



ALFA International Transportation Nashville Regional Seminar

Wednesday, November 6, 2019
Lewis Thomason Offices
424 Church Street, 26th Floor
Nashville, Tennessee 37219



ALFA International

The Global Legal Network
Local Relationships Worldwide

SEMINAR PROGRAM SCHEDULE

Tuesday, November 5, 2019

Topgolf Nashville

500 Cowan Street
Nashville, Tennessee
6:00 - 9:00 p.m.

Wednesday, November 6, 2019

Lewis Thomason Offices
424 Church Street, 26th Floor
Nashville, Tennessee

Breakfast: 8:30 - 9:00 a.m.

What's New in Trucking Technology: 9:00 – 9:40 a.m.

Speakers: Matt Parsons (Stoll Keenon Ogden)

David Chapman (Lewis Thomason)

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: 9:40 - 10:20 a.m.

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

David Wilson (Hawkins Parnell & Young LLP)

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.

Break: 10:20 - 10:30 a.m.

Turning Lemons into Lemonade 10:30 – 11:10 a.m.**Speakers: Karie Wilson (Alverson Taylor & Sanders)
Justin Duncan (Harlin Parker)**

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.”

Don't Bogart That Liability: 11:10 – 11:50 a.m.**Speakers: Katie Strawbridge (Lewis Wagner)
Rob Foos (Lewis Wagner)**

Marijuana usage has become a hot topic across the nation. Several states are addressing medicinal and recreational marijuana legalization while the FMCSA has prohibited the use of marijuana as a controlled substance for drivers. This presentation will explore the liability implications of defending drivers with positive drug tests, including the admissibility of marijuana usage in civil cases.

Break: 11:50 a.m. - 12:00 p.m.**Case Roundtable: 12:00 – 12:40 p.m.****Speakers: Tasha Hebert (Leake & Andersson LLP)
Ben Jones (Lewis Thomason)
Sean McDonough (Morrison Mahoney LLP)**

The presenters will offer a fact pattern involving a catastrophic wrongful death loss replete with issues for roundtable and audience discussion, including but not limited to the application of joint tortfeasor law, whether to implead a third party, using vehicle data combined with accident reconstruction theories and opinions, defending against the standard of care expert, the use and timing of a mock trial, strategy and uses for motions in limine to narrow the scope of the evidence at trial, which party or parties are liable and what is the value.

Lunch: 12:40 - 1:15 p.m.

SPEAKERS



David Chapman is special counsel in Lewis Thomason's Knoxville office. He 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.



Justin Duncan is a litigation and real estate attorney with Harlin Parker. 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. Justin obtained his Juris Doctorate from Salmon P. Chase College School of Law, where he served as Vice President of the Federalist Society. He 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.



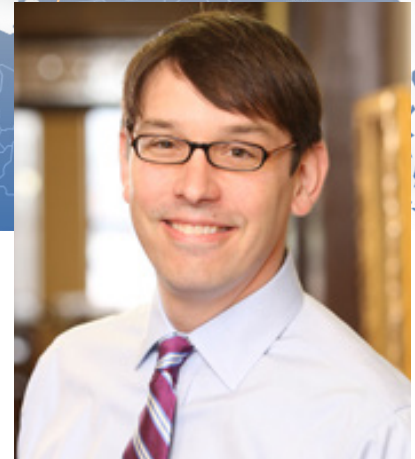
Alan Easterly is a Member of the ALFA International law firm of Leitner, Williams, Dooley & Napolitan, PLLC. He practices out of its Chattanooga, Tennessee, office. His practice concentrates in transportation, products liability, complex/ mass torts, insurance, premises liability, auto liability, construction, 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.



Robert Foos is a partner at Lewis Wagner, LLP, and focuses his practice on the representation of commercial carriers and commercial drivers in catastrophic injury and wrongful death cases. He represents several national carriers and a host of local, inter and intra-state transportation companies. A frequent speaker at national seminars, Rob also works closely with clients, insurers and reinsurers to provide case law updates and presentations on the latest tactics in defending trucking related claims and new technologies in the trucking industry. Rob is licensed to practice in both Indiana and Illinois and is a member of ALFA's Transportation Practice Group, the Trucking Industry Defense Association (TIDA), Transportation Lawyers Association (TLA), the Indiana Motor Truck Association (IMTA) and the American Board of Trial Advocates (ABOTA).



