

# The Association Press

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## IN THIS ISSUE

PRESIDENT'S MESSAGE.....	1
ADTA COMMITTEES AND MEMBERS.....	2
MEMBERSHIP REPORT.....	3
NEW MEMBERS.....	3
ADTA NEWPORT, RHODE ISLAND PRE-CONFERENCE TOUR.....	5
BOSTON 2010 ANNUAL MEETING .....	5
NATIONAL FOUNDATION FOR JUDICIAL EXCELLENCE .....	7
SISTER ORGANIZATION COOPERATION.....	7
ADTA DUTCH TREAT DINNER.....	8
ADTA GOES HAWAIIAN – MAUI 2011 .....	10
INTERNET & TECHNOLOGY COMMITTEE .....	10
A WORD FROM LOU .....	11
WHAT'S NEW IN MY STATE .....	12
ABOUT OUR MEMBERS.....	13
NATIONAL ISSUES REPORT .....	14
WE PREFER TO REFER: THE AWARD ..	14
BOOK REVIEW.....	15

## PRESIDENT'S MESSAGE

ROBERT E. TAIT - OH



As we prepare for our 69th Annual meeting next April in Boston, I am happy to report that, even in this challenging and ever changing legal environment, the ADTA remains vibrant and successful. Approximately five years ago the Executive Council, along with selected Past-Presidents, engaged in an extensive historical review of our Association with the intent of developing recommendations concerning changes that needed to be made as we moved in to the 21<sup>st</sup>

Century. The overwhelming consensus at that time was that we like who we are and that those tenets that have served us so well during the past 69 years will continue to guide our success in the future.

One of the responsibilities of our President and President-Elect is to attend the meetings of the other Defense Organizations, (the DRI, IADC, FDCC etc.), as well as participate in the American Civil Trial Bar Roundtable, a twice yearly meeting of the officers of all of the Civil Trial Bar Organizations (those listed above, as well as ABOTA, ALJ, The American College of Trial Lawyers, the International Association of Trial Lawyers, and the TIPS Section of the ABA, among others). Even though the ADTA is the smallest of these groups, we find that our opinions are respected and that the officers of the other organizations go out of their way to compliment the members of our Association as being the truly elite among the defense bar.

Because of our exclusivity and limited membership, we are able to continue to exact high standards of experience and professionalism from any prospective members, as well as be confident that when we refer a matter to another ADTA attorney, our client will be well represented.

That is not to say that we are standing still. Our membership, although strong, continues to slowly decline as firms consolidate, companies transfer traditional work to larger cities, and our long time members move to *emeritus* status. (We now have nearly 120 *emeritus* members). As an organization, we understand our responsibility to provide value to members, and our increased emphasis on marketing through the *We Prefer to Refer* program has resulted in numerous documented successes. At the same time, in order for the ADTA to continue to thrive, we need each of you to participate and support our Association. Hopefully you have all by now taken advantage of our new, improved website, [www.adtalaw.com](http://www.adtalaw.com) to not only post and update your personal profile, but also as a referral source. Likewise, any assistance that you can lend to Bill Staples and his membership chairs in finding and recruiting qualified new members will be greatly appreciated.

Finally, although it is described in more detail elsewhere, our 2010 Boston meeting promises to be a truly memorable gathering, and one that you should plan to attend if at all possible. Our surveys have shown that by far the majority of significant referrals have developed from personal contacts at our meetings. More importantly, these annual reunions give us the opportunity to catch up with old friends and make new ones, and if you don't participate, you are missing out on one of the true benefits of ADTA membership.

Last year Kevin Kelly began his message with the statement that we are a truly unique organization - experienced trial attorneys when membership in that club is becoming more and more uncommon. We should all be proud to have been selected to be members of the ADTA, and do the best that we can to assure that our "uniqueness" continues far into the future. Donna and I, and Martha and Frankie Colón-Pagán have been both humbled and privileged to represent our Association during the past year. For that we thank each of you, and we look forward to seeing you in Boston.

### Committee Changes

The current ADTA Committees are listed below. In addition, three *Ad Hoc* Committees are currently considering 1) necessary changes to our Constitution and By-Laws, (George Walker - Chair); 2) whether the ADTA should have a Mission Statement, (Dan Balmert - Chair); and 3) special membership issues (Frankie Colón-Pagán - Chair). Please feel free to contact any member if you have a comment or suggestion. Remember, although we are all volunteers, your leadership is here to serve our members and we welcome your input.

## ADTA COMMITTEES AND MEMBERS

### Membership Committee

**Glenn S. Morgan**  
*National Membership Chairperson*  
**William H. Staples**  
*National Membership Co-Chairperson*  
**David W. Zizik**  
*Northeast Region*  
(ME, NH, VT, MA, CT, RI, NY)  
**Patrick G. Cullen**  
*Mid-Atlantic Region*  
(PA, NJ, DE, DC, WV, VA, MD)  
**Gerald W. Weedon**  
*Southeast Region*  
(NC, SC, GA, FL, AL, TN, MS, PR)  
**Louis J. Leonatti**  
*North Central Region*  
(KY, OH, MI, IL, IN, MO)  
**Douglas M. Johnson**  
*Midwest Region*  
(MN, WI, SD, NE, IA, KS)  
**Katherine Venti**  
*Mountain Region*  
(WY, MT, ID, CO, UT, ND)  
**Barry N. Beck**  
*Southwest Region*  
(TX, OK, NM, AZ, AR, LA)  
**Wayne H. Maire**  
*West Region*  
(CA, OR, WA, NV, HI, AK)  
**Morris A. Chochla**  
*Northern Region - East (Canada)*  
**Leon Beukman**  
*Northern Region - West (Canada)*

### New Member Committee

**Stephen R. Pennell** - *Chairperson*  
**William B. Alverson, Jr.**  
**Adrianne L. Baumgartner**  
**Edward L. Birk**  
**Richmond M. Enochs**  
**Beth R. Fleishman**  
**Stephen J. Heine**  
**Timothy G. Kerrigan**  
**Robert W. Murnane**  
**Jennifer Lee Parrish**  
**J. Burruss "Buzzy" Riis**  
**Steven S. Tervooren**  
**Robert M. Tyner, Jr.**  
**Bruce L. Walker**  
**David W. Zizik**

### Women and Minorities Committee

**Adrianne L. Baumgartner** - *Chairperson*  
**Morris A. Chochla**  
**Linda J. Hay**  
**Chautis T. Jenkins**  
**Gail M. Kelly**  
**Karen L. Kendall**  
**Anne M. Oldenburg**  
**Steven V. Schlitz**  
**William H. Staples**  
**George B. Wilkinson**

