



43rd Annual Joint Meeting

South Carolina Defense Trial Attorneys' Association & Claims Management Association of South Carolina

July 22-24, 2010

The Grove Park Inn Asheville, North Carolina



Presidents letter:



Dear Friends,

Please mark your calendars and plan to join us at the beautiful Grove Park Inn in Asheville July 22-24, 2010 for the 43rd Joint Meeting of the South Carolina Defense Trial Attorneys' Association and the Claims Managers' Association of South Carolina. The GPI is always a wonderful place to spend a few summer days with your family as well as old and new friends, and this year will be no different.

Catherine Templeton, Johnston Cox and Ed Lawson have put together an outstanding program, including interesting and informative continuing education topics and fun events for the entire family. On Thursday we will have our traditional welcome reception and silent auction. Young Lawyers President Paul Greene and his committee are hard at work gathering up items for the silent auction. This year's proceeds will be donated to Our Courts.org, a wonderful new civics program

founded by United States Supreme Court Justice Sandra Day O'Connor and supported by the SCDTAA. I am sure the more you hear of OurCourts you will agree that it is a worthy cause for us to support. So be prepared to bid early and often!

The educational program kicks off Friday morning with well-known attorney Roger Dodd of Jacksonville, Florida speaking on every defense lawyer's and claims manager's favorite part of trial--cross examination. And given the title of his lecture, "Eviscerating the Other Side", this promises to be a great start to the meeting. David Kibler, Rick Lamar and Rick Adair will follow Roger with words of wisdom from clients to lawyers, and that will be followed by excellent litigation and workers' compensation breakout sessions.

Representative Jenny Horne and Merl Code have graciously agreed to be our ethics speakers on Friday. Jenny will speak on "Falls from Grace" and Merl will speak on "Positive Corporate Relations and Diversity". In between John T. Lay, Bre Walker and Barry Reynolds will discuss the pitfalls of bad witness preparation. We'll have another workers' compensation breakout that morning, and will close out the meeting with a presentation on fire explosion and investigation by Randy Watson of SEA, Ltd, our Platinum Sponsor this year.

There is plenty of "play" lined up to go along with all the "work" this year. On Friday afternoon attendees will have lots of options, including golf, white water rafting, a sporting clays outing, a Nantahala Gorge zip line canopy tour (a first for our meeting) or a wine tasting. The only problem is which one to pick. In addition, on Friday morning we are offering a spouse's tour (another first for our meeting) of shopping in Asheville. Or, if complete relaxation is what you need there is always the incredible GPI Spa.

I mentioned above that Asheville is a great place to spend a few days with family and friends. We encourage you to bring your children along with you. We will have a professionally equipped children's program on Friday evening so you or your spouse won't have to rush back from the Bluegrass and Bluejeans Barbeque that night, and of course GPI can help with the children any other time while you are in Asheville.

Enclosed is the registration packet for this year's meeting. Please be sure to make your room, spa and dinner reservations as soon as possible by either calling GPI at (800) 438-5800 or by visiting the website at www.groveparkinn.com.

Barbara and I look forward to seeing you all once again in Asheville.

Activity information:

Eclectic Asheville Shopping Tour – Spouses Tour Friday, July 23 10:30am – 3:30pm

A fun shopping tour of eclectic (but classy) and amusing shops that dot our mountain landscape. The tour features a unique collection of arts and crafts, gifts, antiques, retro furniture, and much more, and the guide will also weave interesting historic stories about the characters that made Asheville the colorful city it is today. Guests can enjoy a spot of tea, a glass of wine and Asheville's exceptional art deco architecture as they peruse the ever changing treasures found along the way. Lunch included. Minimum of 5 people required. Registration fee \$100.00 per person.

Whitewater Rafting on the French Broad River Friday, July 23 12:15pm – 5:30pm

Beautiful scenery, playful rapids. One of the world's oldest rivers, the French Broad River winds through the Pisgah National Forest in the mountains of North Carolina. Class I-III French Broad rafting offers groups a perfect introduction to whitewater. Each person we will be provided a personal flotation device, helmet, paddle, and each raft will have a professional guide. Please wear bathing suits (or shorts and tee-shirt) and secure footwear (sandals are not appropriate). Optional: sunscreen, sunglasses and glasses strap. For after your trip: change of cloths, dry shoes and towel. Children must be eight years old to participate. Box lunch included. Minimum of 5 people required. Registration fee \$140.00 per person.

