



Georgia Defense
Lawyers Association
Advancing the Civil Defense Bar®

GEORGIA DEFENSE LAWYERS ASSOCIATION 2014 SPRING MEETING

April 25, 2014
Royal Sonesta Hotel
Hilton Head, SC

Call to Order

President Ted Freeman called the meeting to order at 9am.

Executive Committee: President Theodore Freeman, Freeman Mathis & Gary, Atlanta; Executive Vice President Kirby G. Mason, HunterMaclea, Savannah; Secretary-Treasurer Matthew G. Moffett, Gray Rust St. Amand Moffett & Brieske, Atlanta; Immediate Past President Lynn M. Roberson, Swift Currie McGhee & Hiers; Past President Edward M. (Bubba) Hughes, Callaway Braun Riddle & Hughes, Savannah; Past President W. Melvin Haas, III, Constangy Brooks & Smith, Macon. **Vice Presidents:** Sarah B. (Sally) Akins, Ellis Painter Ratterree & Adams, Savannah; Craig Avery, Cowser & Avery, Athens; Hall F. McKinley III, Drew Eckl & Farnham, Atlanta; and Peter D. Muller, Goodman McGuffey Lindsey & Johnson, Savannah. **Directors:** George Hall, Hull Barrett, Augusta; Jo A. Jagor, Hall Booth Smith, Atlanta; Wayne S. Melnick, Freeman Mathis & Gary, Atlanta; David N. Nelson, Chambliss Higdon Richardson Katz & Griggs; Jeffrey S. Ward, Drew Eckl & Farnham, Brunswick. **Past Presidents:** Walter B. McClelland, Mabry & McClelland, Atlanta; and N. Staten Bitting, Jr., Fulcher Hagler, Augusta. **Other:** YL Committee Chair: Pamela Lee, Swift Currie McGhee & Hiers; and Executive Director Jennifer M. Davis. **Guests:** Judicial Relations Committee Vice-chair Edward T. McAfee, Lewis Brisbois, Atlanta.

Ted Freeman welcomed Edward McAfee who is the Vice-chair of the judicial relations committee, serving with Chair David Marshall.

Approval of Minutes

The Board approved the minutes of the 2014 winter meeting.

Membership Committee

Ted Freeman and Jennifer Davis presented the membership report. GDLA currently has 760 members. The Board approved the following applicants for membership, as recommended by the Admissions Committee:

1. Baiad, Todd M. — Bouhan Falligant LLP
2. Cash, Blair J. — Downey & Cleveland, LLP
3. Compton, Max — Drew Eckl & Farnham, LLP
4. Davis, William (Billy) — Hawkins Parnell Thackston & Young LLP
5. Haan, Debra K. — Gray, Rust, St. Amand, Moffett & Brieske, LLP
6. Hadley, Christina C. — Hall Booth Smith, P.C.
7. Hensel, Taylor W. — Buckley Brown, P.C.
8. Hinson, Shannon S. — Swift Currie McGhee Hiers

9. Hood, Marc — Drew Eckl & Farnham, LLP
10. McCall, Molly — McCall Williams, LLC
11. Mills, Daniel N. — Hawkins Parnell Thackston & Young LLP
12. Phaff, Sarah M. — Constangy, Brooks & Smith LLP
13. Pruet, H. Lee — Levy & Pruet
14. Saxby, Jeffery R. — Hall Booth Smith, P.C.
15. Schmidt, Adam — Hall Booth Smith, P.C.
16. Sewell, Gregory G. — Bouhan Falligant LLP
17. Schlottmann, Shannon L. — Swift Currie McGhee Hiers
18. Sutherland, Teddy — Scrudder, Bass, Quillian, Horlock, Taylor & Lazarus LLP
19. Tribble, Taylor — Huff Powell Bailey
20. Wigington, Cody S. — Holland & Knight LLP

The Board further discussed GDLA Past Presidents who leave the defense bar and how such would affect their membership in the organization. The Board considered the GDLA bylaws - Article 3, Section 7 (when a member changes practice, member's eligibility can cease to exist if so determined by the Board of directors). The Board determined that this rule shall apply to Past Presidents, as well as members, and they are no longer eligible for membership.

