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# The UPDATE

*News & Practice Pointers from OACTA*

## FALL 2012

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**SAVE THE DATE!**

### President's Message

#### Annual Meeting Time

By: Kevin C. Connell  
OACTA President

Has life in a battleground state taken its toll? Are you sick and tired of the incessant political ads, late night phone calls from pollsters and news crews set up in your back yard? Do you just want to get it over with? Well, ladies and gentlemen, I have GREAT NEWS for you: you can forget your troubles because it is almost time for the most anticipated event of the OACTA calendar - the 2012 Annual Meeting! And this year, not only will the election be over, but the Annual Meeting will be coming to my hometown of Dayton, Ohio. As we always say: "It's Great in Dayton!" This year's Annual Meeting embodies this slogan. Our Program Chair Jonathan Beck has been hard at work putting together terrific nuts and bolts seminars to refresh your legal mind and cleanse your legal soul.



[Read More ....](#)

**2012 OACTA  
Annual Meeting**  
November 8th & 9th  
Crowne Plaza  
Dayton, Ohio  
[REGISTER NOW!](#)

**Submit Articles  
to the  
Newsletter  
Committee:**

[Joe Borchelt](#)

[Tony Brown](#)

Send a Member  
Request  
[oacta@assnoffices.com](mailto:oacta@assnoffices.com)

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[www.oacta.org](http://www.oacta.org)

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**NOMINATE  
SOMEONE FOR THE  
MEMBER  
SPOTLIGHT**

OACTA is always looking for new nominations for the "Member Spotlight" section of the Update. If you know of anyone who exemplifies both professionalism in the practice of law and has outside activities which would be of interest to the OACTA membership, please submit a nomination via email to:

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## Young Lawyers Committe Update

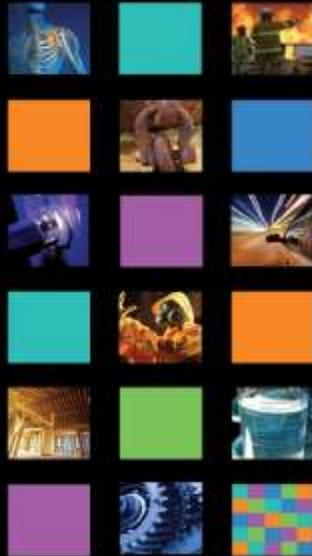
The Young Lawyers Committee wants to thank all who attended and promoted the OACTA Summer Happy Hour Series. We also want to thank S-E-A for their generous sponsorship. The Happy Hours were a great success and will be repeated next summer with the addition of a couple more cities! Be on the lookout for Happy Hours in Akron, Cincinnati, Columbus, Cleveland, Dayton, and Toledo!

The Young Lawyers Committee and Trial Tactics Committee are joining efforts to coordinate a Trial Tactics Boot Camp that will be an interactive program between presenters and CLE participants. Be on the lookout for information for the April 2013 CLE. This CLE is a must-attend for all new or young attorneys, and even those who are more experienced but want to freshen up their skills or see how others handle difficult scenarios in various aspects of the trial. If you are interested in being a presenter at this CLE, please contact the Trial Tactics Committee Chair, Jerry Rolfes, or the Young Lawyers Committee Chairs, Natalie Wais and Mary Pisciotta.

As a reminder, OACTA provides a free membership to law students, a reduced-dues membership for new attorneys (admitted to practice 5 years or less), and a one-year free membership to all DRI members who have not previously been a member of OACTA. Please encourage any law students and young lawyers you know to join OACTA. Young lawyers are defined as attorneys who have practiced 10 years or less and/or are 40 years old or younger. Feel free to have any potential new members contact [Natalie Wais](#) or [Mary Pisciotta](#) with any questions on how to get involved. Also, if your firm or an organization with which you are involved would like an OACTA Young Lawyers Committee member to attend an event and explain the benefits of being an OACTA member, please let Natalie or Mary know.

Natalie

Tony Brown  
or  
Joe Borchelt



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## OACTA Is Updating Its Expert Witness Database!

