

## Minutes for Division 1's Monthly Steering Committee Meeting

Monday, August 8, 2022 @ 3PM ET via zoom

<https://americanbar.zoom.us/j/8035484597?pwd=bldlYysxL25ibWxYZTQ5L29OTmYrdz09>

Meeting ID: 803-548-4597

### Steering Committee Members (2022/2023)

Tom Dunn, Chair	Brett Henson
Cassidy Rosenthal (Immediate Past Chair)	Joe Imperiale
Catherine Delorey X	Katie Kohm X
Marissa Downs X	Mike Lane X
Kelsey Funes X	Jason Rodgers - Da Cruz

### Liaisons (2022/2023)

Tony Lehman X	Governing Committee
Lexie Pereira X	Young Lawyers Division
Jessica Sabbath X	In-House Counsel
Marissa Downs X	Membership
Jessica Knox X	Technology
Jen Millender X	SPEC (Special Programs and Education)
	Diversity + Inclusion
Rebecca Takacs	Publications
Jade Davis X	Marketing

### Minutes

#### 1. Summer Conference in Lake Tahoe – *The Art of Negotiation* – July 27-28, 2022.

- a. Lunch Program – **Katie Kohm** recap **Katie reported on the lunch session with co-speaker Janie Winning. Good audience participation lead to some great ideas for further discussion at the Planning Retreat like an initiative for D1 to producing a listing of IDMs for use during the project perhaps in collaboration with AAA.**
- b. Division 1 Social Event – **Rebecca Takacs** recap – **George Fink, Catherine Delorey and Tony Lehman shared some highlights of the event, which was really well attended (30+) and many people stayed long after the event's scheduled end time. One suggestion for the future events – try to have a vegan or vegetarian option. It will be most welcome**

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2. **September 8 Virtual Extreme Winds Event** – Mike Lane and Can Simsir **Katie introduced webinar and Mike discussed the topic in greater detail as outlined below.**

- a. Register and Promote -

[https://americanbar.zoom.us/meeting/register/tJErceyurzkiE9CLN\\_aDtt47362ytdZCToOc](https://americanbar.zoom.us/meeting/register/tJErceyurzkiE9CLN_aDtt47362ytdZCToOc)

- b. Program Description: **Extreme Winds on Built Environment and Recent Changes in Building Codes.** Educational Objectives: This webinar will present the effects of extreme wind events on buildings and their components with the help of case studies. Extreme winds include hurricanes, tornados, downbursts, derechos, and others. This webinar will also present the changes and additions in the wind load provisions of the 2022 version of the ASCE 7 Standard. This recently published ASCE 7-22 Standard: Minimum Design Loads and Associated Criteria for Buildings and Other Structures will be adopted in the upcoming International Building Code and subsequently in the State Codes. At the end of the course, participants will be able to:

1. Understand the nature of various extreme wind events such as hurricanes, tornados, downbursts, derechos
2. Understand the effects of extreme winds on built environment
3. Become familiar with types of wind-induced damage on building components (case studies)
4. Be introduced to process for determining wind loads on buildings
5. Become familiar with recent changes to design standards and codes re. wind loads
  - a. Tornado load provisions
  - b. Updated wind speeds maps
  - c. Updates to wind tunnel testing procedure
6. Discussion of how contractors and counsel can address these issues

3. **Fall Meeting September 28-30, 2022** – Memphis, TN – **Katie discussed the upcoming planning retreat. Patricia Thompson inquired about a zoom option for participation. Others concurred. Katie confirmed that will more than likely be an option.**

- i. **D1 Planning Retreat – 9/28 at 9AM-12PM ET** – Room TBD 1. All are welcome to attend. Email Tom if you plan to attend. 2. Steering committee members / liaisons – email Tom when you plan to get in on Tuesday night
- ii. Practicum: Trial Advocacy I (**Jason Rodgers–Da Cruz**)
  1. **Katie shared the basics about the three Trial Ad sessions for the upcoming year.**

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iii. Social: **Mike Lane**

1. Mike reported on planning the dinner event for D1 and potentially some other divisions. Should reach agreement with the restaurant soon on the menu/pricing and will circulate a sign-up using website ticket app. He's looking for a sponsor as well. – Up the fire escape above BB King's Blues Club lies Memphis' "hidden gem" Itta Bena. Itta Bena embodies the charm and inspiration of fine southern dining, with a Delta twist in a relaxed atmosphere with unrivaled southern hospitality

iv. Lunch: **Brett Henson**

1. Jade shared some highlights of the upcoming presentation with Peter Silverman and either Jade or Brett on the topic of Risk Analysis, Decision Trees, and Principled Brackets. This program will feature an interactive discussion using decision tree software, which is a tool for early dispute assessment. The program will take place on 9/29/2022 from 12-1pm
4. **Toolbox Talk Series** – sign up for future TTS! - Katie discussed each of the upcoming TTS programs with assistance from Catherine Delory and Patricia Thompson. Katie invited any interested D1 members to email Tom Dunn to participate in future TTS planning.
- a. September:  
<https://americanbar.zoom.us/meeting/register/tJlkce2hrDorGdQSWej06TvufPIFOG4Q203x>
  - b. October:  
[https://americanbar.zoom.us/meeting/register/tJEvfuiurzgpEtceuVoaHSqsgwr2Y6Y\\_6m\\_B](https://americanbar.zoom.us/meeting/register/tJEvfuiurzgpEtceuVoaHSqsgwr2Y6Y_6m_B)
  - c. December:  
<https://americanbar.zoom.us/meeting/register/tJwkcuqhrDsuGtWYgSMQkXWrJWtvFAGdROIJ>
  - d. Join 2023 TTS Planning Team – email Tom Dunn ([rtduinn@pierceatwood.com](mailto:rtduinn@pierceatwood.com)) to express interest