Sporting Clays Outing Friday, July 23 12:15pm – 5:30pm

Sporting clays is a shot gunners' sport that offers the thrill of game hunting without the kill. Clay targets of different shapes and sizes are thrown at varying speeds, angles and heights to simulate the path of hunting game. The range is divided into ten scenic shooting stations that are identified by the game they are designed to imitate (grouse, quail, pheasant, dove, ducks, rabbits, etc.). The challenge of sporting clays is limited only by the course designer's imagination. Each person will be proved gun rental, a 50-shot round of sporting clays, earplugs, shells, targets and scorecards. Sunglasses, hat or cap, and sunscreen are recommended. Box lunch included. Minimum of 5 people required. Registration fee \$135.00 per person.

Nantahala Gorge Zip Line Canopy Tour Friday, July 23 12:30pm – 5:30pm

An exhilarating three-hour guided Canopy Tour in the Nantahala Gorge. The tour takes you through multiple ecosystems, past large hemlocks and into hardwood treetops. Fly through 20 scenic acres, above a deep valley and deciduous forest floor blanketed with flowering plants such as mountain laurel, rhododendron, flame azalea, and mountain magnolias. The tour includes a mixture of slope side, elevated and treetop landing and launch platforms and features between 10-12 zip lines and 3-5 sky and transfer bridges. All necessary equipment will be provided including helmets, gloves, full-body harnesses, plus state-of-the-art trolley and tether lines (hardware and safety gear rated 5 to 500 times higher than necessary). All guests must be in good physical condition, between 90 and 250 pounds, 10 years old and over, must be able to reach over their heads for zip line speed control and breaking, and must also sign a waiver and release of liability. Closed-toe shoes are required, and we recommend modest clothing that coincides with the seasonal weather. Box lunch included. Minimum of 6 people required. Registration fee \$135.00 per person.

Golf Tournament Friday, July 23 12:30pm – 5:30pm

Discover the course that Golfweek magazine included in its 2005 "America's Best" listings and Golf Digest named in 2004 as "one of the ten best courses in the United States that is 100 years old or more." Designed by the legendary Donald Ross, the course is rated as the 8th best in North Carolina (with five of the seven courses rated higher located at legendary Pinehurst). Boxed lunch included. Registration fee \$175.00 per person. To be played at the Grove Park Inn golf course.

Wine Tasting Friday, July 23 1:40pm – 4:15pm

Upon arrival, guests will receive a reception wine and have the opportunity of tasting six wines from Italy. Our wine host will guide you through these flavorful wines and give you a brief background of each wine, grape varietal and expectations of aromas and flavors. We will also serve antipasti including paper thin Parma Prosciutto-wrapped Melon skewered with Fresh Rosemary, Grilled Lollipop Lamb Chops in Olive Oil & Thyme, Lightly Marinated Shrimp with Lemons & Capers served in Endive, Pizza Rustica handmade with Basil & Fresh Tomato, and Roasted Mushrooms & Asparagus with Balsamic Reduction. Must be at least 21 years old to participate. Minimum of 6 people required. Registration fee \$85.00 per person.

SCDTAA/CMASC Evening Children's & Tweens Program Thursday, July 22 6:00pm – 11:00pm Friday, July 23 6:00pm – 11:00pm

You must pre-register directly with the SCDTAA.

The SCDTAA & the CMASC encourages attendee's children & teens to participate in the evening programs. Make new friends and reconnect with old ones during the evening events. Children will be in the care of fully-trained counselors. The children's program will be held at the Sport's Complex.

Children's Evening Out (ages 4-7) – An evening of arts & crafts, games, swimming, movies and more! Dinner is included. Children must be at least 4 years old and should not wear diapers or pull-ups and must be toilet trained. Children must bring their own swimsuits to participate in swimming. Registration fee \$65.00 / Child

Tweens Evening Out (ages 8-12) – An evening of playing Wii, games, swimming and more! Dinner is included. Children must bring their own swimsuits to participate in swimming. Registration fee \$65.00 / Child

The Grove Park Inn Children's Programs

Children's Daytime Adventure Camp: Activities at this day camp include swimming, games, arts and crafts. Kids can be signed up for full day or half-day programs. Available Monday - Friday (Memorial Day through Labor Day) and Saturdays year-round.

