar Program at Keeneland Racecourse

4201 Versailles Road | Lexington, Kentucky | Keeneland Room

8:30 A.M. - 8:45 A.M.

REGISTRATION AND BREAKFAST

Assorted scones and pastries, yogurt with granola, juice and coffee.

8:45 A.M. – 8:50 A.M.

WELCOME AND OPENING REMARKS

Speakers:

Matt Parsons, STOLL KEENON OGDEN PLLC, Lexington, KY

Alan B. Easterly, LEITNER, WILLIAMS, DOOLEY & NAPOLITAN, PLLC, Chattanooga, TN

8:50 A.M. – 9:50 A.M.

THE FIRST 48 HOURS: CRASH TEAM RESPONSE AND FORENSIC INVESTIGATION

Speakers:

Lindsey Howard Meares, STOLL KEENON OGDEN PLLC, Lexington, KY

Alan B. Easterly, LEITNER, WILLIAMS, DOOLEY & NAPOLITAN, PLLC, Chattanooga, TN

Van Kirk, Partner, COLLISION RECONSTRUCTION ASSOCIATES, Lexington, KY

Jesse Kirk, Partner, COLLISION RECONSTRUCTION ASSOCIATES, Lexington, KY

This program will focus on best practices for evidence collection after a collision involving a serious injury or fatality. The panel will highlight techniques and technologies for evidence collection on the scene and discuss important considerations for scene investigation and evidence preservation to position the defense of potential claims for success.

9:50 A.M. – 10:00 A.M.

BREAK

PROGRAM SCHEDULE

10:00 A.M. – 10:30 A.M.

EARLY EVIDENCE WORKUP FOR PLAINTIFF IMPEACHMENT: FROM SOCIAL MEDIA TO SURVEILLANCE

Speakers:

Lynsey David, LEWIS WAGNER, LLP, Indianapolis, IN

Brian Carr, MONACO COOPER LAMME & CARR, PLLC, Albany, NY

Social media is a new, and always evolving, source of evidence that has changed the way the legal community approaches discovery and fact finding. The first 48 hours after an accident is a critical and valuable time to conduct such investigation because there is rarely time for any filtering, deleting, or revising of social media to have occurred. The speakers will discuss tactics for obtaining such information, and how employing early social media investigation can complement traditional surveillance techniques.

10:30 A.M. – 11:00 A.M.

AFTER THE COLLISION: HANDLING DRIVER INTERVIEWS AND DISCIPLINE WITHOUT PREJUDICING YOUR TRIAL STRATEGY

Speaker:

Justin Duncan, HARLIN PARKER, Bowling Green, KY

Post-incident driver interviews and discipline are often required by personnel policies and are a necessary part of running any safe and responsible fleet operation. But creating an internal record containing potentially negative facts can be a minefield when it comes to discovery. The speakers will focus on how to effectively conduct post-incident driver interviews and discipline and maximize work product protection for those actions and the records created by them.

11:00 A.M. – 11:10 A.M.

BREAK

PROGRAM SCHEDULE

11:10 A.M. – 12:10 P.M.

RECORDKEEPING BEST PRACTICES AND AVOIDING POTENTIAL SPOILIATION SANCTIONS

Speakers:

David Chapman, LEWIS THOMASON, Knoxville, TN

Ben Jones, LEWIS THOMASON, Knoxville, TN

This program will highlight key regulatory requirements for recordkeeping and discuss the contradiction that many companies face when preparing recordkeeping and document retention policies: what may be best for business purposes is not always best for litigation purposes. Should your company retain driver disciplinary files, logs, and medical histories longer than is required by FMCSA regulations? The speakers will address these difficult questions and offer strategies that will help you avoid spoliation sanctions at or before trial.

12:10 P.M.

LUNCH

SPEAKERS



BRIAN CARR is a partner with ALFA firm Monaco Cooper Lamme & Carr PLLC. He is an accomplished litigator and negotiator, with a focus representing clients in the transportation, construction, small business, and aviation industries, in both litigated and transactional commercial matters. He regularly protects the interests of businesses, contractors, manufacturers, retailers, and transportation clients in State and Federal Courts throughout New York, as well as in mediations and arbitrations, administrative hearings, and before governmental and regulatory agencies. In addition to his law degree, Brian holds a master's degree in business administration, and is a licensed commercial pilot with instrument and multi-engine ratings.



LYNSEY DAVID is an associate with ALFA International firm Lewis Wagner in Indianapolis, Indiana. She is a member of the firm's Transportation Practice Group where she devotes a substantial amount of her practice to representing commercial carriers and drivers in litigation involving wrongful death, catastrophic injury and property damage claims. She frequently litigates in both state and federal court and also assists clients in pre-suit investigation, including 24/7 state-wide emergency accident investigation. Lynsey is actively involved in all phases of the litigation process to protect the interests of motor carriers and their drivers; she zealously advocates on their behalf to reach the best possible outcome, whether it be through alternative dispute resolution or trial. Lynsey employs a personable, common-sense approach to litigation which results in favorable results for her clients and respect from her peers in the legal community.