## 5. Division 1 Liaison reports

- a. Jade – Marketing
  - i. Jade presented to group, specifics attached

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- b. Jess – In-House
  - i. Jess reported there was no meeting
- c. Lexie – YLD
  - i. Lexie reported that YLD is looking to supply another person for the D1 Blog
- d. Marissa – Membership
  - i. Marissa reported that she did not attend Tahoe and did not attend the meeting, which was late for CT
  - ii. Tony offered a few notes that Membership is gearing up for year planning. Given the smaller size of the meeting the membership table was sporadically staffed
- e. Jessica – Technology
  - i. Jessica reported there was no meeting in July or August
- f. Jen – SPEC
  - i. Jen presented on the upcoming Regional Programs on DSCs, payment provisions, etc. in various cities
  - ii. Distance learning program Carly Iafrate and David Fine on Mid-project abitrations
  - iii. Trial Academy is getting up and running again with Dallas a possible location
- g. Jess – Diversity
  - i. Jess was unable to attend Lake Tahoe meeting
  - ii. Janie offered a glowing report on the Diversity Speaker at Lake Tahoe, Dave Moody, a general contractor
- h. Rebecca – Pubs
  - i. n/a

### **6. Next Steering Committee Meeting -- Monday, September 12, 2022 at 3PM ET**

### **7. Open Discussion**

- a. Tony Lehman shared that the GC sang the praises of D1 at the GC Retreat in Tahoe. Encouraged that members and discussed the ways to get involved as a liaison to the committees is invaluable to the Forum because it is where the work gets done.

## **ABA D1 – Marketing Liaison Report**





















































## **AMERICAN BAR ASSOCIATION D-1 MARKETING LIAISON REPORT**

**Marketing Liaison: Jade Davis**

**August 8, 2022**

- The Marketing Committee achieved its targeted goal to update the Expressions of Mutual Interest (“EMI”) Protocol. The EMI Protocol is essential for outreach, development, and formalization of key relationships with high-profile industry organizations relevant to the Forum’s missions and objectives. The Forum entered into an EMI agreement with the American Arbitration Association (“AAA”) to join its other EMI relationships with:
  - The Construction Management Association of America (“CMAA”)
  - The Construction Owners Association of America (“COAA”)
  - The American Institute of Architects (“AIA”)
  - The American Counsel of Engineering Companies (“ACEC”)
  - The AAEC International (“ACEE”)
  - The National Association of Women in Construction (“NAWIC”)
  - The Associated General Contractors of America (“AGC”)
- If you have any relationships with any other organizations that you think The Forum can create a mutually beneficial relationship that includes a return on investment to allow the Forum to seek sponsorships and cross marketing for our meetings, webinars, and events, please let me know. We may have an established relationship or we may not.
- In addition, the Forum has an Engineering News Record contract. If anyone knows anyone who may be interested or have someone or a topic in mind, please pass that information to me and I will ensure I provide to the ENR Task Force and Forum Marketing Chair.
- Follow the Forum on LinkedIn and engage with our content. Seeing the hit rates and shares on the Forum’s posts show us that this is a way to spread the Forum’s message without much out of pocket expense. It does take each of us to share what we see on these platforms. The return on investment is also mutual as the more you post and share, the more your own visibility goes up!
- Check out Construction Law Today Podcast developed by the Technology Committee and hosted by David Suchar. 27 Episodes and counting!

## **ABA D1 – Attendance Report**

<b>KK</b>	Katharine Kohm (Host, me)		
<b>ML</b>	Michael Lane		
<b>AA</b>	Andrew Atkins		
	Catherine Delorey		
<b>CG</b>	Cole Graveen		
	David Ponte		
<b>FM</b>	fritz marth		
<b>GF</b>	George Fink		
	Jade Davis		
	Janie Winning (She/Her)		
<b>JH</b>	Jeff Hamera		
<b>JM</b>	Jen Millender		
<b>JK</b>	Jessica Knox		
<b>JS</b>	Jessica Sabbath		
<b>JP</b>	Jonathan Perry		
<b>KF</b>	Kelsey Funes		
<b>MQ</b>	Marcus Quintanilla		
<b>P</b>	pasha		
	Patricia Thompson		
<b>PD</b>	Patrick DeLangis		
<b>RW</b>	Raina Wagner (she/her)		
<b>TL</b>	Tony Lehman		
<b>TT</b>	Twanda Turner-Hawkins, Chair C...		
<b>A</b>	AndrewGVicknair		

## **ABA D1 – Chat during Meeting**

Me to Everyone

KK

[https://americanbar.zoom.us/meeting/register/tJErceyurzkiE9CLN\\_aDtt47362ytdZCToOc](https://americanbar.zoom.us/meeting/register/tJErceyurzkiE9CLN_aDtt47362ytdZCToOc)

Jade Davis to Everyone



Check out Construction Law Today Podcast developed by the Technology Committee and hosted by David Suchar. 28 Episodes and counting! -

<https://podcasts.apple.com/us/podcast/construction-law-today/id1472603673>

Forum on Construction Law's LinkedIn - <https://www.linkedin.com/groups/1908593/>

Patricia Thompson to Me (Direct Message)



Katharine, do you know if it will be possible to attend the Div 1 planning retreat remotely, by Zoom or otherwise, as I cannot attend the Memphis meetings in person. Patricia T.

Catherine Delorey to Everyone



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Link to Register - Exploring Mid-Project Adjudication or Arbitration of Claims - August 17 at 1 pm EDT