Children ages 3-12 can enjoy supervised activities that are packed full of fun and excitement. Parents, you can relax knowing your children are safe, enjoying a fantastic time, under the guidance and care of fully-trained counselors.

For all Children's Programs, children should wear comfortable clothes and tennis shoes. Parents should bring a bathing suit, sweater or jacket and flotation aid if necessary. Towels are provided. Children should not wear diapers or pull-ups and must be toilet trained. For registration information call (828) 252-2711, ext. 1046.

Babysitting

If your child is too young for the Children's Programs, or you have a special event planned that falls outside our program schedule, our concierge will be glad to provide you with options for hotel babysitting. Call 828-252-2711, ext. 7005.

Contact The Grove Park Inn directly for registration information 800-438-0050 or www.groveparkinn.com.

2010 SCDTAA & CMASC Joint Meeting Tentative Agenda

Thursday, July 22, 2010

3:00 p.m. - 5:00 p.m. **SCDTAA Executive Committee Meeting**

4:00 p.m. - 5:00 p.m. **CMASC Business Meeting**

5:00 p.m. - 5:30 p.m. Young Lawyers Division Meeting

4:00 p.m. - 7:00 p.m. **Registration Desk Open**

6:00 p.m. - 11:00 p.m. SCDTAA/CMASC's Children's Program 6:00 p.m. - 7:30 p.m. Welcome Reception & Silent Auction

7:30 p.m. **Dinner on your own**

Friday, July 23, 2010

8:00 a.m. - 12:00 p.m. **Registration Desk Open**

Exhibit Hall Open

8:00 a.m. - 8:15 a.m. Welcome and Announcements

T. David Rheney, SCDTAA President J. David Kibler, CMASC President

8:15 a.m. -9:15 a.m. The Art of Eviscerating the Other Side: Cross Examination

Roger J. Dodd, Esquire Dodd & Burnham, P.C.

9:15 a.m. - 9:45 a.m. When Ransom is Not an Option

James B. Hood, Esquire

9:45 a.m. - 10:00 a.m. **Break**

10:00 a.m. -11:00 a.m. Words of Wisdom From Your Clients

J. David Kibler, Claims Manager, SCANA Services, Inc.

Rick Lamar, Claims Manager, SC Farm Bureau

Rick Adair, Claims Manager, Adair, Horne & Associates

11:00 a.m. - 11:30 a.m. Workers' Compensation Breakout

James v. Anne's (The "Utica Mohawk Case")

Mark D. Cauthen, Esquire

South Carolina Workers' Compensation Commissioners

Commissioner Andrea C. Roche, Chairman

Commissioner Susan S. Barden Commissioner T. Scott Beck Commissioner G. Bryan Lyndon Commissioner Avery B. Wilkerson Commissioner Derrick L. Williams

11:00 a.m. - 11:30 a.m. **Substantive Law Breakouts**

(A) Construction Law

Case Update in Brief and Discussion of Joint and Several

Liability/Contribution Claim Pitfalls Christopher M. Adams, Esquire Graham P. Powell, Esquire

(B) Alternative Dispute Resolution

A Neutral's Nifty Negotiating Nuggets

Eric K. Englebardt, Esquire

11:30 a.m. - 12:00 p.m. Workers' Compensation Breakout

Changing Economic Climate

Laura Robinson, Vice President, Companion P&C Group South Carolina Workers' Compensation Commissioners

Commissioner Andrea C. Roche, Chairman

Commissioner Susan S. Barden

Commissioner T. Scott Beck Commissioner G. Bryan Lyndon Commissioner Avery B. Wilkerson Commissioner Derrick L. Williams

11:30 a.m. - 12:00 p.m. **Substantive Law Breakouts**

(A) Insurance Defense / Torts

South Carolina Tort Reform Update

Timothy C. Dargan, Esquire John C. Hawk IV, Esquire

(B) Trucking

CSA 2010 - Be Prepared Even if the Feds Are Not

Dennis J. Lynch, Esquire John P. Riordan, Esquire

12:15 p.m. - 5:30 p.m. White Water Rafting Trip 12:15 p.m. - 5:30 p.m. Sporting Clays Outing