### Internet and Technology Committee

**Cathryn Spaulding** - *Chairperson*  
**David W. Zizik** - *Co-Chairperson*  
**Scott E. Blinks**  
**Joseph J. Bosick**  
**Troy A. Bozarth**  
**Thomas P. Burke, II**  
**Gary J. Clendening**  
**Philip C. Graham**  
**Glenn S. Morgan**  
**Russell H. Roberts**  
**William H. Staples**  
**Robert M. Tyner, Jr.**  
**George M. Walker**

### Mandatory CLE Compliance Committee

**Kevin F. Amatzio** - *Chairperson*  
**Scott E. Blinks**  
**John R. Brown**  
**Steven H. Gurnee**  
**James D. Harris, Jr.**  
**Steven C. Mitchell**  
**Vincent R. K. Orchard**  
**Thomas A. Sandenaw, Jr.**  
**Gay L. Tedder**  
**James F. Waltz**

### Marketing Committee

**F. Daniel Balmert** - *Chairperson*  
**Edward L. Birk**  
**J. Victor Flanagan**  
**Thomas J. Hurney, Jr.**  
**Stephen D. Jones**  
**C. Michael Montgomery**

### Meetings Committee

**Molly Hood Craig** - *Chairperson*  
**Thomas P. Burke, II**  
**John R. Clifford**  
**Peggy L. Schultz**  
**Cathryn Spaulding**  
**David W. Zizik**

### National Legal Issues Committee

**William J. Powell** - *Chairperson*  
**Thomas J. Hurney, Jr.** - *Co-Chairperson*  
**Michael F. Aylward**  
**Edward L. Birk**  
**Matthew W. Carlson**  
**Bruce Keplinger**  
**Michael C. Kronlund**  
**Russell H. Roberts**

### Program and CLE Committee

**Francisco Colón-Pagán** - *Chairperson*  
**Michael F. Aylward**  
**James D. Harris, Jr.**  
**Stephen R. Pennell**  
**David W. Zizik**

### Publications Committee

**Stephen J. Heine** - *Chairperson*  
**Adrianne L. Baumgartner**  
**Richard B. Collins**  
**Patrick G. Cullen**  
**James D. Harris, Jr.**  
**Linda J. Hay**  
**Steven C. Mitchell**  
**Steven V. Schlitz**  
**Robert N. Webner**  
**Jimmy E. White**

### Site Selection Committee

**Stephen R. Crislip**  
*2013 Convention Chairperson*  
**John R. Clifford**  
*2014 Convention Chairperson*  
**Kevin J. Kelly**  
*2015 Convention Chairperson*

### Spouses Committee

**Terri Mitchell** - *Chairperson*  
**Karen Baker**  
**Susan Balmert**  
**Holly Broom**  
**Ann Jennings**  
**Gail Kelly**  
**Eileen Ryan**  
**Jennifer Schlitz**  
**Donna Tait**

## MEMBERSHIP REPORT

GLENN S. MORGAN - VT

This is my last article about ADTA membership. Bill Staples will take over as National Membership Chair at the Boston meeting to be held April 28 to May 2, 2010. Bill has initiated several changes since the last meeting including starting a membership drive, expanding the regions and improving communications between Regional and State/Province Chairs.

Having spent the last 10 years serving the ADTA in some capacity, I have learned the importance of the ADTA to practicing defense attorneys. The ADTA is a group of experienced, diverse and highly-qualified trial lawyers engaged in private practice throughout the United States, Canada and Puerto Rico. Our members are dedicated to providing their clients with excellent representation in defending civil lawsuits. ADTA provides our members with excellent CLE, a network for referring our clients and individuals to share ideas and experiences. It is Bill's goal, as well as mine, to identify how we can increase membership in the ADTA during these challenging times without sacrificing ADTA standards for admission which are high and unique. Unfortunately, our numbers are down significantly for many reasons and the only way we can remain a viable organization preserving our noble purpose is to add young trial attorneys as Associate members. Currently, we have just over 160 Associate members, so there is great potential for growth in that membership category.

During these hard times, we need everyone's assistance to maintain a solid membership base. ADTA is your organization and you have a personal responsibility to ensure its success. Bring Bill a friend to be a member of the ADTA. Remember to contact our Executive Director, your State or Regional Chairs, Bill or me about any new prospects or questions you may have about membership in ADTA.

## NEW MEMBERS



**Monte P. Clithero**  
Taylor, Stafford, Clithero,  
FitzGerald & Harris, LLP  
Springfield, Missouri

Monte is married to Marilyn. Monte graduated from the University of Missouri at Columbia in 1978. Marilyn works as a nursing school professor. Monte and Marilyn have two children, Ryan and Lauren, both grown. Monte is a Fellow of the American College of Trial Lawyers and practices general insurance defense and legal malpractice defense. He shoots trap and skeet with his son and works on his small farm near Springfield.



**Brian P. Heermance**  
Morrison Mahoney LLP  
New York, New York

Brian is married to Penny. Brian has been with Morrison Mahoney since graduating from the New England School of Law in 1988. Penny is a teacher. They have two children, Bradley and Matthew, ages 18 and 15. Brian is a snow and water skier, golfer and a tennis player.



**Douglas M. Henry**  
Fuerste, Carew, Juergens &  
Sudmeier, P.C.  
Dubuque, Iowa

Doug graduated from the University of Iowa Law School in 1977. His wife, Martha Fuerste, owns a bookstore. Doug and Martha have three grown sons. Doug has a general litigation, small town and rural practice. He bicycles and tours in his 1973 MG Midget.



**Jamie (formerly James B.) Hood**  
Hood Law Firm, LLC  
Charleston, South Carolina

Jamie and Katy, a registered nurse, have two children, Mattie, age 4, and Liza, 6 months. Jamie graduated from Tulane University School of Law in 2003 with a LLM and from the University of South Carolina School of Law

in 2002. It will be no surprise that Jamie is a hunter and fisherman.



**Thomas M. Kerrick**  
Kerrick, Stivers, Coyle &  
Van Zant, PLC  
Bowling Green, Kentucky

Tom has two grown children and two grandchildren. Tom graduated from the University of Kentucky College of Law in 1980 and is an active alumnus for the University and has served on many boards in the Bowling Green community. Tom has served as a Special Justice to the Kentucky Supreme Court and was fortunate to write an opinion.



