

*News & Practice Pointers from OACTA*

Summer 2018

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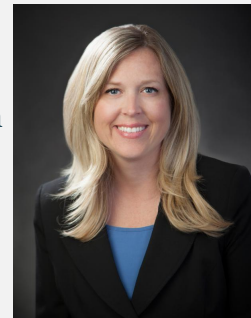
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**PRESIDENT'S MESSAGE**

**By: Jill K. Mercer**  
**2018 OACTA President**



I hope you are all out and about enjoying summer with your family and friends. So far, my family has completed our yearly journey to Hilton Head Island, and even squeezed in a little Disneyland over a long weekend, so I would say we are off to a terrific (and All-American) start. While the weather in Ohio, as usual, has proven to be quite unpredictable this season, OACTA has continued on like a well-oiled machine thanks to an engaged membership, committee chairs, board members, officers, executive director/assistant, and sponsors. And I am very excited about what the rest of the year holds.

This Summer has already proven to be a busy and productive time for OACTA. The Women in the Law Seminar was held on June 14-15 at the Joseph in Columbus. It was a well-attended event with dynamic speakers, as well as several opportunities to network with fellow members (and some non-members) throughout the state. The feedback was outstanding and I look forward to OACTA continuing to offer such seminars in future years. A big thank you to Gretchen Mote and Anne Marie Sferra for their efforts in organizing this great event.

Please plan to attend one of OACTA's Summer Happy Hours Series this year. The Young Lawyers Committee has done a fantastic job over the years in scheduling the Happy Hours, which are sponsored by S-E-A and conducted throughout Ohio. This year's schedule is as follows: July 19 at The Corner Alley in Cleveland; August 2 at Land Grant Brewery in Columbus; August 30 at Dayton Beer Company in Dayton; and September 6 in Cincinnati (location TBD). Mark your calendars now!

The 10th Annual OACTA Golf Outing will be held on September 4 at the Pinnacle Golf Club in Grove City, Ohio. Net proceeds benefit the OACTA Foundation, and provides the funding to allow OACTA to be a generous and consistent donor to the National Foundation for Judicial Excellence for many years. Not to mention, it is a lot of fun!

[OACTA Social Media](#)

[Opportunity](#)

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**SUBMIT Articles to include in The Update to:**

[Tony Brown](#)

or

[Ian Mitchell](#)

### Upcoming Events

#### Mark your Calendars!

##### July 19th

Cleveland Happy Hour  
The Corner Alley  
402 Euclid Ave.  
Cleveland, OH 44114  
[RSVP Today!](#)

##### July 25th

Caution: HOT!  
Understanding and Investigating Burn Injuries Webinar  
[Register Today!](#)

##### August 2nd

Columbus Happy Hour  
5:00 - 7:00 p.m.  
Land Grant Brewery  
424 W. Town St.  
Columbus, OH 43215  
[RSVP Today!](#)

##### August 30th

Dayton Happy Hour  
5:00 - 7:00 p.m.  
Dayton Beer Company  
41 Madison St.  
Dayton, OH 45402  
[RSVP Today!](#)

**September 6th**  
Cincinnati Happy Hour

**September 4th**  
OACTA Foundation

You can easily register now at our website: [www.oacta.org](http://www.oacta.org).

OACTA has announced the recipients of the 2018 Law Student Diversity Scholarship. The two scholarships, each in the amount of \$2,500, have been awarded to Natalia C. Trotter, a student at the University of Cincinnati, and Shana Marks, a student at the Ohio State University Moritz College of Law. These two students will be recognized at the OACTA Annual Meeting in November.

Finally, the Annual Meeting, which will be held on November 15-16 at the Hyatt Regency in downtown Columbus, is gearing up to be an outstanding line-up. We will have a keynote speaker on the reptile theory, views from the bench, addressing biases, breakout sessions from several OACTA committees, and many other informative and relevant topics to the defense bar. There will also be opportunities to network and let off a little steam with some social activities, as well.

Please plan on attending and taking advantage of some of the great CLE that our organization has been known to offer for decades, as well as rubbing elbows with colleagues and seeing some old friends. I truly hope to see you there.