12:15 p.m. - 5:30 p.m. Nantahala Gorge Zip Line Canopy Tour

12:30 p.m. **Golf Tournament**

The Grove Park Inn Course

1:45 p.m. - 4:15 p.m. **Wine Tasting**

6:00 p.m. - 11:00 p.m. **Children's Program**

7:00 p.m. - 10:00 p.m. Bluegrass, Blue jeans and Barbeque on the Blue Ridge

Saturday, July 24, 2010

7:45 a.m. - 8:15 a.m. **SCDTAA Membership Meeting**

8:00 a.m. - 12:00 p.m. **Registration Desk Open**

Exhibit Hall Open

8:15 a.m. - 9:00 a.m. **Ethics - Falls from Grace**

The Honorable Jenny A. Horne, South Carolina State Representative

0.75 Ethics

9:00 a.m. - 9:45 a.m. Witness Preparation ... Gone Bad

John T. Lay, Esquire, Ellis, Lawhorne & Sims, P.A. Bre Walker, Esquire, Ellis, Lawhorne & Sims, P.A. Barry Reynolds, Claims Manager State Farm Bureau

9:45 a.m. - 10:00 a.m. **Break**

10:00 a.m. - 11:00 a.m. **Positive Corporate Relations and Diversity**

Merl Code, Esquire, Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

1.0 Ethics hour

11:00 a.m. - 12:00 p.m. Workers' Compensation Breakout

South Carolina Workers' Compensation: Finally Back to Basics After 75

Years.....A Case Law Update and Overview

Kirsten L. Barr, Esquire

South Carolina Workers' Compensation Commissioners

Commissioner Andrea C. Roche, Chairman

Commissioner Susan S. Barden Commissioner T. Scott Beck Commissioner G. Bryan Lyndon Commissioner Avery B. Wilkerson Commissioner Derrick L. Williams

11:00 a.m. - 11:30 a.m. The Good, The Bad, The Ugly: This Year's Decisions

Various Substantive Law Chairs

11:30 a.m. - 12:00 p.m. Fire and Explosion Investigations

Randy Watson, C.F.E.I., C.F.I.I., SEA Ltd.

12:00 p.m. Adjournment

2010 Joint Meeting Sponsors

Gold Level

A. William Roberts, Jr. & Associates SEA, Ltd.

Silver Level

Applied Building Sciences
LookingGlass, LLC
Robson Forensic, Inc.
South Carolina Bar Foundation
The Warren Group

Bronze Level

Kirkland, Thomas, Watson & Dyches, LLC

Law Firm Sponsors

McKay, Cauthen, Settana & Stubley

Exhibitors

South Carolina Bar - CLE Division

Things to know about the 2010 SCDTAA & CMASC Joint Meeting:

- ANNUAL SILENT AUCTION WILL BE ON THURSDAY EVENING
 Help support the Silent Auction! Anyone wishing to donate to the silent auction please contact
 Aimee Hiers (aimee@jee.com / (803) 252-5646); Paul Greene (PGreene@gwblawfirm.com / (803)
 576-3706) or Jared Garraux (JGarraux@RichardsonPlowden.com / (803) 576-3702).
- FRIDAY EVENING BLUEGRASS, BLUE JEANS AND BARBEQUE ON THE BLUE RIDGE Good views good food good music!! Join us for dinner and enjoy an evening with friends and the breath-taking views of the Blue Ridge mountains.
- SCDTAA/CMASC CHILDRENS' PROGRAMS

 Bring the entire family to the Grove Park. Exclusive children's programs will be offered for SCDTAA/
 CMASC members so everyone can have fun.
- GOLF TOURNAMENT TO BE PLAYED AT THE GROVE PARK INN COURSE

Hotel information

Hotel reservations can be made by calling The Grove Park Inn directly at (828) 252-2711 ext. 1010 or (800) 438-5800. Availability of rooms at the group rate is subject to the SCDTAA/CMASC room block and for reservations made by Friday, June 11, 2010. Reservation requests received after the room block has been fully reserved or after the release of unused rooms on June 12, 2010 will be accepted only on a space available basis. Please note – the SCDTAA/CMASC Joint Meeting room block is for attendees of the Joint Meeting only. Anyone who has not registered for the meeting by June 11, 2010 and has a room reserved will be removed from the SCDTAA/CMASC room block and will not receive the discounted group room rate.