DAVID CHAPMAN, a shareholder in the ALFA International firm, Lewis Thomason's Knoxville office, focuses primarily on the defense of local and national transportation companies and commercial motor vehicle drivers, including medical and liability expert retention and discovery, accident investigation and evaluation, and pre-trial, trial and appellate litigation. He has also worked with multiple motor carriers and transportation companies regarding post-accident protocols and FMCSA compliance. He has also represented motor carriers in the course of NTSB investigations. David obtained his undergraduate degree from Carson Newman College and his law degree from the University of Tennessee College of Law."

SPEAKERS



JUSTIN DUNCAN is a litigation and real estate attorney with ALFA International firm Harlin Parker in Bowling Green, Kentucky. His areas of practice include insurance defense, business and commercial, real estate, trucking and personal injury. Justin also assists with representation involving commercial matters, city/county governments and law enforcement agencies, along with their insurance carriers. He obtained his Juris Doctorate from Salmon P. Chase College School of Law, where he served as Vice President of the Federalist Society and earned a Bachelor of Arts in History and a Bachelor of Science from Western Kentucky University. Justin is licensed to practice in all state courts in the Commonwealth of Kentucky. Justin is a member of the Bowling Green Bar Association, Kentucky Bar Association, Kentucky Bar Association Young Lawyers Division, American Bar Association, Kentucky Justice Association, American Association for Justice and the Bowling Green Chamber of Commerce.



ALAN EASTERLY is a Managing Member of the ALFA International law member firm Leitner, Williams, Dooley & Napolitan, PLLC. He practices out of its Chattanooga, Tennessee, office. His practice focuses on transportation, products liability, complex/mass torts, insurance, premises liability, auto liability, construction, and related matters. Mr. Easterly is a Martindale Hubbell AV-rated attorney, and is recognized by “The Best Lawyers in America” in the areas of Transportation Law, Products Liability Law – Defendants, Insurance Law, and Personal Injury Litigation – Defendants. He was named by Best Lawyers as the “Lawyer of the Year” in Chattanooga, Tennessee, in Transportation Law for 2020, and in Insurance Law for 2021. He is a Rule 31 Listed Mediator in the State of Tennessee, and active in the ALFA International Transportation, Hospitality and Retail, and Products Liability and Complex Torts Practice Groups. He received his BA from the University of Tennessee in 1985, and his J.D. from the University of Memphis in 1988.



BEN JONES is a shareholder in the Knoxville and Nashville, Tennessee ALFA International law firm of Lewis Thomason where he concentrates his practice in hospitality law, premises liability, transportation, and general negligence with a focus on defending personal injury matters. Ben has represented numerous hotels, bars, restaurants, convenience stores and retail establishments, in the defense of dram shop, security and premise liability cases. In addition, Ben has defended wrongful death and other catastrophic injury cases in the transportation field. He received his undergraduate and doctor of jurisprudence from The University of Tennessee.

SPEAKERS



JESSE KIRK is a Traffic Crash Reconstructionist and a partner of Collision Reconstruction Associates. After joining CRA in 2014, Jesse completed training through the Institute of Police Technology and Management from the University of North Florida. After completing the three primary Traffic Crash Reconstruction courses, continued training led to accreditation through the Accreditation Committee for Traffic Accident Reconstruction (ACTAR #3219). To assist with rapid and accurate site documentation Jesse also maintains an Unmanned Aerial Systems Pilot License to allow for acquisition of aerial site images and videography.



VAN KIRK is a Traffic Crash Reconstructionist and the president of Collision Reconstruction Associates (CRA) in Lexington Kentucky. Following several years of training and experience Van completed all three levels of the qualifying Traffic Crash Reconstruction courses provided by the Institute of Police Technology and Management from the University of North Florida. Along with vice president and son Jesse Kirk, CRA currently performs approximately 100 collision investigations each year. Van has testified at deposition or at trial for more than 20 years concerning all areas of vehicle collision factors.



LINDSEY HOWARD MEARES is a member of Stoll Keenon Ogden, PLLC, ALFA International's member firm in Lexington, Kentucky, and has been with the firm since 2006. She is part of the Business Litigation practice group, concentrating her practice on commercial litigation, products liability, insurance disputes, personal injury claims and transportation litigation. Lindsey's business litigation experience includes disputes in the automotive, environmental, mining, construction, manufacturing and distribution industries. Lindsey is a graduate of the University of Louisville Louis D. Brandeis School of Law and has been honored as a Kentucky Super Lawyers Rising Star since 2019.

SPEAKERS



MATTHEW PARSONS has been a member of Stoll Keenon Ogden, PLLC, ALFA International's member firm in Lexington, Kentucky, since 2008. His practice focuses on civil litigation, with experience in the areas of trucking litigation, product liability and business negligence, and business litigation. Matt has represented clients across a broad range of industries, including transportation logistics, manufacturing and distribution, and professional and financial services. Matt is a graduate of the Indiana University Kelley School of Business (B.S.) and the University of Kentucky College of Law. Matt currently serves as Chair of ALFA International's Future Leaders Forum (FLF). He is also active in the Fayette County Bar Association and has been honored as a Kentucky Super Lawyers Rising Star.