### Renew Your OACTA Dues!

If you have not already renewed your OACTA membership for 2018, renew today [here!](#)

### Welcome New OACTA Members since April!

John Gambill	McDonald Hopkins LLC
Rory Garrity	The Cincinnati Insurance Company
Brian Lange	Bonezzi Switzer Polito & Hupp Co. L.P.A.
Nicole Mitchell	Freund Freeze & Arnold
Joseph Muska	McDonald Hopkins LLC
Susan Salyer	Ruggiero & Salyer, LPA
Tara Taylor	Bruns, Connell, Vollmar, & Armstrong
Ashley Wakefield	Sutter O'Connell

### OACTA Announces 2018 Law Student Diversity Scholarship Recipients

Two (2) OACTA Law Student Diversity Scholarships, each in the amount of \$2,500, have been awarded to: **Natalia C. Trotter**, a student at the University of Cincinnati and **Shana Marks**, a student at The Ohio State University Moritz College of Law. These two students will be recognized at the OACTA Annual Meeting on November 15, 2018 at the Hyatt Regency in Columbus.



OACTA Law Student Diversity Scholarships are open to incoming second and third-year African American, Hispanic, Asian, Pan Asian and Native American students enrolled at Ohio law schools. Incoming second and third-year female law students enrolled at Ohio law schools are also eligible regardless of race or ethnicity. Other criteria for the scholarship included: Academic achievement in law school; Professional interest in civil defense practice; and

Annual Golf Outing  
Pinnacle Golf Club,  
Grove City  
[Register Today!](#)

**November 15-16th**  
OACTA Annual  
Meeting  
Hyatt Regency  
Columbus, OH

**Ohio Association of  
Civil Trial Attorneys**  
17 S. High St.  
Suite 200  
Columbus, OH 43215  
P. 614.228.4727  
F. 614.221.1989  
[oacta@assnoffices.com](mailto:oacta@assnoffices.com)  
[www.oacta.org](http://www.oacta.org)

**The Update Fall  
Issue deadline is  
October 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](#)  
or  
[Ian Mitchell](#)

View our profile on [LinkedIn](#)

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Service to community and to the cause of diversity.

Funding for these scholarships is provided by The OACTA Foundation. The OACTA Foundation, established in 2016, is organized exclusively for charitable and educational purposes, funding projects consistent with the mission of OACTA.

OACTA believes that a diverse membership makes a stronger organization. OACTA encourages diversity in all aspects of its activities and is committed to nurturing a culture that supports and promotes diversity. OACTA has been nationally recognized as a recipient of the DRI State and Local Defense Organization Diversity Award.

Congratulations to this year's scholarship recipients! Thank you to OACTA's Diversity Committee, Chaired by Christopher Mars, for their efforts on this worthwhile initiative!

#### **Employment Law Committee Update**

#### **Mandatory Arbitration Agreements after the U. S. Supreme Court's Decision in Epic Systems Corp. v. Lewis.**

*By: Stephanie Dutchess Trudeau of Ulmer & Berne LLP and McClellon D. Cox*

Another challenge to mandatory arbitration of employment disputes fell flat in Epic Systems Corporation v. Lewis. This time the attack was on class action waivers. In a 5-4 decision, the United States Supreme Court ruled that employers can use arbitration agreements to prevent employees from bringing employment class actions.

[Read more](#)



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#### **The Empty Chair Doesn't Need to be an Empty Opportunity: Apportioning Fault to Immune Employers**

*By: Phillip M. Sarnowski, Esq., Collins, Roche, Utley & Garner*

This article considers the current status of Ohio case law on the ability of tortfeasors to seek an apportionment of liability to non-party employers who are immune under Ohio's Workers' Compensation laws. In addition, this article examines (1) the laws concerning allocation of fault to a non-party, (2) whether a legally viable theory of liability is required for allocation of fault against non-party, (3) the limited case law on this issue, and (4) the possibility of bringing a contribution claim against the non-party employer.



## OACTA Award Nominations

Consider nominating a colleague for an OACTA Award!

OACTA welcomes members to submit nominations for any of the following OACTA awards:

- Excellence in Advocacy Award
- Respected Advocate Award
- Outstanding Advocacy Award
- Outstanding Young Lawyer Award
- Distinguished Contributions to the Community Award
- Lifetime Achievement Award
- Frank Seth Hurd Member of the Year Award
- OACTA Committee Chair of the Year Award

Nominations are to include a completed [Nomination Form](#) and written description of why you believe this candidate should be considered for the award.

