



**HOSPITALITY & RETAIL**

# **REGIONAL SEMINAR**

**Wednesday, June 30, 2021 | 2:00 PM - 5:00 PM**

**Quilling, Selander, Lownds,  
Winslett & Moser, P.C. Offices**

**2001 Bryan Street, 21st Floor - Room 2180A  
Dallas, TX 75201**

# SEMINAR PROGRAM SCHEDULE

**Wednesday, June 30, 2021**

**Program at Quilling, Selander, Lownds,  
Winslett & Moser, P.C. Offices**

2001 Bryan Street, 21st Floor - Room 2180A

## **Registration**

1:45 PM - 2:00 PM

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## **Mediation of Difficult Cases**

2:00 PM - 2:30 PM

### **Speakers:**

*Melanie Cheairs, LORANCE THOMPSON, P.C., Houston, Texas*

*John Tarpley, LEWIS THOMASON, Nashville, Tennessee*

The settlement of cases by mediation occurs in almost every case. Some are easy, but many are very difficult. The focus of this fast-paced and entertaining session will be on the effective resolution of difficult cases. The panel will address techniques to deal with the thorniest issues presented in even the most difficult mediation. Bring your questions as there will be time to address the difficult issues you have faced.

## **Discovery Responses and Clients: Do's, Don'ts, and Disclosure Changes in Texas**

2:30 PM - 3:00 PM

### **Speakers:**

*Kimberly Harris, QUILLING, SELANDER, LOWNDS, WINSLETT & MOSER, P.C., Dallas, Texas*

*Joe Moore, MCCANDLISH HOLTON PC, Richmond, Virginia*

This session will focus on the best ways (and alternative ways) for companies and insurers to work with outside counsel so that the information requested in discovery is accurate and efficiently obtained and can be appropriately vetted before producing to opposing counsel. In addition, the panel will highlight the new discovery and disclosure rules in Texas.

# SEMINAR PROGRAM SCHEDULE

## Misclassification of Employees and Impact on Potential Joint Defense

3:00 PM - 3:20 PM

**Speakers:**

*John Rahoy, BROWN & JAMES, P.C., St. Louis, Missouri*

*Allen Sydnor, HUIE, FERNAMBUCQ & STEWART LLP (HUIE), Birmingham, Alabama*

Disputes over whether an individual is an “employee” or “independent contractor” represent potentially multi-million dollar exposure for corporations even when operating pursuant to a franchise agreement. Such disputes not only give rise to wage-hour, worker’s compensation and FLSA claims, but create dilemmas on how to defend tort claims arising out of the conduct of those individuals. This presentation will highlight some of the most recent developments related to misclassification with a discussion of the issues that arise when trying to present a joint defense of tort claims.

## To Remove or Not to Remove - That Is the Question

3:20 PM - 3:40 PM

**Speaker:**

*Christopher Bryan, HALL & EVANS, LLC, Denver, Colorado*

This session will briefly describe the basics of removal from state to federal court and lead a group discussion on the pros and cons of removal and litigating in federal vs. state court.

## Getting Back to "Normal" - What Does That Mean for You?

3:40 PM - 4:00 PM

**Speakers:**

*Patrick Haggerty, FRANTZ WARD LLP, Cleveland, Ohio*

*Barath Raman, LEWIS WAGNER, LLP, Indianapolis, Indiana*

With the “roll-out” of the COVID-19 vaccines and changing guidelines on mask mandates and other social distancing requirements, it is not easy for employers and businesses to know how to comply with regulations and statutes as they move forward toward a “new normal.” During this session, the panel will discuss various issues regarding how employers and businesses are to comply with the everchanging rules and regulations, including: (1) whether employers can require their employees to receive the vaccine before coming back to work; (2) whether a business can require customers to have received the vaccine and/or offer proof of vaccination; and (3) unforeseen circumstances involving COVID-19 immunity statutes. In addition, the panel will discuss force majeure issues pertaining to COVID-19.

# SEMINAR PROGRAM SCHEDULE

## **Ethical Dilemmas: A Day in the Life of Risk Management and In-House Counsel**

4:00 PM - 5:00 PM

### **Speakers:**

*Tamara Nelson, MERRICK, HOFSTEDT & LINDSEY, P.S., Seattle, Washington*

*Chris Page, YOUNG MOORE AND HENDERSON P.A., Raleigh, North Carolina*

In this interactive session, attendees will examine and discuss solutions for various fact scenarios that present ethical dilemmas for risk managers and in-house counsel. With help from other in-house professionals and outside counsel, each client attendee will gain practical guidance on common ethical quandaries.