**John T. Lay, Jr.**  
Ellis Lawhorne & Sims, P.A.  
Columbia, South Carolina

John went to the University of South Carolina School of Law where he graduated in 1991. His wife, Sharon, is a homemaker. Sharon and John have three children, Eliza, Thomas and James, ages 10, 7 and 2, respectively. John concentrates in complex litigation including business and professional liability and insurance bad faith and coverage litigation. In his spare time, he is the soccer coach and head elementary wrestling coach at the Hammond School. John also enjoys hunting, boating, reading, watches college football and plays golf.



**James T. Murphy**  
Hanson Curran LLP  
Providence, Rhode Island

James is the co-founder of the Defense Counsel of Rhode Island and the former president of that organization. He has served as a DRI state representative. He also belongs to the FDCC. James enjoys travel, theater, the beach, history and Irish literature. He is married to Susan, a medical school librarian and medical specialist. They have five grown children and one grandchild. James concentrates in health care provider malpractice and also handles maritime and admiralty and products liability and other related cases.



**Kenneth G. Stallard**  
Thompson O'Donnell, LLP  
Washington, DC

Kenneth graduated from Washington & Lee in 1988. Kenneth was the President of the DC Defense Lawyers Association in 2007 and 2008. He enjoys boating and traveling. He is married to Leigh Burden. Kenneth practices at the firm of Thompson O'Donnell specializing in professional liability defense, construction defect litigation and personal injury defense. Leigh is the assistant superintendent of a public school district. They have one son, Benjamin, age 9.



**Kelly Michels Sweeney**  
Hanson Curran LLP  
Providence, Rhode Island

Kelly graduated from the Dickinson School of Law of the Pennsylvania State University in 2001. Her husband, Michael, is an attorney for MetLife Auto & Home. Kelly and Michael are expecting their first child in January, 2010. Kelly has been the DRI state representative for Rhode Island and is a member of the Board of Directors of the Defense Counsel of Rhode Island. Kelly enjoys traveling and reading.



**Thomas A. Williams**  
Leitner, Williams, Dooley &  
Napolitan, PLLC  
Chattanooga, Tennessee

Tom and Connie have two grown children and two grandchildren. Tom concentrates in products and food liability and construction defect litigation. He served as the President of the Tennessee Defense Lawyers Association in 1996 and has been a DRI Southern Regional Director. He is a member of the FDCC and has been a Director of that organization and was the Vice President of the FDCC from 2005-2008. Tom graduated from the University of Tennessee School of Law in 1963.

Denise M. Anderson - Tampa, FL  
Pierre Bélanger - Quebec City, QC  
Michael J. King - Knoxville, TN  
Calvin R. Stead - Bakersfield, CA

## ADTA PRE-CONFERENCE TOUR THE MANSIONS OF NEWPORT, RHODE ISLAND APRIL 25-28, 2010

There are still a few openings available for the Pre-Trip to the Annual Meeting. Peter McLean has once again planned a spectacular trip to the Mansions of Newport, Rhode Island.

**Sunday, April 25:** Arrive Newport and check in at the Hotel Viking in the center of town. The Viking was built in 1926 to provide gracious accommodation for the city's many distinguished visitors. Nearly a century later it has retained its special flair and style and is now on the National Register of Historic places. Evening welcome reception at the Viking with program overview.

**Monday, April 26:** Tour of the Breakers, the Vanderbilt's 70-room seaside summer "cottage" and among the most beautiful creations of Newport's Gilded Age. Lunch and tour of the International Tennis Hall of Fame.

Afternoon exploration of Marble House, another Vanderbilt palace that ushered in the Gilded Age in this formerly sleepy seaside resort town. There are 500,000 cubic feet of marble in this eleven million dollar (when built) extravaganza of opulence.

**Tuesday, April 27:** Morning private visit to Rough Point, the home of Doris Duke, the legendary American Tobacco Company heiress who tripled her inheritance and in 1993 left an estate of over a billion dollars. The home contains magnificent furniture, Chinese porcelains and paintings by Gainsborough, Van Dyck, Reynolds, Renoir and others.

After Rough Point, we will return to Newport along Ocean Drive, the site of many of elegant homes and have lunch at the Officers' Club at the Naval War College. The balance of the afternoon is free. A farewell reception and dinner at the New York Yacht Club.

**Wednesday, April 28:** Late morning departure for Boston (less than 2 hours away by coach) to the ADTA conference.

LAND COST: \$990 per person sharing; Single: \$1,412

A non-refundable deposit of \$500.00 per room is due with the registration form no later than **Friday, January 29, 2010**. Final payment is due on Friday, February 12, 2010. Full refund will be made in the event the trip does not operate.



Included:

- 3 nights at the Hotel Viking in downtown Newport inclusive of tax
- Welcome reception at the hotel
- Tours of the Breakers, Marble House and Rough Point with private coach transportation throughout
- Lunch at the International Tennis Hall of Fame
- Lunch at the Officers' Club of the Naval War College
- Closing Reception and Dinner at the New York Yacht Club
- Private Coach Transfer to Boston at conclusion of the program

If you are interested, please contact Peter McLean immediately at [ptmclean@hotmail.com](mailto:ptmclean@hotmail.com) or call : (985) 246-6828 fax: (985) 249-5938 cell: (504) 376-4655.

## ADTA 2010 ANNUAL MEETING APRIL 28 - MAY 2, 2010 BOSTON MARRIOTT COPLEY PLACE



*Mark your calendars: Wednesday, April 28 - Sunday, May 2, 2010 at the Boston Marriott Copley Place.*

The Boston 2010 Annual Meeting Committee is working hard to present an exciting meeting program for all to enjoy!

In addition to the “pre-meeting” weekend in Newport, Rhode Island, Boston 2010 will include:

- Boston’s Copley Marriott, a spectacular hotel, convenient to everything Boston has to offer!
- Special Spouse Program
- First-class CLE Thursday and Friday
- Thursday afternoon golf tournament at Framingham Country Club
- A tour of Boston’s Museum of Fine Arts
- Thursday night dinner dance at the JFK Presidential Library and Museum
- Friday Afternoon Lunch and Harbor Cruise on Boston Harbor
- Friday Night Organized Dine-Around to Boston’s finest restaurants
- Saturday afternoon Duck Tour, including a tour of Fenway Park
- ADTA’s world famous Hospitality Suite
- And so much more!

ADTA Boston 2010 is shaping up to be another great meeting, so reserve the dates now, and get ready to have fun in Boston Wednesday, April 28 - Sunday, May 2, 2010!

Some meeting highlights are set forth below. For further details, check the ADTA Boston 2010 Blog (link: <http://adtaboston2010.blogspot.com/>).