Education Committee

Chair Wayne Melnick presented the report, and advised that Skits and Suds: Chopped! Edition attracted 43 registrants to Manual's Tavern on February 20th with State Bar General Paula Frederick, Judge Stacey Hydrick and Judge Robert McBurney serving judges for the event. Our Appellate Advocacy on seminar attracted 39 attendees, and featured Court of Appeals Judges Branch and Dillard with Supreme Court Justice Keith Blackwell. .

He reported the next seminar is Women in the Law: Different Paths, Similar Goals on May 15th at Watershed on Peachtree. Trial Strategies & Tactics is being planned with the YL Committee for the summer. The Premises SLC is planning a CLE (see SLC below) on fire cause and origin. We're exploring having a CLE at the Alliance Theatre as part of its professionals training program.

Meetings Committee

Staten Biting reported that our 2014 Annual Meeting is on track for June 12-15 at Ponte Vedra Inn & Club, Florida. Our 2014 Fall Meeting will be held at Barnsley Gardens, October 17-19. The Board discussed the 2015 Spring Meeting venue options and voted not to go to Bermuda, which had been under consideration. The Board asked Staten and Jennifer to explore other options, and invested the Executive Committee with the decision-making power because of timing.

While the Board had previously voted to go to Disney for the 2015 Annual Meeting, Staten and Jennifer reported challenges with planning, having not yet been able to visit the resort, as well as concerns with budgeting,. It was decided that we should push a Disney meeting to at least 2016 to give ample time for planning and negotiating with the venue so as not to unwittingly blow our budget, etc. As such, the Board voted to hold the 2015 Annual Meeting at Hammock Beach Resort in Palm Coast, Florida, since Staten

and Jennifer had conducted a site visit there and they offer a commissionable rate (Disney will not). The date will be determined between the two middle June weekends.

The Board discussed and decided that our Executive Vice President (which soon may be President-elect) should offer input into the upcoming meeting venues for the year of his/her presidency.

Judicial Relations Committee

Edward McAfee presented the report and advised that David Marshall and the committee have met with former chair Bob Travis for an orientation on the process. They will continue Bob's work, polling the membership when judicial vacancies arise the meeting with the Judicial Nominating Commission.

Substantive Law Committee

Ted Freeman presented the report on behalf of Chair Brian Moore, followed by a discussion involving expanding our Substantive Law Committees with the addition of a government SLC, should the Bylaws be amended at our Annual Meeting for inclusion into GDLA membership attorneys employed by and representing a federal, state or local governmental entity or an agency thereof - and are substantially engaged in litigation primarily for the defense, in the State of Georgia. The Board was in agreement that such an SLC should be created if the Bylaw passes expanding membership to this group.

Jennifer reported that the Premises Liability SLC was planning a CLE in conjunction with Platinum Sponsor S-E-A on defending fire litigation claims on May 8th at Gordon Biersch in Atlanta.

Law Journal Committee

Editor Hall McKinley reported that the GDLA Law Journal is on schedule for timely publication and distribution. Hall advised that the president's message is complete, with 14 articles now being edited for inclusion.

Newsletter Committee

Editor Sally Akins reported that the newsletter will be published within the month. The deadline for the next issue is June 15th.

Sponsorship Committee

Craig Avery reported that while sponsor support is slightly behind last year, overall we are ahead of all prior years by comparison. He reported that former GDLA president Bob Travis is assisting the committee to address how to expand our sponsorships. A survey to the Board already has occurred, and the feedback is being analyzed. Craig also reported on our new Gold Sponsor, Global Trans Services.

Website Committee

David Nelson reported that GDLA is studying how to offer online registration for membership and for participation in our events. The Board approved a motion to expend up to \$2,500 to enhance the GDLA website with such online registration capabilities.

