

News & Practice Pointers from OACTA

Fall 2018

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PRESIDENT'S MESSAGE

By: Jill K. Mercer
2018 OACTA President

As I wind down my year as president of OACTA, I want to take a moment to highlight what an extraordinary organization it is. I have always been impressed with the CLE offerings, Amicus Curie program, committee engagement, as well as the caliber of our membership in general. But to see it in action, first hand, over the last four years as an officer has been phenomenal. It takes many talented and dedicated people, who are volunteering their time and skills for the sake of the defense bar, to make OACTA such a success. Thank you!



The Golf Outing was recently held and was once again very fun, prosperous, and engaging thanks to the hard work of Dave Orlandini. Because of this, OACTA can continue with its generous yearly donation to the Nationwide Foundation for Judicial Excellence (NJFE), as well as offer diversity scholarships to law students throughout Ohio.

This year's Annual Meeting will be held on November 15 and 16 at the Hyatt Regency in downtown Columbus. Please join us to gain valuable information from recognized speakers addressing a variety of topics including the Reptile litigation strategy, how GPS's and other technology can impact litigation, and the importance of diversity in your practice. Hear from Insurance Claims Executives about their file handling expectations, a Supreme Court Justice discussing recent cases and statistics, a dynamic and thought-provoking speaker on implicit bias and how it impacts negotiations, and choose from several break-out sessions ranging in topics from mediation strategy to an update on medical marijuana, which have been organized by several of OACTA's substantive committees.

The Annual Meeting is also a time to recognize our colleagues for their contributions to the legal field at the OACTA Legal Excellence Awards Luncheon, as well as elect a new Board of Trustees and swear in the officers in their new roles as they move on. I look forward to seeing you there to celebrate and recognize our organization's success.

[Opportunity](#)

[OACTA Board of Trustees](#)

SUBMIT Articles to include in The Update to:

[Tony Brown](#)
or
[Ian Mitchell](#)

Upcoming Events

Mark your Calendars!

October 24, 2018

Engineering
Investigations of
Hurricane Damage:
Wind versus Water
Webinar
Hosted by: Exponent
[Details & Registration](#)

November 15-16, 2018

OACTA Annual
Meeting
Hyatt Regency
Columbus, OH
[Details & Registration](#)

Ohio Association of Civil Trial Attorneys

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The Update Winter Issue deadline is December 1, 2018

SUBMIT YOUR MEMBER NEWS

OACTA is always looking for announcements for the "Member News" section of the Update. Please submit your news via email to:

[Tony Brown](#)

I am grateful for the opportunity I have had to serve as the president of OACTA this year and look forward to continued engagement with the greatest group of litigators in Ohio.

2018 OACTA Annual Meeting

The Hyatt Regency in Columbus will be the site for this year's Annual Meeting on **November 15 and 16!** The Hyatt is located in downtown Columbus, within walking distance of the Arena District and Short North Art District. Join us for valuable information from nationally and locally recognized speakers and presentations addressing the



Reptile litigation strategy, how GPS's and other technology, including Alexa and smart thermostats, can impact litigation, and the importance of diversity in your practice. Hear from Insurance Claims Executives about their file handling expectations, a Supreme Court Justice discussing recent cases and statistics, a dynamic and thought-provoking speaker on implicit bias and how it impacts negotiations, and choose from several break-out sessions ranging in topics from mediation strategy to an update on medical marijuana. The OACTA Legal Excellence Awards Luncheon and Annual Business Meeting will provide an opportunity to recognize your esteemed colleagues for their contributions! Join your colleagues at a Social & Networking Event on Thursday evening at Pins Mechanical! **REGISTER TODAY and PLAN NOW to attend this year's OACTA Annual Meeting!**

[View the Program Agenda](#)

[View the Annual Meeting Brochure](#)

[Register Today!](#)



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- Dr. Edmond Locard

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Welcome New OACTA Member since July!

