

Minutes for Division 1's Monthly Steering Committee Meeting

Monday, September 12, 2022 @ 3PM ET via zoom

<https://americanbar.zoom.us/j/8035484597?pwd=bld1YysxL25ibWxYZTQ5L29OTmYrdz09>

Meeting ID: 803-548-4597

Steering Committee Members (2022/2023) – X in attendance

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

Liaisons (2022/2023) – X in attendance

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

Friends of D1 in attendance

John Gazzola	Marcus Quintanilla
Thanh Do	Janie Winning
Pasha Ameli	Patrick DeLangis
Fritz Marth	Christopher Mellado
Jeff Smith	Michael Martin
Can Simsir	David Kent
Brenda Radmacher	

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Minutes

1. Fall Meeting September 28-30, 2022 – Memphis, TN

- i. **D1 Planning Retreat – 9/28 at 9AM-12PM ET** – Agenda/Room TBD
- ii. Practicum: Trial Advocacy I (**Jason Rodgers–Da Cruz**). Jason said that they are almost sold out for the practicum. He said it will be in a large room and the 5 groups will be able to split up in their groups to do mock jury selection. The speakers are well prepared and everything going well. **Sign up and take the last few spots for this practicum!**
- iii. Social: **Mike Lane – Itta Bena 9/28 at 6:30PM. \$75/PP. [Register here.](#)**
Sponsored by Breakwater Forensics LLC.



- iv. Lunch: **Brett Henson – Forecasting Techniques for Early Dispute Assessment.** Speaker: **Peter Silverman**, Shumaker, Loop & Kendrick, LLP, Toledo, OH. Moderators: **Brett Henson** and **Jade Davis**, Shumaker, Loop & Kendrick, LLP, Sarasota, FL. *Brett said that Peter is all ready for this program. They developed a flyer for this program and plan to make it available through Zoom as well. He will work with Shannon/ABA and*

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CVENT (tech people at hotel) to get this setup 1-2 hours before the program starts.



ABA
AMERICAN **BAR** ASSOCIATION
Forum on Construction Law

CLICK HERE
TO ATTEND

Forecasting Techniques for Early Dispute Assessment

Date: Thursday, September 29, 2022

Time: 12:30 p.m. – 1:45 p.m.

Location: Historic Peabody Hotel

Memphis, Tennessee In-Person OR Virtual via Zoom

Event Description:

Join Division 1 (Litigation & Dispute Resolution) for a complimentary lunchtime Continuing Legal Education (CLE) Seminar presented by Peter Silverman, Esq., a partner with Shumaker and co-founder of the EDR Institute. The EDR Institute is a nonprofit organization created to deliver interactive, in-depth training covering EDR procedures and protocols. Mr. Silverman will provide an interactive presentation on the use of decision trees in systematically evaluating the potential outcomes of complex construction disputes.



SHUMAKER

Speaker: Peter Silverman

Shumaker, Toledo, OH

Moderators: Brett Henson and Jade Davis

Shumaker, Sarasota, FL



D1 Fall 2022 Lunch
Flyer.pdf

#1
THE
DIVISION: LITIGATION &
DISPUTE RESOLUTION

COMPLIMENTARY AND OPEN TO ANYONE

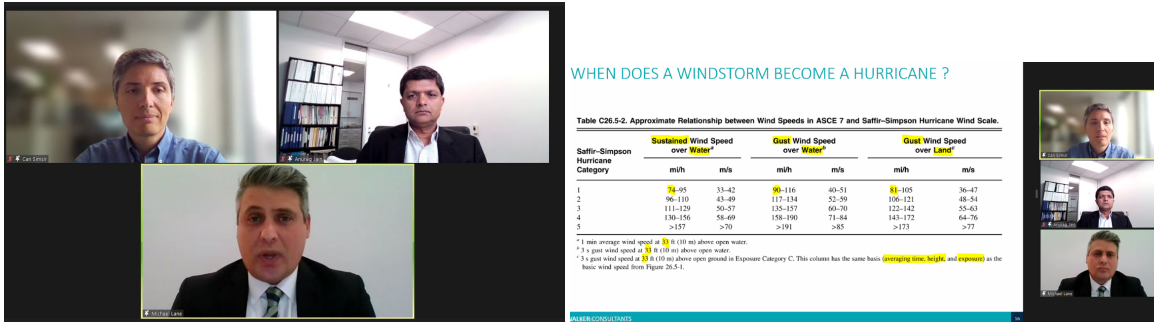
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2. Extreme Wind Event – 9/8 – Mike Lane / Can Simsir. *Dr. Simsir said the program was well attended and he enjoyed working with Mike Lane on the program. Tom said he will post/share the video once it is available.*



WHEN DOES A WINDSTORM BECOME A HURRICANE ?

Table C26.5-2. Approximate Relationship between Wind Speeds in ASCE 7 and Saffir-Simpson Hurricane Wind Scale.