## **Dinner at Nine at The National**

**Cocktails 5:30 PM | Dinner 6:30 PM**

1401 Elm Street, 9th Floor

Get to know fellow attorneys and industry attendees during cocktails and dinner at Nine at The National, located on the 9th floor of the Thompson Dallas hotel in downtown Dallas. Nine at The National offers a classic, yet health-focused cuisine in an energetic, sophisticated space.



# SPEAKERS



**CHRISTOPHER BRYAN** is a member with ALFA International member firm Hall & Evans, LLC in Denver, Colorado. He represents a variety of clients in matters involving premises liability, products liability, construction, professional liability, real estate, and other general litigation matters, with a particular emphasis on hospitality and retail industries. He is well versed in all phases of litigation, and his trial and appellate experience include conducting jury trials and appeals in Colorado, New York, and New Jersey. Prior to joining Hall & Evans, LLC, Chris was an associate at a large firm in New York City. He also served as an approved mediator for the New York courts, EEOC, and Safe Horizons Community Mediation Centers. As a mediator, he conducted more than 75 mediations covering a wide range of cases, including personal injury, employment, disability discrimination, juvenile issues, landlord/tenant, creditor/debtor, construction, contracts, and various community or family-based disputes. Chris has also completed more than 100 hours of mediation training, including advanced training in domestic violence, divorce mediation, and cross-cultural issues.



**MELANIE CHEAIRS** is a shareholder with ALFA International member firm Lorance Thompson, P.C. in Houston, Texas. Her litigation and trial practice focuses on the hospitality and transportation industries, where she represents a broad array of regional and national hotel and restaurant chains and transportation companies in their liability and employment matters. Melanie received the prestigious ALFA International Nate Fishbach Attorney of the Year Award in 2016 for outstanding service to ALFA International. She served a three-year term on the ALFA International Board of Directors from 2013–2016. She is a Chair Emeritus of the Hospitality & Retail Practice Group. Melanie currently serves ALFA International as the chair of the ALFA International Marketing Committee. Melanie is also active on the steering committees of both the Transportation and Women’s Initiative Practice Groups and participates in the National Association of Professional Women. Melanie is a frequent author and speaker on matters of importance to her industry clients. Melanie received her J.D. in 1989 from South Texas College of Law- Houston. She is a Fellow with the Texas Bar Foundation. Melanie received her undergraduate degree from Texas A&M University, where she was an All-American Swimmer and was chosen to the Southwest Conference Women’s All-Decade Team. As an avid Aggie, she served on the Board of Directors of the Texas A&M Women Former Student’s Network and was WFSN President in 2012. Melanie currently serves as president of the Advisory Board of Youth For Christ- Houston, on the National Board of United Methodist Action Reach-Out Mission by Youth-(UM ARMY), and as the director for Kingwood United Methodist Church, UM ARMY Youth Camp.

# SPEAKERS



**PATRICK HAGGERTY** is chair of ALFA International member firm Frantz Ward LLP's Litigation Practice Group in Cleveland, Ohio. He represents clients in a wide range of litigation-related issues and serves as national coordinating and national trial counsel for companies facing significant exposures. He has extensive experience in designing and coordinating defense strategies and investigation efforts for clients ranging from closely held corporations to Fortune 100 companies. Pat created the firm's Cannabis Law and Policy Group in response to the increasingly complex issues surrounding the legalization of medical marijuana and hemp. Pat is designated Best Lawyers' "Lawyer of the Year" in Mass Tort Litigation/Class Actions-Defendants (2020) in Cleveland and is regularly named to The Best Lawyers in America and Ohio Super Lawyers list. He is consistently rated AV Preeminent, the highest-ranking, for attorney professional and ethical excellence by Martindale-Hubbell. Pat remains firmly rooted in his community by serving on several nonprofit Boards and regularly provides pro bono representations to individuals and groups.



**KIMBERLY HARRIS** is a shareholder with ALFA International member firm Quilling, Selander, Lownds, Winslett & Moser, PC in Dallas, Texas. During her career, Kimberly has gained extensive experience in commercial and civil defense litigation, trying cases in both Texas state and federal courts. She has also prosecuted and defended appeals in Texas courts of appeal and in the 5th U.S. Circuit Court of Appeals. As a native of West Texas, Kimberly received both her accounting and law degrees from Texas Tech University and practiced law in West Texas until moving to Dallas in 2000. Kimberly regularly defends both national and local companies on general liability and non-subscriber claims of premises liability, wrongful death, and other general negligence claims. Kimberly also defends companies on contract, product liability, and Texas Deceptive Trade Practices Act claims.



