



# ALFA International Transportation Atlanta Regional Seminar

Wednesday, June 12, 2019  
Genuine Parts Company Offices  
2999 Wildwood Parkway  
Atlanta, Georgia 30339



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

# SEMINAR PROGRAM SCHEDULE

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**Tuesday, June 11, 2019**

**Atlanta Braves vs. Pittsburgh Pirates**

SunTrust Park

7:20 p.m.

**Wednesday, June 12, 2019**

**Breakfast**

Genuine Parts Company Offices

8:30 - 9:30 a.m.

**Welcome & Introduction**

9:30 - 9:40 a.m.

**What's New in Trucking Technology: 9:40 – 10:20 a.m.**

**Speakers: David Senter (Young Moore & Henderson)**

**Jay Skolaut (Hinkle Law Firm)**

When it comes to technology in the transportation industry, “[t]echnology is a useful servant but a dangerous master.” This comment was made by noted political scientist Christian Lous Lange during his Nobel lecture in December 1921, but remains relevant in today’s world of electronic control modules, crash avoidance systems, handheld technology, etc. In this session, we will explore what new technologies are available to help improve efficiency, service, and costs within the transportation industry, how these technologies impact the manner in which we investigate accidents, and what methods can be used to ensure digital data will be effectively utilized from the time of your driver’s misadventure to trial.

**Broker’s Liability: 10:20 - 11:00 a.m.**

**Speakers: Alan Easterly (Leitner, Williams, Dooley & Napolitan, PLLC)**

**Michael Arndt (Hawkins Parnell)**

This panel discussion will include recent trends in plaintiff attempts to expand broker liability. We will suggest the true scope of MAP-21 and its individual liability for officers, directors and employees of brokers and those who do business with them, and we will discuss the continued efforts of plaintiffs to label carriers and others as “subcarriers” and “co-carriers” in their attempt to attach FMSCR compliance and carrier duties on non-carriers. Finally, in each area, we will discuss defense strategies to push back on these allegations.

**Turning Lemons into Lemonade 11:00 a.m. – 11:40 a.m.****Speaker: Christen Blackburn (Lewis Thomason) & Stephen Troiano (Morrison Mahoney LLP)**

Each day in commercial transportation litigation, we are faced with a wide range of challenges. We have learned that if we gather investigative information as soon as the accident occurs, we are in a much better position to defend the case at a later date. What often seems like a very challenging situation at first turns into a manageable matter with proper investigation and evidence preservation. In this presentation, you will learn about best practices in investigation and evidence preservation. From there, the presenters will take the evidence from cradle to grave and show how it is used effectively to resolve claims quickly and how it can be used to defend issues at trial. In short, this presentation focuses on how to turn our everyday “lemon” situations into “lemonade.”

**Lunch: 11:40 a.m. - 12:10 p.m.****Don't Bogart That Liability: 12:10 – 12:50 p.m.****Speakers: Tori Anderson (YCR Law) Andrew Douberly (Dickinson & Gibbons, P.A.)**

Several states are addressing medical marijuana legalization and its impact on liability issues, including admissibility of marijuana usage in civil cases. This presentation will include the implications of the medical marijuana legislation in the employment context, including an employer's right to discipline or discharge employees for positive drug tests, and the potential effect of proposed federal legislation on those issues. How does this impact a workers' compensation claim? How do all of these issues impact a CDL driver and the mandates of the Federal Motor Carrier Safety Regulations?

**Case Roundtable: 12:50 – 1:30 p.m.****Speakers: John McLeod (Brown & James P.C.) Christopher “Smitty” Smith (HunterMaclean)**

Your driver is talking on the cell phone when the accident happens – automatic liability, right? The presenters will take hypothetical fact patterns and discuss strategies and tactics including how to apply comparative fault, joint and several liability, medical liens how low-impact, low-property-damage cases can fool experienced lawyers in terms of evaluation, what investigative materials should be requested in every case, and how to handle and make aggressive preservation requests. To include the variables in state laws and what is the value?

# SPEAKERS



**Tori Anderson** is an associate with the ALFA International law firm of Young Clement Rivers, LLP (YCRLAW), in Charleston, South Carolina. She practices primarily with her firm's Trucking and Transportation and Commercial Litigation Practice Groups. Tori represents a wide array of nationwide and local clients, primarily with an emphasis on defending those clients in pending or threatened litigation in South Carolina and the Southeast; her team often handles catastrophic losses and accident investigations. Tori is a graduate of Brigham Young University's J. Reuben Clark Law School and was awarded the Brigham Young University Public Interest Fellowship after graduation. Before coming to Young Clement Rivers, LLP, Tori served as a Charleston County Public Defender, during which she time handled a large and varied caseload and tried several cases to jury verdict.



**Michael Arndt** is an associate with Atlanta ALFA International firm Hawkins Parnell & Young LLP. Michael defends corporations and premises owners in high-risk litigation involving catastrophic injury and wrongful death, primarily arising from toxic exposures and product liability. He is involved in all phases of litigation from inception of a case from pleadings through post-trial motions and appeals. Prior to joining the firm, Michael gained valuable courtroom experience during a two-year clerkship with Chief Judge Ben Studdard of the State Court of Henry County, Georgia. In law school, he interned in chambers with the Honorable Amy M. Totenberg of the U.S. District Court for the Northern District of Georgia. He also interned for the U.S. Department of Justice's Executive Office for Immigrant Review Immigration Court.