Tasha W. Hebert is a native New Orleanian with Leake & Andersson LLP who graduated Summa Cum Laude from Loyola University with a Bachelor of Arts in Sociology in 1995. In 1998, she graduated with her J.D. from Loyola Law School. During her time at Loyola, Tasha served as a teacher assistant for the Legal Research and Writing class for underclassmen. In addition during her final year at Loyola, she was an extern to the Honorable U.S. Magistrate Judge Joseph Wilkinson in the Eastern District of Louisiana. Upon graduation from law school, Tasha served as U.S. Magistrate Judge Joseph Wilkinson's staff attorney. Thereafter, before entering private practice in 2000, she clerked for the Honorable Ross LaDart in the Twenty Fourth Judicial District Court. Tasha has a general civil litigation practice with an emphasis on insurance defense, casualty, premises liability, and transportation. She is licensed to practice in all Louisiana State and Federal Courts.



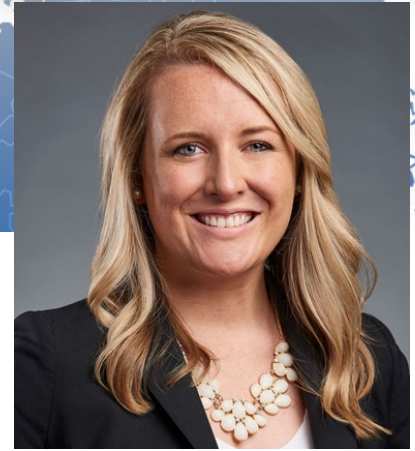
Benjamin W. Jones is a shareholder in the Knoxville and Nashville, Tennessee ALFA International law firm of Lewis Thomason, P.C. where he concentrates his practice in hospitality law, premises liability, transportation, and general negligence with a focus on defending personal injury matters. Ben has 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.



Sean McDonough has been practicing law in Massachusetts since 1993 and has been a partner at Morrison Mahoney since 2002. His practice is focused on the defense of companies in personal injury and property damage cases in the areas of product liability, transportation liability and premises liability, and the defense of professionals, including lawyers, real estate appraisers, agents and brokers, home inspectors, engineers and architects in malpractice cases and board related matters. Sean also specializes in defending construction companies in lawsuits alleging construction defects, non-profit entities in claims arising out of allegations of abuse and defending municipalities and governmental entities. He also defends insurance companies in contract and coverage disputes and advises small to medium size corporations regarding organization, real estate transactions, litigation and employment issues.



Matthew R. Parsons is a Member in ALFA International firm Stoll Keenon Ogden's Lexington office and has been with the firm since 2008. His practice focuses on civil litigation, with a wide variety of experience in the areas of business litigation, products liability, trucking litigation, general tort and insurance defense, and employee benefits litigation. Matt has represented clients across a broad range of industries, including utility, industrial product manufacturing, transportation logistics and leasing, automotive manufacturing, and the financial sector. Matt is a graduate of the Indiana University Kelley School of Business (B.S.) and the University of Kentucky College of Law. He is active in both the Fayette County and Kentucky Bar Associations and has been honored as a Kentucky Super Lawyer Rising Star.



Katherine Strawbridge is a partner in Lewis Wagner'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. Katie 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. Katie employs a professional, common-sense approach to litigation which results in favorable results for her clients and respect from her peers in the legal community on both sides of the bar.



David Wilson is a proven trial lawyer ALFA International Atlanta firm Hawkins Parnell & Young LLP. He has a diverse practice defending Fortune 500 companies, regional businesses, and individuals in product liability and tort cases involving personal injury, wrongful death, premises liability and property damage, and commercial litigation. David attended Georgia State University College of Law and has been AV Preeminent® Peer Review Rated by Martindale-Hubbel, and honored as a Super Lawyer for the past 10 years. Prior to attending law school, David obtained valuable business experience working for investment bank Bear Stearns and consumer products manufacturer Procter & Gamble.



Karie Wilson is part of the litigation practice group at the Las Vegas, Nevada, firm of Alverson Taylor & Sanders. Karie specializes in transportation, products liability, and premises liability, and defends clients against catastrophic injury and wrongful death claims. She has defended large transportation companies, a leading tire manufacturer, as well as manufacturers of motor homes, industrial equipment and household appliances, and has been involved in product recall and Multi-District litigation. Her practice also includes the defense of a hotel located on the Las Vegas Strip. Karie earned her Bachelor of Arts in Political Science from the University of New Mexico and her JD from California Western School of Law. Karie has been listed as a Rising Star in Mountain States Super Lawyers magazine and was also named in the Nevada Business Journal as one of Nevada's Top Attorneys.