**JOE MOORE** is a director in the Litigation Practice Group of ALFA International member firm McCandlish Holton PC in Richmond, Virginia. Joe has successfully represented Fortune 100 companies in a wide range of civil litigation matters, with an emphasis in the areas of premises liability and commercial disputes. Joe 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. Joe 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 4th U.S. Circuit Court of Appeals. Joe is an active member of ALFA International and serves as the chair of the Hospitality & Retail Practice Group.

# SPEAKERS



**TAMARA NELSON** is a shareholder with ALFA International member firm Merrick, Hofstedt & Lindsey, P.S. in Seattle, Washington, where she maintains an active litigation practice on behalf of corporate and institutional clients. Her practice focuses on commercial and complex torts, employment law, and professional liability. Tamara has obtained successful outcomes on behalf of her clients in state and federal trial courts and has successfully argued before the Washington State Court of Appeals. She is admitted to practice in all Washington state and federal courts, as well as the 9th U.S. Circuit Court of Appeals; she is also a member of the King County Bar Association, where she served on the Board of Trustees 2011-2014. In addition to her work, Tamara devotes substantial time to her community through her volunteer work with King County Community Legal Services and Lawyers Helping Hungry Children, a Washington nonprofit organization committed to ending childhood hunger.



**CHRIS PAGE** is a partner with ALFA International (ALFAI) member firm Young Moore and Henderson P.A., in Raleigh, North Carolina. Chris is an experienced trial attorney specializing in the representation of clients in the hospitality and retail industries. He represents several national clients with all their legal needs, including claims relating to employment, business disputes, trademark infringement, false advertising, premises accidents, and construction defects. After graduating summa cum laude from Duke University, Chris earned his law degree from the Yale Law School, where he served as senior editor for the Yale Law Journal. Chris is the ALFAI Hospitality & Retail Practice Group's Marketing Chair and serves on ALFAI's Board of Directors. Chris is a frequent speaker at ALFAI seminars and has created many presentations on a variety of litigation and management topics.