Amicus Committee

Jeff Ward reported that two requests for amicus briefing were denied (*Kemper v. Brown* and *Love v. Love*) and one was approved (*Fisher v. Gala*). Jeff also reported that Rusty Gunn and his family are most appreciative of the prayers and support of GDLA.

Diversity Committee

Lynn Roberson reported that GDLA is participating in diversity efforts and endeavors with other organizations as part of the Multi-Bar Leadership Council (MBLC), and on the very day of our Board meeting a group of GDLA young lawyers was participating in MBLC Diversity Cook-Off at Grant Park.

DRI

Bubba Hughes reported that the DRI annual meeting is set for October 22-26 in San Francisco. All Board members are encouraged to attend.

Younger Lawyers (YL) Committee

Pamela Lee reported that a recent YL networking luncheon was very successful with 30 people attending. Our younger lawyer members are participating in the MBLC Diversity Cook-off (day of our meeting), and the committee is co-sponsoring the July 17th CLE on Trial Tactics & Strategies.

Pamela reported that the YLC is considering a luncheon in Macon and Savannah. The Board discussed how best to assist this committee and how important it is for our Board and members to encourage participation in our events for younger lawyers.

Treasurer's Report

Matt Moffett reported that our accounts are in good standing, and that total assets as of March 31, 2014 are 5% more than the year prior.

The GDLA's CPA, Don James, presented our tax return information to the Board.

The Board discussed our fiduciary duty to realize income from money assets while reserving principal. The Board agreed that Matt and Jennifer will explore conservative, low risk investment opportunities such as CDs and make a subsequent report to the Board as to possible allocation of some of our cash reserves to market investment.

President's Report

Ted Freeman reported that our organization is as strong as it has ever been, and he recognized and thanked the Board for its leadership and hard work. Ted informed the Board he and Jennifer were on-hand at the UGA Law Awards Day for the presentation of the annual Richardson Award; also we made a donation in memory of a Judge Janis Gordon's husband.

Old Business

Strategic Planning Committee: Ted Freeman announced that Peter Muller will chair this committee and begin to assemble it.

New Business

Healthcare Insurance Exchange Presentation

The Board considered the possible addition of a new sponsor to provide a healthcare insurance exchange to our membership. Lighthouse Benefit Resources (LBR) made a presentation to the Board about placing a link on the GDLA website to direct interested members to an insurance exchange to purchase health insurance products. In the event of a purchase of product, the LBR would pay a service fee to GDLA.

The Board then discussed the matter further as to how this exchange could benefit our membership and organization, along with the accounting and legal considerations involved. GDLA's CPA was present for this discussion, and did not believe it would impact our non-profit status.

The Board decided to request a specific proposal from LBR for further Board consideration, and that the GDLA Executive Committee shall vet that proposal and report to the Board as to a final recommendation, along with any necessary disclaimer information for the membership.

Logo Trademark

Peter Muller reported that a member law firm has developed a logo that is very similar to the new GDLA logo. The Board discussed the issue of protecting our logo and brand as much as practicable, and it was agreed that the organization should place the appropriate legal marking on the logo. Peter will work with Jennifer on whatever steps need to be taken.

E-mail blast

Jennifer Davis explained that a GDLA member recently reported a breach of confidentiality involving a non-member's obtaining a copy of an e-blast, sent by said GDLA member, seeking information about the non-member. Jennifer also reported that often GDLA members will reply to an e-mail blast seeking recommendations for an expert by copying their recommended expert; this is also prohibited.

The Board discussed how to bolster the confidentiality verbiage in the current “E-mail Blast Guidelines” and adding similar verbiage as part of the disclaimer that is automatically inserted at the end of every e-blast. That verbiage would reinforce the prohibition against forwarding e-mail blasts sent through the GDLA e-mail blast system. Once that verbiage is approved and in place, Jennifer will send an e-blast alerting members and reminding them that forwarding e-blasts, or cc’ing others outside the GDLA, etc., is strictly prohibited.

The Board authorized David Nelson to prepare the disclaimer verbiage for further Executive Committee consideration and approval.

The meeting adjourned at noon.