OR
[Ian Mitchell](#)

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Laura Salzman Roetzel & Andress, LPA

Judges Needed for Case Western Reserve Mock Trial

The Jonathan M. Ault Mock Trial Team at Case Western Reserve University School of Law is in need of judges for their annual Case Classic Mock Trial Competition. The competition takes place at the Cleveland Justice Center on November 3 and 4, 2018.

[LEARN MORE](#)

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2018 OACTA Award Recipients

During the "OACTA Legal Excellence Awards Luncheon & Annual Business Meeting" on Thursday, November 15, Noon-1:30pm, at the Hyatt Regency Columbus, the following awards will be presented. The Legal Excellence Awards Luncheon will take place during the OACTA 2018 Annual Meeting. For more information on these awards and the recipients, and to register to attend the luncheon, visit www.OACTA.org. Congratulations to these award recipients!

Excellence in Advocacy Award:

Frederick Hunker, J.D., C.P.C.U.

Ohio Bar Liability Insurance Company; Columbus, OH

Respected Advocate Award:

Eleana Drakatos, Esq.

Yacobozzi Drakatos LLC; Columbus, OH

Outstanding Young Lawyer Award:

David J. Oberly, Esq.

Blank Rome, LLP; Cincinnati, OH

Lifetime Achievement Award:

Steven T. Sloan, Esq.

Mollica, Gall, Sloan & Sillery, L.P.A.; Athens, OH

Frank Seth Hurd Member of the Year Award:

David W. Orlandini, Esq.

Collins, Roche, Utley & Garner, LLC; Dublin, OH

OACTA Committee Chair of the Year Award:

Charles R. Wendland

National Interstate; Richfield, OH

How Safe Are You? Jurisdictional Issues in the Application of The Ohio Savings Statute

By: Greg Farkas, Frantz Ward LLP

The phrase "savings statute" sounds benign, perhaps even comforting. Indeed, the purpose of Ohio Savings Statute, R.C. 2305.19, is to protect plaintiffs from the running of statutes of limitation when the plaintiffs have timely attempted to commence an action. Unfortunately, despite its remedial purpose, the savings statute can create traps for the unwary in cases involving filing in different courts.

[Read more](#)

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Elevators & Escalators	Sports & Recreation
Environmental & Occupational	Vehicles & Crash Reconstruction
Fires & Explosions	Vocational & Life Care Planning



Robert A. Yano, PE

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OACTA Extends Condolences to Leading Technologies, LLC

OACTA extends its deepest condolences to the family and friends of Bob Yano of Leading Technologies, LLC, who passed away on September 17, 2018 in Westerville. Bob was always a strong supporter of OACTA and a friendly face to see at the seminars. He will be missed!

[Read more](#)

OACTA 10th Annual Golf Outing

The 2018 Golf Outing took place on September 4, 2018 at Pinnacle Golf Club. Once again the best lawyers and the most generous

sponsors in Ohio gathered just for golf and fun, but they did so while raising money for the OACTA Foundation that contributes to the National Foundation for Judicial Excellence (NFJE) and the OACTA Diversity Scholarship.



[Thank you to our 2018 Golf Outing Sponsors!](#)

Please contact Chair Mark McCarthy if any OACTA Member is interested in helping serve on the Golf Committee for 2019. Mark can be reached at mfm@tuckerellis.com.

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2018 DRI Insurance Coverage and Practice Symposium

Greetings,

For all of OACTA members that practice or are interested in Insurance Law, please consider attending the upcoming 2018 DRI Insurance Coverage and Practice Symposium ("ICPS"), which will take place **November 28-30, 2018**, at the Sheraton New York Times Square Hotel in New York City. A copy of the program brochure is attached.

The DRI Insurance Coverage and Practice Symposium is an outstanding educational event for insurance executives, claims professionals, and outside counsel who specialize in insurance coverage. This year's symposium will, once again, offer an unparalleled opportunity to engage with a distinguished faculty of insurance industry leaders, experts, and coverage lawyers on emerging issues, recent court rulings, national trends, and the future of insurance coverage law. In addition, the symposium will provide exceptional networking events, as well as an opportunity to experience the wonder of New York City during the holiday season!