OACTA is working to make the Expert Witness Database a more valuable tool for exclusive use by OACTA members. But to do it, we need the names of your best defense experts.

It's easy. Just take a few minutes and submit the names of any experts you have recently used and would recommend to your fellow members.

[SUBMIT AN EXPERT NOW](#) or [CLICK HERE](#) to download a Expert Witness Submission Form.

Complete the form and return either by email: [oacta@assnoffices.com](mailto:oacta@assnoffices.com) or by fax: 614-221-1989.

## OACTA Award Recipients Announced

OACTA is pleased to present the following awards during the Awards Luncheon at the OACTA Annual Meeting on Thursday, November 8th, 12:00 - 1:30pm at the Crowne Plaza - Dayton:

Excellence in Advocacy Award  
**W. Roger Fry, Esq.**

Respected Advocate Award  
**Patrick W. Allen, Esq.**

Distinguished Contributions to the Profession Award  
**William M. Cussen, Esq.**

Distinguished Contributions to the Community Award  
**Thomas M. Glassman, Esq.**

Outstanding Young Lawyer Award  
**Lauren K. Epperly, Esq.**

Sponsor Award  
**S-E-A, Ltd.**

Frank Seth Hurd Member of the Year Award  
**Jamey T. Pregon, Esq.**

Committee Chair of the Year Award  
**Natalie M.E. Wais, Esq.**

Join us in recognizing these individuals! [Click here](#) to register for the OACTA Annual Meeting. Your meeting registration includes the Awards Luncheon. Please note that you may register to attend the Award Luncheon only. For more information about these awards, visit the OACTA website: [www.OACTA.org](http://www.OACTA.org).

OACTA congratulates these outstanding individuals on their success!!

## Sixth Circuit Rule Amendments Change the Way the Record is to be Cited in Briefs

The Sixth Circuit's Rules and I.O.P.s have undergone some significant amendments as of August 16, 2012 (see attached link below). One such amendment that will have an immediate impact on appellate practice before the Sixth Circuit is found in Rule 28(a)(1). Rather than simply citing to the page number of a particular document with a reference to the ECF number from the court's docket (i.e. R. 32, Summ. Judg., p. 3), it is now necessary to cite to the "PageID#" along with a brief title and the record entry number of the document being referenced in the brief. From now on, a citation to the record should look something like this: (R. 32, Summ. Judg., PageID#: 286). The "PageID#" is found on the far right of the header or footer located on each page of an electronically filed document.

[Read More ...](#)



*Tim Fitzgerald is a Certified Specialist in Appellate Law by the Ohio State Bar Association and the Appellate Practice Group Manager at Gallagher Sharp. His practice focuses on appellate law and business and commercial litigation. He has authored several amicus briefs on behalf of OACTA in cases before the Supreme Court of Ohio.*

## How to Handle Complaints in the Workplace

By Stephanie Seeley Hathaway



In the workplace, complaints are inevitable. However, they can carry serious legal risk to the company - particularly if the investigation into the complaint is insufficient or ineffective.

The Employee Handbook should set forth internal procedures for investigating complaints, starting with an

anti-discrimination/anti-harassment policy and an open door complaint procedure that encourages employees to report discrimination and harassment. This allows employees to openly and honestly to voice concerns.

The internal procedures should request complaints in writing, explain the investigation process and identify who will be conducting the investigation, provide a rough timeline for the investigation, and explain that no employee will be retaliated against for making a complaint or for providing information as a witness.

[Read More ...](#)

## Register Now To Attend The 2012 OACTA Annual Meeting

Join your colleagues and bring your office administrators for valuable information from nationally and locally recognized speakers. Up to 8.5 hours of CLE will be available, including all required Substance Abuse, Professionalism and Ethics credits.