Saffir-Simpson Hurricane Category	Sustained Wind Speed over Water*		Gust Wind Speed over Water*		Gust Wind Speed over Land*	
	mph	m/s	mph	m/s	mph	m/s
1	39-55	33-42	46-58	40-51	58-73	51-64
2	56-100	43-49	117-134	52-59	106-121	48-54
3	111-129	50-57	135-157	60-70	122-142	55-63
4	136-156	58-69	158-200	71-84	143-172	64-76
5	>157	>70	>191	>85	>173	>77

* 1 min average wind speed at 10 m (33 ft) above open water.
 * 2 s gust wind speed at 10 m (33 ft) above open water.
 * 3 s gust wind speed at 10 m (33 ft) above open ground in Exposure Category C. This column has the same basis (measuring time, height, and exposure) as the basic wind speed from Figure 26.5-1.

3. **Toolbox Talk Series** – sign up for the 9/22 TTS!

- a. September – Patricia Thompson :

Sept. 22
@12PM ET

**Ethical Conduct
for Advocates and
Neutrals
(Rules and
Remedies for
Mediation
Misconduct)**

How do we know when zealous mediation practice by advocates or neutrals crosses the line into abusive or even illegal behavior, and what can the client, counsel or neutral do when it does? Bring your questions, war stories and advice and share in this discussion

Deborah Ballati and Patricia Thompson, JAMS

- b. Register:

<https://americanbar.zoom.us/meeting/register/tJlke2hrDorGdQSWej06TvufPIFOG4Q2O3x>

- c. *Tom said that he will be forming the 2023 TTS Committee soon so reach out to him if you want to be on this planning team / help to coordinate/plan the content of these 30-minute virtual programs.*

4. **The Dispute Resolver** – Catherine Delorey reported that they posted a recent article. She is looking to grow the Consultant Corner series as well. Tom encouraged people to contribute to the blog (500-1000 word articles). Tom said that Marissa Downs is updating the D1 Neutral Directory and we plan to have some flyer on it at the Fall meeting.

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5. Division 1 Liaison reports.

- a. Jade – Marketing – no report
- b. Jess – In-House – no report
- c. Lexie – YLD – no report
- d. Marissa – Membership – no report
- e. Jessica – Technology – no report
- f. Jen – SPEC – no report
- g. Gaela (welcome!) – Diversity + Inclusion – no report
- h. Rebecca – Pubs – no report

6. Upcoming Programs

- a. Division 8 / Division 1 Virtual Program – November 2022. Pasha is going to draft up the description / finalize the date so we can create the registration page.
- b. 2022 Regional Program – Dec 2, 2022 (Construction Contracts) – 4 cities:
 - i. Washington, DC
 - ii. Dallas, TX
 - iii. Indianapolis, IN
 - iv. San Francisco, CA
- c. 2023 Mid-Winter Meeting (San Juan, Puerto Rico - Caribe Hilton) – Feb 1-3, 2023
 - i. Lunch – no division lunches
 - ii. Social – Marissa Downs (in progress)
 - iii. Practicum – Joe Imperiale said he is finalizing his speakers and program topic this week (just in time for the brochure). He is presenting on introducing evidence at construction trials.
- d. 2023 Annual Meeting (Vancouver, British Columbia, Canada) – April 12-14, 2023. Katie Kohm is the co-chair with Tony Lehman as GC liaison.
 - i. Lunch – D1/D8 joint program - Pasha
 - ii. Social – with D8 (Amy Phillips / Pasha coordinate
 - iii. Practicum – Ashley Sherwood on rebutting evidence. Chris Whitney will be a panelist for this. He is a leadership circle member. Works with Tom/Katie.
- e. 2023 Fall Meeting (Washington DC) – Sept/Oct 2023
 - i. Lunch – Gary Welch (view from the arbitrator bench program). Speakers lined up and ready to go (rescheduled a program we had planned for MWM23)

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- ii. Social - [redacted] [open volunteer opportunity]
 - iii. Practicum – Bid Protests with Lisa Colon spearheading for D1. Joe Kovars is a speaker for it. Catherine Delorey is a co-chair with Rob Ruesch as the GC liaison.
 - f. 2024 Midwinter (possible location Las Vegas) Jan/Feb 2024.
 - g. 2024 Annual (possible location New Orleans) April 2024. Litigation centric program. Joe Imperiale is the co-chair with Brenda Radmacher.
7. [forgot to cover this] MEETINGS GOING FORWARD WILL BE ON THE SECOND THURSDAY OF THE MONTH. TOM WILL SEND AN EMAIL ABOUT IT. LETS SEE HOW THAT NEW DAY WORKS (I KNOW MONDAYS ARE TOUGH)
8. Next Steering Committee Meeting -- **Thursday, October 13** at 3PM ET