A link to registration and hotel information, the ICPS brochure, and to view speakers is below:

Brochure, Register, and Book your hotel: <http://bit.ly/2018ICP>

This is an event not to be missed by those practicing or interested in Insurance Law, so please consider attending.

Anne Marie Sferra
DRI State Representative



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*For more
information:*
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Job Postings on the OACTA Website

If you are looking for a position within the civil defense practice, you've come to the right place! All listings appear for 90 days or until the position has been filled, whichever is lesser, and will be listed in at least one issue of The Update. Be sure to notify the OACTA office if the position has been filled prior to the end of the 90 day period.

Job postings cost is \$150 for members and \$250 for non-members.

[Submit a Job Posting](#)

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- Deposition and trial testimony questions for opposing life-care planner's work
- In-depth analysis of opposing life-care planner's work according to the Standards of Practice and Code of Ethics

Save the Date for the DRI Annual Meeting



Registration is now available for [DRI's 2018 Annual Meeting](#), October 17-21, at the San Francisco Marriott Marquis. We have an incredible lineup of keynote speakers this year, including Bill Carter, Valerie Jarrett, Erik Qualman, Condoleezza Rice and many more!

The Annual Meeting will provide you with up to 12 hours of CLE, including 3.0 hours of ethics and health related credit, as well as multiple networking opportunities, to enhance your legal skills and to expand your professional network.

[View DRI Annual Meeting Brochure](#)

[Register Today!](#)

Utilizing the Implied Assumption of the Risk Defense To Defeat Products Liability Claims

By: David Oberly, Blank Rome LLP

I. Why It Matters

Implied assumption of risk applies to preclude product liability claims where a plaintiff consents or acquiesces in an appreciated, known, or obvious risk to his or her safety. Importantly, the implied assumption of the risk doctrine serves as a potential shield that can be used as a complete defense to a broad array of product liability causes of action. Three recent Ohio decisions demonstrate the broad applicability of the doctrine with respect to this particular area of civil litigation, and exemplify how the implied assumption of the risk defense can be deployed in litigation to dispose of an action favorably and efficiently, oftentimes without having to undergo the time, effort, and expense of fully litigating a dispute through trial.

[Read more](#)



Case Victories Needed!

OACTA members - send summaries of your significant case victories to David Oberly, OACTA Social Media & Website Chair, at djoberly@mdwecg.com for inclusion on OACTA's new "Significant Case Victories" webpage and announcements on social media. Those received will be posted on our [website](#).



Consider a Donation to the OACTA Foundation!

The OACTA Foundation (a 501(c)(3) organization) is organized exclusively for charitable and educational purpose. The Foundation funds projects consistent with the mission of OACTA, such as the annual OACTA Diversity Scholarship Program and supporting the National Foundation for Judicial Excellence (NFJE). Contributions made to The OACTA Foundation are tax deductible to the extent allowed by law. [DONATE TO THE OACTA FOUNDATION TODAY.](#)

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Free Webinar for OACTA Members

Exponent, in collaboration with OACTA, is pleased to present "Engineering Investigations of Hurricane Damage: Wind versus Water"

**Wednesday, October 24, 2018
12:00 - 1:00 p.m.**

When a hurricane strikes, civil engineers are often called upon to investigate the resulting damage to structures. Frequently, engineers performing those investigations are asked to distinguish between wind damage and water damage. This task can be dauntingly complex, demanding expertise in structural engineering, historic building codes, construction practices, wind forces, and water/wave forces. This webinar explores important issues related to engineering damage assessments of structures following hurricanes, focusing particularly on wind versus water investigations. Case studies will be presented to highlight the principles discussed. This webinar presents the key topics contained in the newly released book published by ASCE.

[Learn more](#)

OACTA Social Media Opportunity

We would like to feature OACTA members in our social media! To be a featured member, send the following to OACTA@AssnOffices.com:

- Your name
- Position
- Link to your online biography
- In 2 sentences or less, complete the following: How has OACTA membership benefited you?

Nominate an OACTA member to be featured! Send the member name and email address to OACTA@AssnOffices.com and we will follow up to request the information needed.

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