Presentations include breakout presentations regarding the admissibility of medical bills and write-offs, and how to evaluate claims for future wages to limit trial exposure. We also have nationally recognized speakers including Tammy Meyer who will talk about Direct and Cross examination and Professor Thaddeus Hoffmeister who will discuss Investigating Jurors in the Digital Age. We are also excited to present a distinguished panel of judges from the Ohio Court of Appeals who will tell us How to Prevent and, if necessary, Survive Mistakes in the Court of Appeals. There will be many other excellent presentations, including a 2012 Legislative Update!

Networking opportunities include a Thursday Evening Reception at the Top of the Crowne Plaza with fabulous views of Downtown Dayton and then time to experience many varied dining options in Dayton's Oregon District, including Jay's Seafood, Thai 9, Coco's and the world famous Pine Club. Bring your family and friends and meet with colleagues from around Ohio.

The OACTA Annual Business Meeting will provide you with an opportunity to learn about OACTA activities and the Awards Luncheon will be an opportunity to recognize your esteemed colleagues receiving this year's OACTA Awards. [Register NOW](#) to attend this year's OACTA Annual Meeting!

## 2012 OACTA Golf Outing

SHARPSHOOTERS TAME PINNACLE GC AT 4TH ANNUAL OACTA GOLF OUTING

by John J. Garvey III

The fab foursome of Jason Baker, Josh Bills, Ken Corwin, and Doug Holthus came ready to play on September 4, 2012, dominating the always challenging Pinnacle Golf Club course in Grove City, Ohio, with a stunning 62. The winners collected fabulous prizes with retail values in the "might have to declare on their tax return" range, and the winning quartet narrowly edged the runner-up 63, carded by LaVaun Coleman, James Gallagher, Gary Grubler, and Jim Hughes. These and many other "eye-popping" scores were reported on this day, proving once again Ohio has not only some of the finest civil defense lawyers in the nation, it also is home to some of the best amateur golfers on the planet.

[Read More ...](#)



## OACTA Opposes Issue 2

At this November's election, Ohioans are being asked to consider a constitutional amendment to change the way the state draws legislative and congressional district maps. It will appear on the ballot as Issue 2. OACTA's Board of Trustees has voted unanimously to sign a statement of support to the Ohio State Bar Association's position on this important issue. On September 5, 2012, OACTA's President, Kevin Connell, attended a meeting organized by the OSBA to mobilize comprehensive opposition to the amendment by Ohio's various county, local and specialized bar associations. Approximately thirty bar associations were represented at the meeting and no representatives expressed reservations to opposing the amendment.

[Read More ...](#)

## Member Spotlight

In 2010, Illinois allowed one of its sons to come to Columbus to practice law. War hero, accomplished young lawyer, Eagle Scout, Benjamin Wright, is hopefully here to stay. Ohio will not give him back without a fight. OACTA is proud to call him a member.

Ben Wright is an associate with Gallagher, Gams, Pryor, Tallan & Littrell, L.L.P., in Columbus, where he joined in 2010. Ben is originally from Champaign, Illinois, and decided to come to Ohio in 2010.

Although still very young, Ben came to Ohio as an attorney after obtaining a Bachelor of Science in Engineering, an M.B.A., and after



serving our country for eight years as an officer in the United States Army.

[Read More ...](#)

## MEMBER NEWS

### **OACTA UPDATE ANNOUNCES "MEMBER NEWS" SECTION OF QUARTERLY NEWSLETTER**

Have you or the other OACTA members of your firm or practice received a promotion, been recognized for personal or professional achievement, been appointed to a board, commission, or organization, or received other professional recognition? If so, now is your opportunity to share such recognition or achievement with your fellow OACTA members.

Starting in 2012, the OACTA Update will feature its "Member News" section, which is designed to highlight and inform our membership of the personal and professional accomplishments of our tremendously gifted and talented OACTA members. If you or another member of your firm or practice meet the above criteria, please provide a brief, one-paragraph description to the editors of the Update: Tony Brown ([tonyb@bakerfirm.com](mailto:tonyb@bakerfirm.com)), or Joe Borchelt ([jborchelt@reminger.com](mailto:jborchelt@reminger.com)).

We look forward to your submissions and the opportunity to share your many accomplishments with our organization.