**NPR’s Bill Littlefield to be Saturday Morning Keynote Speaker!**



The Boston 2010 Annual Meeting Committee is excited to announce that Bill Littlefield will be our keynote speaker on Saturday morning, May 1, 2010. Mr. Littlefield hosts National Public Radio’s *Only A*

*Game*, a weekly one-hour sports magazine, and has been a commentator for NPR since 1984. He has provided audiences with a weekly tour through the world of sports since 1993 from WBUR in Boston. The show has covered a wide range of sports topics, from the basics of who wins and loses to issues such as racism and career opportunities for the disabled. He has won six Associated Press Awards, and has been celebrated as one of Boston’s “Literary Lights” by the associates of the Boston Public Library. Mr. Littlefield’s publications include: *Keepers: Radio Stories from Only A Game and Elsewhere*; *Baseball Days*, a collection of essays with photographs by Henry Horen-

stein; *Champions: The Stories of Ten Remarkable Athletes*; a piece entitled “A Storied Career” in *Ted Williams: A Portrait in Words and Pictures*; and the novel *Prospect*, for which he also wrote a screenplay. He is the editor of Houghton Mifflin’s *The Best American Sports Writing*, 1998. In addition to writing books and essays, Littlefield has regularly contributed commentaries to Monitor Television’s Opinion Page, as well as in *The Atlanta Constitution*, *The Los Angeles Times*, and *Newsday*. His presentation will be of interest to lawyers and non-lawyers alike.

**Spouse Program to include Presentation on the Architectural History of Boston, walking tour of Boston’s Back Bay, presentation on Health and Wellness, and more!**



On Thursday morning, April 28, 2010 ADTA’s Spouse Committee – chaired by Terri Mitchell – will host ADTA’s traditional Spouse Breakfast. The breakfast will include a presentation by Nancy S. Seasholes, an independent scholar, historian and archaeologist. Dr.

Seasholes has authored several books, including *Gaining Ground*, on the subject of why and how Boston was transformed through landmaking; and *Walking Tours of Boston’s Made Land*, which explores Boston’s past and present in 12 walks that trace the creation of Boston’s man-made land in the central waterfront, Back Bay, South End, Charlestown, and elsewhere. After her presentation, Dr. Seasholes will lead a walking tour of the Back Bay – tickets will be limited, so be sure to sign up early! Following the tour, enjoy lunch on your own on Newbury Street – a list of suggested restaurants will be provided.



On Friday morning, April 30, 2010, Theresa McIntosh, spouse of ADTA Member Doug McIntosh, will present on the topic of *Your Health, Your Choice.* Theresa is a Diplomat in Chinese Medicine and Chinese Herbology, and is a li-

icensed Acupuncture Physician, practicing wellness medicine. Following her presentation, enjoy an open house tour of select art galleries on nearby Newbury Street. Friday afternoon, get together with ADTA friends for Bridge in the Hospitality Suite.

## THE NATIONAL FOUNDATION FOR JUDICIAL EXCELLENCE

RICHARD T. BOYETTE, PRESIDENT, NFJE

Five years ago, a small group of DRI leadership, frustrated by the defense bar's absence from the judicial education field, decided to create its own forum for judicial education. They were inspired to make the organization unique in its perspective. The result became the organization now known as the NFJE.

The NFJE is a **501(c)(3) charitable organization** whose mission is to address important legal policy issues affecting the law and the civil justice system by providing meaningful education to state appellate judges at its signature event, the Annual Judicial Symposium. **Its goal is to ensure judicial excellence and fairness for all engaged in the judicial process.**

We have far exceeded the dreams of our founders. **The NFJE has hosted five very successful symposia with nearly 400 judges attending from 44 states.** This successful track record has quickly elevated NFJE as a recognized leader in both the legal and judicial communities, talking about the challenging and pressing issues facing courts today. Prior program topics included: *Daubert* and *Frye*; Judicial Independence and Client Privileges; E-Discovery and Spoliation; Statutory Construction and Ethics in New Age Litigation; and Preemption, Punitive Damages and Arbitration. This education has proven to be highly effective in providing judges with the knowledge needed to evaluate all sides of an issue.

In addition to the excellent programs, our dedicated Board of Directors is also proud of the growing number of generous donors who are passionately committed to supporting the NFJE and ensuring its future success and viability.

In spite of these challenging economic times, 2009 has proven to be a successful fundraising year.

But there is still much more work to be done! While the Foundation is grateful for these milestone achievements, I must remind you that **the NFJE is fully funded by contributions.** A minimum of \$400,000 is required on an annual basis to operate the NFJE. In order for us to continue presenting dynamic symposia and sustaining our operational costs, it is critical that we receive your support.

I hope you will consider joining our growing team of defense lawyers, law firms, and state and local defense organizations, all of whom are dedicated to supporting a well-informed judiciary. **I want to personally invite you to become a member of our *Sustainers' Society*.** Your gift will have a tremendous impact in helping us ensure an enlightened judiciary. For more information, visit [www.nfje.net](http://www.nfje.net) or **make a donation online** now.

## SISTER ORGANIZATION COOPERATION

MIKE LUCEY, FDCC PRESIDENT



I very much appreciate the opportunity to speak to my colleagues at the ADTA. I thought I would take this opportunity to write about cooperation among the sister organizations.

The FDCC and the IADC put on the first ever joint FDCC/IADC Law Firm Management Conference on November 4-6, 2009 in Chicago.

The program, entitled "Survive or Thrive: Getting your Law Firm Through Uncertain Economic Times," was about managing a law firm in this tough economic downturn. The program was a mixture of presentations by industry experts and breakout sessions. The breakout sessions were divided into small, medium and large firms. The program was open to law firms who had a member in either the FDCC or the IADC.

The focus of the program was to help member firms not just survive the economic downturn, but thrive in spite of it. There were presentations and discussion sessions on the impact of the economic recession on hiring, expansion, and acquisition plans, as well as marketing efforts and other partnership decisions. In addition, the program explored how law firms could best utilize capitalization options to address economic expansion.

The program was co-chaired by FDCC member Doug Berry of Butler Pappas, and IADC member Jeff Campbell of Porzio Bromberg & Newman. Both did a fantastic job at organizing and running this program, which was very well attended.

This was the first of what we hope to be many examples of cooperation among the sister organizations. We at the FDCC believe, and the IADC shares this view, that the sister organizations can work more closely to put on presentations like this, and to spread the cost of such presentations over a larger organizational base. The DRI has also expressed interest in cooperating in ventures such as this. I would encourage the ADTA to consider joining with us in cooperative educational endeavors. There may be many other ways in which the sister organizations can work together to lower or spread the expense of activities we all do, but currently do separately. Jim Campbell of the IADC has a number of very good ideas in this regard. I will continue to explore this within the leadership of our sister organizations.