**Christen Blackburn** is an experienced litigator in ALFA International Nashville firm Lewis Thomason where she represents Fortune 500 companies, small businesses, professionals, and governmental entities in a variety of litigated matters. Christen regularly handles tort litigation involving transportation, products liability, medical malpractice, and professional liability. She also dedicates a significant portion of her practice to employment litigation and workers' compensation, defending employers against allegations of discrimination harassment and retaliation. Christen also advises insurance carriers on areas of insurance coverage and bad faith litigation. Christen has handled litigation in all stages from responding to initial complaints through trial before judges, juries, and administrative bodies and the American Arbitration Association.



**Andrew Douberly** is a partner with ALFA International Sarasota, FL firm Dickinson & Gibbons, P.A. He dedicates his practice to auto and trucking defense work. He defends trucking companies and auto carriers in every type of personal injury claim, as well as subrogation and cargo claims for trucking companies. He is the co-chair of the Young Lawyers Division of the Florida Defense Lawyers Association, a co-chair of Florida's Twelfth Judicial Circuit Grievance Committee--holding his fellow members of the Florida Bar to its professional and ethical standards, and is a member of the Defense Research Institute. Andy has tried trucking and auto cases all over Southwest Florida, and is admitted in Florida's State and Federal courts.



**Alan Easterly** is a Member of the ALFA International law firm of Leitner, Williams, Dooley & Napolitan, PLLC. He practices out of its Chattanooga, Tennessee, office. His practice concentrates in transportation, products liability, complex/ mass torts, insurance, premises liability, auto liability, construction, and general negligence matters. He has managed, tried or otherwise successfully defended numerous significant product liability, transportation, toxic tort, and complex tort cases, among others. Mr. Easterly is a Martindale Hubbell AV-rated attorney, and is listed in "Best Lawyers in America" in insurance law, personal injury litigation - defendants, and transportation law. He is a Rule 31 Listed Mediator in the State of Tennessee. He is 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.



**John McLeod** is a principal in the St. Louis firm of Brown & James. He practices in the areas of transportation and insurance defense. He regularly handles cases in both state and federal courts in Missouri. He works on cases through all stages of litigation, from initial investigation through trial. He is also the chair of the firm's Associate Training Committee. John has been recognized as an Up & Coming attorney by Missouri Lawyers Weekly. He is a graduate of the Saint Louis University School of Law and frequently conducts presentations for the insurance, risk management, and transportation industries on Missouri and Illinois law.



**David Senter** is a shareholder at ALFA International Raleigh, NC firm Young Moore and Henderson, P.A. and a member of its transportation and logistics team. He advises and represents clients in state and federal court in a number of areas including trucking and transportation, product liability, and business litigation. In addition, David advises health care providers concerning regulatory compliance matters. David has been selected for inclusion in North Carolina Super Lawyers (2017, 2018, 2019) in the Rising Stars category. David joined Young Moore and Henderson in 2012 after receiving his J.D. from Wake Forest University School of Law that year. David also received his BA from Wake Forest University.



**Jay Skolaut** is a member of Hinkle Law Firm LLC, who supports the firm's litigation and insurance defense practice group in a full range of property and casualty matters, insurance coverage issues, and critical occurrence investigations for motor vehicle accidents, fires, explosions, and other large value losses. In the transportation arena, Jay frequently responds to catastrophic loss events involving the firm's motor carrier/transportation industry clients as part of the transportation practice group's Critical Occurrence Response Team. While attending Creighton University, Jay served as a clerk for Union Pacific Railroad Company. He is admitted in Kansas and Missouri and is involved in the Trucking Industry Defense Association, American Trucking Association, Kansas Motor Carriers Association, and the trucking section of the Defense Research Institute.



**Christopher "Smitty" Smith** is a partner in the Savannah ALFA International firm HunterMaclean and the team leader of the logistics practice group. Smitty has a wide range of experience in business law and focuses his practice on logistics litigation, insurance coverage, construction law, and contract drafting. He represents businesses and individuals in matters ranging from physician recruiting agreements to covenants not to compete. From breach of contract to chemical plant explosions, he has litigated complex cases from Georgia to California. A member of the Savannah Bar, the Georgia Bar, and the Southern, Middle, and Northern Districts of Georgia, Smitty has served as a board member of the Atlanta Council of Younger Lawyers and as president of the Young Lawyers Division of the Savannah Bar. He currently serves on the State Bar of Georgia's Unlicensed Practice of Law Committee for District 1.



**Stephen Troiano** is an associate in the Boston office of Morrison Mahoney LLP. He focuses his practice on the defense of claims involving trucking and transportation, construction, product liability, employment litigation and a wide range of general liability and commercial litigation. He also represents designers, sellers and renters of construction equipment and products. Stephen has experience handling matters in all phases of litigation from accident response and investigation through trial and appeal. He is an actively involved member of the Massachusetts Defense Lawyers Association and the Massachusetts Bar Association.