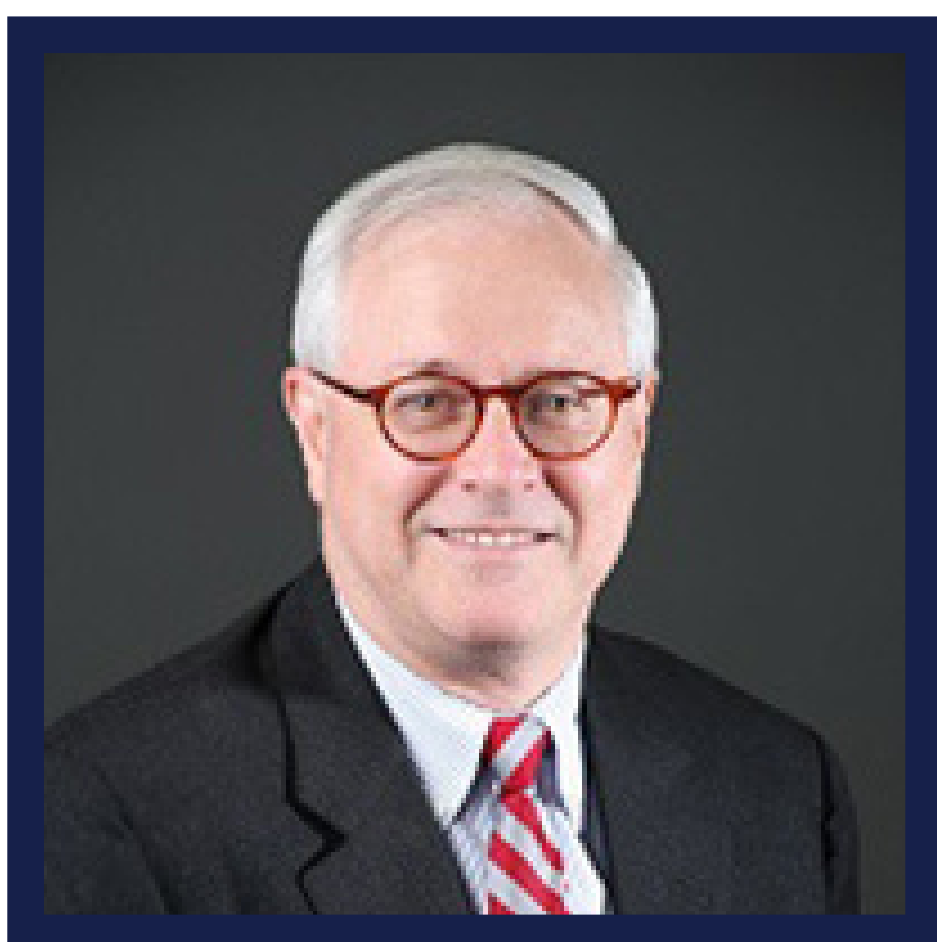


**JOHN RAHOY** is a principal and shareholder with ALFA International member firm, Brown & James, P.C., in St. Louis, Missouri. John focuses his practice on retail and premises liability. He has tried more than 70 jury trials to verdict, including in the Circuit Court of the City of St. Louis, one of the most favorable plaintiff venues in the nation. John earned his B.S. from William Jewel College before receiving his J.D. from the University of Missouri. In addition to his involvement in the ALFA International Hospitality & Retail Practice Group, he is active on the Federation of Defense & Corporate Counsel Board of Directors and the Missouri Organization of Defense Lawyers. John is recognized by Martindale-Hubbell and by Best Lawyers for Personal Injury Litigation-Defense. John is the chair of his firm's Marketing Committee.

# SPEAKERS



**BARATH RAMAN** is a partner in the litigation group of ALFA International's member firm, Lewis Wagner, LLP in Indianapolis, Indiana. Barath's practice area includes the defense of personal injury, product liability, construction accident and defect, and environmental insurance coverage cases. Before law school, utilizing his B.S. from Purdue University in Construction Engineering, Barath worked as a field engineer for Mass Electric Construction Company on projects in Houston, Texas, and Los Angeles, California. Barath embarked on his legal career in 2011 by enrolling at the Indiana University Robert H. McKinney School of Law, where he hoped to leverage his engineering background to develop a law practice including construction and environmental law. Prior to joining the firm in 2014, Barath worked as a summer associate for Lewis Wagner, LLP and the Marion County Public Defender Agency in the Major Felony and Appeals Divisions. Since joining the firm, Barath has been involved in the preparation of several pleadings, responding to discovery, successfully arguing motions before the court, and has been involved in several jury trials. In 2020, Barath was awarded the Defense Trial Counsel of Indiana's Young Lawyer of the Year title, and he was selected as a "Rising Star" by his peers. Barath also is the co-president of Friends of Riley, a local young professional fundraising organization for the Riley Hospital for Children in Indianapolis.



**ALLEN SYDNOR** is a partner with ALFA International member firm, Huie, Fernambucq & Stewart LLP (Huie), in Birmingham, Alabama. Allen joined Huie in 1987 after four years with a labor firm where he represented unions and their members in Alabama, Virginia and Louisiana. He has tried cases to conclusion in federal and state courts and before administrative law judges in Alabama, Georgia, Louisiana and Virginia. He focuses his practice on the defense of claims against health care providers, other professionals and pharmaceutical and medical device manufacturers. He has also defended numerous general insurance, premises liability, product liability, breach of warranty, and motor vehicle accident claims involving serious injuries and deaths, including class actions. His practice has included appearances in matters pending in 52 of the Circuit Courts in Alabama as well as the Alabama Supreme Court and the 11th U.S. Circuit Court of Appeals. Allen is AVRated by Martindale Hubbell and has been listed by The Best Lawyers in America for Medical Malpractice Law - Defendants since 2011. He is a member of the Defense Research Institute and the International Association of Defense Counsel, is a registered mediator with the Alabama Center for Dispute Resolution, and has been inducted into the International Academy of Trial Lawyers and the American Board of Trial Advocates. He has also been recognized by the Boy Scouts of America for his service as a Scoutmaster for a Birmingham Boy Scout Troop.



# SPEAKERS



**JOHN TARPLEY** is a shareholder residing in the Nashville office of ALFA International member firm, Lewis Thomason. John has practiced in Nashville since graduating from the University of Tennessee College of Law. He joined the firm in 1989 after clerking with an appellate judge and serving as an Assistant Attorney General for the State of Tennessee. He is a leader in the firm's Commercial Transportation and Complex Litigation Practice Group. As a certified mediator, he is called regularly to mediate and arbitrate a wide range of disputes. He has been inducted into the Tennessee Academy of Mediators. John is a former president of the Tennessee Bar Association, the Nashville Bar Foundation and of the American Bar Association's Tort, Trial and Insurance Practice Section. He also is a former chair of the Board of Editors of the ABA Journal. Likewise, he is a former member of the ABA's Standing Committee on the Federal Judiciary, which conducts evaluations of all nominees for federal judgeships. He is active in the community and formerly served as the president of the Music City Chapter of the March of Dimes and as a member of the leadership team of Leadership Nashville. John is an active member of ALFA International and the 2020 recipient of the ALFA International Nathan Fishbach Attorney of the Year Award.