My best wishes to our colleagues in the ADTA, and I look forward to seeing you at the Annual Meeting in Boston.

## ADTA DUTCH TREAT DINNER

FRANKIE COLÓN-PAGÁN - PR

A group of ADTA friends recently met to renew our bonds of friendship and to have a good time. The event was the ADTA Dutch Treat dinner, the traditional event held every year during the DRI Annual Meeting held on October 7th. The location this time was the Metropolitan Club, a magnificent venue with a great view of Chicago, located in the 67th floor of the Sears Tower (for some of us the name will never change), but known today as the Willis Tower. The night was cool, although for some of us it was cold. The sky was clear and one could see for miles in any direction.

The evening was wonderful. As always, the ambiance and camaraderie was excellent. Among those attending were several officers and members of our Executive Council, including Bob and Donna Tait, Kevin and Gail Kelly, Frankie and Martha Colón, Dave Zizik and Karen Baker, and George Walker. Also present were Past Presidents Tony and Patty Tunney, Dan Formeller, Jerry and Kathy Weedon, and John and Pam Clifford.

A special thanks to our dear Past President, Dan Formeller, whose intervention was crucial to allow ADTA hold its dinner in his private club, and to Peggy Schultz, for making all other arrangements. Everyone had a great time.



Steve and Judy Springer (IN) & Tom and Connie Williams (TN)



Frankie Colón-Pagán and Martha Morales (PR) and Gail and Kevin Kelly (NY)



Jim and Janet Wilson (WV) & Pam and Jimmy White (AK)



Maggie Baumgartner (LA), Patty Tunney (IL) and Adrienne Baumgartner (LA)



Kathy and Jerry Weedon (FL), Tony Tunney (IL) and Matt Carlson (DC)

Anne Oldenburg (IL), Linda Hay (IL), Kurt Paxson (TX) and Steve Tervooren (AK)



Dan Formeller (IL) and Patty Tunney (IL)



Doug McIntosh (FL) and Debbie and Mike Aylward (MA)





Tom Patriarca and Donna LaMontagne (RI) and Jim Murphy (RI)



Donna Tait (OH) and Fred Raschke (TX)



Frank Pierce and Linda Jude (FL)



Debbie and Bob Harrison (CA)



Mike Hodgins (ME), Sarika Angulo (MS) and Tom Tyner (MS)



Pam and John Clifford (CA) and Claudia A. Baio (CT)



Steve Springer (IN) & Mark and Julie Murzyn (IN)



Maggie Baumgartner (LA), Mary Beth and Nick Harkins (MS) and Adrienne Baumgartner (LA)



Bob and Debbie Harrison (CA) & Mary Beth and Nick Harkins (MS)

## MAUI FOR 2011

WILLIAM H. STAPLES - CA



Hopefully it comes as no surprise to you that our 2011 annual meeting will be held at the Sheraton Resort and Spa at Ka'anapali Beach, Maui. If you have not already done so, mark your calendars now! It will be from Tuesday, April 5 to Saturday, April 9, 2011. In addition to the meeting, plan a vacation. We will have a fantastic hotel rate at the Sheraton both before and after the meeting. Additionally, we will have discounted rates at all of the Sheraton and Westin Hotels on any island in case you want to take in more of Hawaii.

More information will be forthcoming at and after the Boston meeting. If you would like to get into the mood now, you can explore the wonderful Sheraton property and beaches of Ka'anapali by going to [www.sheraton-maui.com](http://www.sheraton-maui.com).

## INTERNET & TECHNOLOGY COMMITTEE

CATHY SPAULDING - MA

In support of the ADTA's mission to refer clients to ADTA attorneys, we continue to encourage members to update their Attorney Profiles on the new ADTA website. Please do not forget to include a recent photo when updating your profile. It only takes a few minutes and allows those visiting the website to place a name with a face. Please do not hesitate to contact Peggy Schultz or me with any questions.

### INSTRUCTIONS FOR UPDATING ATTORNEY AND SPOUSE INFORMATION:

The instructions for how members should update their professional and personal (and spouse/significant other) profiles is as follows:

1. Go to the ADTA website: [www.adtalaw.com](http://www.adtalaw.com)
2. Click on "Member Login"
3. Enter your "Username" as your "First-name.Lastname" (so, e.g., Joseph Smith would be entered as "Joseph.Smith". Password is "password1".
4. The first time the member enters the latter information, he or she will be prompted automatically to enter his or her personal (private) password, and then to "Login"
5. After you have logged in, click "Edit your profile"
6. At the bottom of the next page, click "Edit"
7. Enter your new or updated information on the Member profile page that next appears. Spouse information and related personal information that you enter under the heading "Private Information" is intended to allow members to keep in touch with each other between meetings, and is not viewable by the public – such information only appears to members who have logged into the ADTA website with an approved username and password.
8. After you have completed your edits, click "Save," and go to your "Attorney Details" page by clicking on "Find an Attorney" on the Home Page – please proofread your entry carefully, to make sure it is complete and grammatically correct. The quality of our website and its usefulness as a client development tool will only be as good as the quality of the information we enter into the site.
9. If you have any problems or need help with any of this process, email or call Peggy Schultz, whose information can be found on-line at <http://www.adtalaw.com/attorneys/member/Peggy,566.aspx>. (Email: [pschultz@adtalaw.com](mailto:pschultz@adtalaw.com))

## A WORD FROM LOU

LOUIS M. SCOFIELD, JR. - TX

The teeth of an Orthodontist's child are always straight.

So, what sorts of traits do we Big-Shot Courtroom Lawyers inevitably visit on our children by virtue of this profession we have chosen? I have come to conclude that it depends, at least in part, on the nature of our practice. For example, in my early years, my docket was comprised largely of car wreck, premises, and workers' compensation cases. Such was the typical "insurance defense" docket of a young Texas courtroom lawyer, and I had hundreds of such cases. Back then we "insurance defense" types were always either in trial, or getting ready to try, the next "whiplash", "slip-and-fall", or other "personal injury" case. As a consequence of the sheer number of these cases, after a few years, whenever I drove around town, it seemed every trip took me past some intersection, or stretch of road, or a business, where an accident happened that I knew about. So what my children got as they rode around town with me, with virtually any trip, short or long, was an earful of stories that reflected my docket.

To get an idea of what that was like, think back to our tram ride through the San Diego Zoo at the San Diego meeting. It was sort of like that for my boys. Except the Zoo Guide told stories of how Wally the wildebeest lived in perfect harmony with nature on the plains of Africa. My stories would have been more like: "Look over there boys. That's where Wally the wildebeest failed to watch where he was going, stepped on some moss, slipped into the moat and drowned" or "Here is the lion enclosure, kids. Gary the gazelle somehow got in there, where he shouldn't have been, and that was that. They identified him from the only thing left, a piece of his nose...just enough tissue for the DNA test."

Yep, this is how it was for my boys growing up: "There was an accident at this intersection, boys, where the lady got tossed from her car and hit that fire hydrant over there," or "See that power pole over there, boys? A lineman got electrocuted up there and his belt held him in place. Then the EMT who was trying to get him down, dropped him into that back yard, and the dog back there came and bit him...bad day all around for that guy." My poor sons grew up in a world where, for all they knew, there was carnage and death lurking literally around every corner.

There are some, I'm sure, (probably psychologists and therapists), who would criticize my practice of inculcating the little ones with my tales of bloody outcomes of inattention or poor judgment. But what do they know? Most psychologists and therapists are so screwed-up they

make Freud look stable. Besides, I am convinced that all of us "personal injury" lawyers victimize our kids this way. We're just trying to give our children the benefit of our experiences in our profession. So what I've been doing all these years is perfectly "normal."

I don't think it's an issue for "business" lawyers though. I can't imagine one driving his kid to the store with him, maybe to pick up Granola bars and a box of Kleenex-with lotion already in it-, saying: "See that house, Rodney? The lady that lived there died intestate and the IRS was going to stomp the snot out of her estate. Fortunately your old dad here had a few accounting principles up his sleeve, by golly, that saved her 42%!"

See? It's just not the same as with us real lawyers.

I have to confess, though, that my behavior has changed a bit as the years have passed. Plus now my docket is primarily comprised of product liability and professional liability cases and, with this change, I don't seem to have the same desire to describe the people-munching qualities of products as I would have had with car wrecks and dangerous premises. Perhaps I have matured somewhat. Although I admit that I still consider putting yellow warning tape around the blender and other deadly gadgets in the kitchen or in the garage, I have stopped short of that, and merely preach caution.

I'm not too concerned about my new, less severe, approach either. It turns out that my past extrovert tales neither scarred, nor scared, my children as they should have. If they had, shouldn't my children be careful? Shouldn't their chosen fields, or recreation, reflect caution and a lifetime of their father pounding horror story, upon horror story, into their mushy little brains? Apparently it "didn't take." One son is a semi-professional SCUBA diver and instructor wanting to do commercial diving on oil rigs, and the other plans to apply for "demolition school" in the Navy...you know, disarming bombs, mines and IEDs. Nope, I'm not kidding. If there is an activity box on a life insurance application that, if checked, assures rejection of the applicant...my boys are into it.

Perhaps the travel stories they heard from me in their youth merely conditioned them to think that the risks they are now taking, by comparison, are benign. After all, they don't plan on being contributorily negligent like their dear old dad told them every last one of those plaintiffs was.

Besides, all orthodontists' children play ice hockey, don't they?

## WHAT'S NEW IN MY STATE

ROBERT N. WEBNER - OH



**Steve Jones** is a partner in the Columbus, Ohio office of Roetzel & Andress, L.P.A. After working as a solo practitioner for the first 10 years of his legal career, Steve moved to Roetzel in 1991. Since that time, he has seen his practice change significantly. He has been very active in the developing area of computer law, through his representation of CompuServe prior to its acquisition by AOL. Steve's practice also has featured defense of products liability actions – including a \$40 million lawsuit involving the quality of microchips used in car alarms – as well as representing doctors and hospitals in defense of medical malpractice actions.

Steve reports that efforts by the Ohio General Assembly to reduce medical malpractice litigation have had a significant impact on that area of the law. Steve notes that tort reform statutes, damages caps, and other legislative efforts have produced a climate where fewer medical malpractice lawsuits are filed and those that are filed tend to be very serious. There is no doubt in Steve's mind that the statutes have affected how plaintiffs' lawyers evaluate and prepare medical malpractice cases.

Although the legislative initiatives have reduced the number of filings, Steve states that many aspects of medical malpractice law in Ohio are not yet resolved, allowing for some creative lawyering on interesting issues. For example, the Ohio Supreme Court recently ruled that legal malpractice claims cannot be brought against law firms in the absence of claims against individual lawyers, and attorneys in the medical malpractice defense area have borrowed that principle to argue that hospitals cannot be held liable if there is no claim of malpractice by a doctor or nurse. Plaintiffs' counsel, on the other hand, have responded to such arguments by naming every professional involved in any way in the treatment or care of a patient who has a malpractice claim, leading to more complex, large-scale, multi-party actions than typically were filed beforehand.

During his career, Steve has been active in bar association activities, including service as chair of the Ohio State Bar Association Computer Law Committee. Steve also serves on the ADTA Marketing Committee.

Steve and his wife, Louanne, have attended a number of ADTA annual meetings, including those in Savannah, Puerto Rico, San Diego, Galveston, and Charleston

where they have been fixtures on the dance floor on Saturday nights. Steve notes, modestly, that he has been very successful in the ADTA golf outings.

2009 also saw Steve receive an unusual honor – he was inducted into the Whitehall-Yearling High School Hall of Fame. Steve lettered in basketball and golf at Whitehall, and his induction into the Hall of Fame was based on his accomplishments in the community and his career.



**Jean M. Lawler** came to the ADTA through the Federation of Defense & Corporate Counsel ("FDCC"). As a result of her work at the FDCC, Jean and her husband became friends with ADTA members Kevin and Gail Kelly, Gordy and Holly Broom, James Jennings, Jr., and many others. As President-Elect and then President of the FDCC, she attended the ADTA's Dublin and Galveston meetings. She liked the people and the organization so much that she became an ADTA member in her own right.

Jean is the Managing Partner of Murchison & Cumming, LLP of Los Angeles, California, where she also serves as Chair of the firm's Bad Faith & Insurance Litigation section. Her litigation practice focuses on insurance law issues. Jean graduated from law school in 1979, joining the firm in 1985 and becoming Managing Partner in 2008. Commenting on her practice, Jean mentioned that for the first 15 years of her legal career she worked on a flexible time schedule while she cared for her growing family, an alternative that "no matter the year, always seems to be considered something new".

The big news in California courts, according to Jean, is the effect of the state's ongoing budget problems. Due to funding shortfalls, state courts have instituted "furlough days" where the courts will close down for at least one day each month – a process that has raised some interesting issues about calculating deadlines for case filings and whether "furlough days" should, or should not, be counted.

Jean also reports that the general economic downturn has had a tremendous impact on some of the large firms in southern California, leading to some significant attorney layoffs. Jean and her firm view the challenging economy as an opportunity, however, and they have added lawyers at the same time other firms are downsizing. Jean believes that many businesses are leaving larger, more expensive firms and moving their work to smaller firms, like Murchison & Cumming, that can provide quality work for lower prices.

An active participant in bar-related activities, Jean served as President of the FDCC in 2004-2005 and currently serves on the Board of Directors of the FDCC Foundation. She also served on the Board of Directors for both the Defense Research Institute and Lawyers for Civil Justice from 2003 to 2006, and is a member of the DRI's Insurance Law Committee and a number of sections of the FDCC.

Jean and her husband, Timothy, have been married for 31 years and have four children – Katie and her husband Patrick, Megan, Colleen and Tim. They are looking forward to the imminent arrival of their first grandchild. Since joining the ADTA, Jean has attended the San Diego and Scottsdale meetings. She has enjoyed the friendship and camaraderie she has found at the meetings and looks forward to getting to know more ADTA members at future meetings.



**Cathy Spaulding** has worked at Zizik Powers O'Connell Spaulding & Lamontagne, P.C. since she graduated from law school in 1993. Located in the firm's Westwood, Massachusetts office, Cathy is admitted in both Massachusetts and Rhode Island and does civil litigation work in both states.

A significant recent development in Massachusetts was the issuance of a report by the Massachusetts Women's Bar Association on women who pursue a career in the law. The report revealed that, although half of the students in law school are women, 60 percent of the women who graduate from law school eventually leave the practice of law. The study indicated that women lawyers in particular struggle to manage and balance their practices and their family interests. Although some firms, like the Zizik firm, have been successful in recruiting, encouraging and retaining women lawyers, the Massachusetts study shows that firms generally need to recognize, and respond to, the special challenges that women lawyers face. This area is of particular interest for Cathy, who is the former chairperson of the ADTA's Women and Minorities Committee.

Cathy's civil litigation practice is tremendously varied. Recently she has worked on a case in which corporate actions resulted in the flooding of nearby property, which brought her into contact with geologists and other interesting experts. Her case load also features disputes involving missed deliveries of oil supplies, lawsuits arising from motor vehicle accidents, and general insurance defense cases. She notes that in Massachusetts and Rhode Island, as in other states, the number of civil trials is steadily declining.

Cathy joined the ADTA several years ago and has been a very active member. In addition to her work on the Women and Minorities Committee, she also is the current chair of the ADTA Internet and Technology Committee, where she was involved in the design of the new ADTA website.

Cathy's husband, John Pappas, is a prosecutor in the Suffolk County District Attorney's office. They have two children, Olivia, 10, and Nicholas, 8, and they all have attended ADTA annual meetings, including the recent meetings in Puerto Rico, Galveston, San Diego, Scottsdale, and Charleston.

Speaking of annual meetings, Cathy strongly encourages all ADTA members to mark their calendars for the 2010 Boston meeting. She is one of the people working on planning and she reports that the meeting will include a Thursday night dinner and dance event at the John F. Kennedy Library and a Saturday evening jazz session at the Top of the Hub in the Prudential building in downtown Boston, which features a great view of the Charles River and the Back Bay area of Boston. Cathy is hard at work identifying local musicians who will be performing at various events during the annual meeting.

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## ABOUT OUR MEMBERS

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**Mariam Decker** is now the DRI State Representative. Mariam is from the firm of Oliver Walker Wilson in Columbia, Missouri.

**Stephen R. Crislip** from the law firm of Jackson Kelly in Charleston, West Virginia is the DRI State Representative.

**Francis Pierce** of Mateer Harbert in Winter Park, Florida has been named President of the Florida Defense Lawyers Association (FDLA). Francis has been involved with the FDLA for more than 30 years.

In October, 2009, **Matthew W. Carlson** (DC) of Thompson O'Donnell was named President of the D.C. Defense Lawyers Association.

Summary Judgment was granted on plaintiff's claim for attorney's fees on an individual disability insurance policy in *Miles v. Provident Life and Accident Insurance Company*. *Provident Life* was represented by **Ed Birk** and Jep Barbour of the Marks Gray firm in Jacksonville, Florida, who argued that plaintiff had filed suit prematurely and had not provided sufficient information to support his claim. Plaintiff commenced litigation in November of

2007 to obtain benefits while *Provident Life* was still processing his administrative appeal. Benefits were later paid based on information *Provident Life* obtained independently from plaintiff during the appeal, not because of the judgment. Plaintiff then argued he was entitled to fees under section 627.428, *Florida Statutes*, because *Provident Life* had “confessed coverage” by paying benefits after he had commenced litigation.

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## NATIONAL ISSUES REPORT

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WILLIAM J. POWELL - WV

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It is fall here in West Virginia, just like it is where you are. This lawyer is thinking a lot about high school football, the upcoming hunting season, and a long overdue vacation. However, pursuant to the obligations of the National Issues Committee, I have set forth below two or three items that you should make yourself aware.

If you are not familiar with the *Medicare, Medicaid and SCHIP Extension Act of 2007* (MMSEA) and the provisions effective July 1, 2009, it has made and will continue to make the lives of defense lawyers and our clients inextricably more complicated. The provision, in effect on July 1, classifies tort defendants as “responsible reporting entities” and essentially forces our clients to act as the Government’s bill collector for its subrogation interests.

In the earlier part of our respective careers, it was easy to allow plaintiff’s counsel to worry about any subrogation issues; however, the Government now has imposed upon tort Defendants (or us on behalf of our clients) the obligation to provide information to the Government. If they don’t, they may be fined (\$1,000.00 per day) and otherwise penalized in multiples of damages. This issue is way too complicated to get into in this particular article, but you have an obligation to become familiar with it. I refer you to 42 USC §1395y(b)(7).

If you have not yet made sure of it, you need to make sure your clients have registered and make sure that they are following the very substantial reporting requirements. You should not be surprised if your clients have been blindsided or will be blindsided by this new obligation. To assist your client, Medicare information should become part of your standard discovery and your settlement releases will likely change as a result of the new obligations.

I should also note that the Government is taking a “take no prisoners” attitude toward this new provision and I expect will have no problem enforcing the law, as written, against your clients if they do not comply. For a good review, I refer you to the fall 2009 edition of the ABA’s publication, *The Brief*.

I would be remiss if I did not mention *Caperton v. A.T.*

*Massey Coal Co., Inc.*, 129 S.Ct. 2252 (2009), which the United States Supreme Court ruled that one of West Virginia Supreme Court Justices needed to recuse himself because of the campaign contributions made by the CEO of Massey Coal. The motion for recusal was made after Massey was hit with a significant verdict, and later reversed by the Supreme Court of Appeals of West Virginia. Now, after the mandatory recusal, the West Virginia Supreme Court, with a substitute justice, reaffirmed the earlier decision reversing the verdict against Massey. If you are interested in the forum selection clause issues, you should take a minute to review *Caperton v. A.T. Massey Coal Co., Inc., et al* (W.V. Sup. Ct. Appeals No. 33350, November 12, 2009).

Finally, and because I always look for the news of the weird, I found some amusement in the 6<sup>th</sup> Circuit Court of Appeals’ decision in *Bridgeport Music, Inc. v. UMG Recordings, Inc.*, which issued an opinion on April 23, 2008, and which determined the ownership of the phrase “Bow-wow-wow, yippe yo, yippe yea.” I am sure all of you will recall was used in the song, “Atomic Dog.” I expect George Walker is probably intimately familiar with this common phrase used by hip-hop artists in the last few years. I may be wrong about George. Maybe it was Lou Scofield I was thinking of.

That’s all for now. See you in Boston.

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## WE PREFER TO REFER: THE AWARD

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EDWARD L. BIRK - FL

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The time has come to stand up and be counted. Who among the ranks of the ADTA has done the most in the last year to exemplify our commitment to referring clients to fellow members of the Association?

During the 2009 Annual Meeting in Scottsdale, AZ, the Marketing Committee at the direction of the Executive Council launched the Association’s new marketing mission—**We Prefer to Refer**. The mission is to capitalize on the marketing potential embodied in our broad base network of top notch attorneys who comprise the ADTA. Literally, we have the marketing reach of an international law firm; let’s put that to work for everyone’s benefit.

A key incentive to the Association’s marketing mission is the We Prefer to Refer Award. We need your nominations for our first recipient. The council of Past Presidents will present the inaugural award during the 2010 annual meeting in Boston.

If the Association is going fully realize its marketing potential, and if the Award is going to work as an incentive, we need not only those among us who make referrals but we also need our members to nominate candidates for the Award.

The complete criteria and a nomination form will be

made available on the website ([www.adtalaw.com](http://www.adtalaw.com)) or you can contact the undersigned. Here is a summary:

The nominee must be a current ADTA member who has referred or attempted to refer business to other ADTA members and has placed an emphasis on his or her ADTA relationship thereby increasing the profile of ADTA. Your participation in the nominating process is vital and will ensure that all of those who deserve recognition will have the opportunity to be duly considered for this prestigious award.

To ensure that the recipient of the “We Prefer to Refer” award is worthy of this honor, the Marketing Committee has adopted criteria that may be considered in both nominating and selecting the honoree. Items that may be considered include:

1. Number and quality of the referrals by the nominee.
2. Number and quality of the attempted referrals.
3. Number of ADTA members to whom business was referred by the nominee.
4. Nominee’s emphasis on the ADTA relationship as the basis for the referral.
5. Result(s) of referral(s).

Your deadline to nominate the exemplar of the ADTA’s referral philosophy is February 1, 2010. Send your nominations to:

F. Daniel Balmert, Chairman  
ADTA Marketing Committee  
[fdbalmert@vorys.com](mailto:fdbalmert@vorys.com), or mail to:  
106 South Main Street, Suite 1100  
Akron, OH 44308

See you in Boston!

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## BOOK REVIEW

PATRICK G. CULLEN - MD

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**Catastrophe** by Dick Morris and Eileen McGann, Harper Collins 2009, 359 pages, \$26.99 and **Culture Warrior** by Bill O’Reilly, Broadway Books 2006, 231 pages, \$14.99.

These two books vividly make the point that this is not your father’s U.S. of A. In *Culture Warrior*, O’Reilly describes the current war between traditionalists and secular progressives. Many things in life that traditionalists grew up to accept as right and proper are now under attack in this country. Consider the assault on traditional marriage, the argument by the ACLU that religion must be excluded from the public square, the intimidation of merchants by those who claim offense at a wish of Merry Christmas, the cry of the free thinkers that their own personal choices should not be the subject of judgment by any other person, the existence of an objective standard of right and wrong, and the role of newspapers which no longer objectively report the good, the bad and the ugly of life in this country but instead foster and publicize the sec-

ular progressive agenda. O’Reilly describes his personal battles with the “S-P” crowd and urges the readers to join the fray. I suggest that rather than read the book you listen to it on tape to get more of a feel for Mr. O’Reilly’s personal commitment to this war and his sense of urgency.

In *Catastrophe*, Mr. Morris and Ms. McGann say that “Obama, Congress, and the special interests are transforming...a slump into a crash, freedom into socialism, and a disaster into a catastrophe...” Backed up by 583 footnotes (mercifully collected at the end of the book), the authors detail the amounts of money allocated as part of the \$787 billion stimulus bills, the reasons why the money was allocated as it was, the earmarks in President Obama’s 2009 budget and the story on the TARP recipients. If you have not reached for your high blood pressure medicine when you get through those discussions, you certainly will when you get to the explanation of where we are headed in terms of income taxes: the majority of people in this country will receive earned income tax credits from money never paid by them but paid by the minority. Those who will have to pay taxes will know class warfare up close and personal.

On other subjects, the authors provide a concise 13 page chapter on the President’s health care reform legislation. They ask how it might be possible to insure 47 million more people and reduce the cost of health care. They ask too where the physicians and support staff are to be found to provide the services in the future. The last concern, the need for adequate medical personnel, they claim is the more important issue.

Morris and McGann also outline in their book their view of the President’s plan for political domination by developing a class of future voters who choose their political affiliations on account of their dependence on the government for their entitlements. They predict that procedures adopted for the upcoming census will be a big part of the domination plan. As promised on the cover, the authors also report on the activities of Congress and special interest groups as they play their role in making a catastrophe.

Traditional values from individual conduct to the role of all government are under attack. If one blends the message of these two books into one thought, it might be that somebody better do something. Could that somebody be you? Shouldn’t that somebody be all of us?

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## THE ASSOCIATION PRESS

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at \_\_\_\_\_

(city) (state) (zip code)

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\_\_\_\_\_  
Name of Member (Print) Signature of Member

Name of applicant's spouse (if available) \_\_\_\_\_

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Prime Members: The first lawyer member from a firm is the prime member. There can only be one Prime Member from any town, city or metropolitan area of less than a million population. One additional Prime Member is allowed for each additional one million population, or portion thereof, for a city or metropolitan area.

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