View the [award descriptions and list of past recipients](#) or visit <https://www.oacta.org/awards> for more information.

Nominations are due to the OACTA office by August 1, 2018.

Awards are presented at the OACTA Annual Meeting in November.

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Elevators & Escalators	Sports & Recreation
Environmental & Occupational	Vehicles & Crash Reconstruction
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OACTA Women in the Law Committee Presents CLE Seminar

By: Gretchen K. Mote, Esq.

Le Meridien Columbus, The Joseph, in Columbus was the site for the OACTA WIL Committee seminar on June 14-15, 2018. The cool, modern vibe of the location set the tone for the CLE seminar, Stronger Together: Progressive Practices for Today's Lawyers. It was a dynamic program of interest OACTA WIL committee members, as well as new members and guests in attendance.



Why Women Need 'GRIT' kicked off the seminar. In this session speaker Gretchen Koehler Mote, Esq., Director of Loss Prevention, Ohio Bar Liability Insurance Co., discussed how grit - perseverance and passion for long-term goals - can team with a growth mindset to foster success. Linda Lu, Esq., Senior Vice President P&C Legal

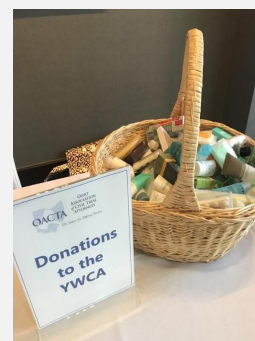


Personal Lines, Nationwide Insurance, spoke next sharing tips from her experience to provide guidance for a lawyer's career path with her presentation "Building Your Legal Career: Lessons Learned Along the Journey to the Top."

[Read more](#)

### OACTA Women in the Law Seminar Community Outreach

The OACTA Women in the Law Seminar collected travel size personal care items to be donated to the YWCA. Attendees of the seminar contributed over 300 products. Thank you to all who participated in this community outreach effort!



THE EXPERTS  
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OACTA Professional Liability Committee Featured Member

**Carolyn A. Taggart, Porter Wright Morris & Arthur LLP - Cincinnati**

Our featured Professional Liability Committee member is Carolyn

Taggart.

Carolyn is a partner in Porter Wright's Cincinnati office, where she specializes in legal malpractice, as well as a range of other practice areas, including product liability and commercial litigation. Carolyn



has hometown roots in the Cincinnati area, having received her undergraduate degree from Miami University, and her law degree from the University of Cincinnati College of Law. Carolyn has been recognized for her litigation skills through her introduction as a Fellow of the American College of Trial Lawyers. Carolyn also has numerous other accolades to her name, including her recognition by Ohio Super Lawyers as one of the top ten attorneys in Ohio, as well as one of the top five attorneys in Cincinnati. Carolyn has also been recognized twice by Best Lawyers as the "Lawyer of the Year" in Cincinnati for product liability defense. This year, Carolyn also received the John P. Kiely Professionalism Award from the Cincinnati Bar Association. In addition to her noteworthy legal practice, Carolyn is also heavily involved in the Cincinnati and Ohio legal communities. Carolyn is a past president of OACTA, as well as a past Chair of the Cincinnati Bar Association's Grievance Committee. Carolyn currently serves on the Board of Professional Conduct for the Ohio Supreme Court, and as a faculty member for the National Institute of Trial Advocacy (NITA) at the University of Cincinnati's law school.

## OACTA Foundation 10th Annual Golf Outing



**Get your foursome together and plan to attend!**

**Date: September 4, 2018**

Location: Pinnacle Golf Club, Grove City, Ohio

Check-In/Practice Range: 11:00 a.m.

Shot-gun Start: 12:00 p.m.

Post-Reception: 5-6:30 p.m.

Cost: \$145/golfer (after August 21, 2018 \$155/golfer); \$50/non-golfer reception only

[Register Today!](#)

[Become a Golf Outing Sponsor!](#)

## Call for 2019 Golf Outing Chair

OACTA is looking for someone who would be interested in serving as chair for the 2019 OACTA Foundation Golf Outing Committee, as

Dave Orlandini - who has and continues to do a spectacular job as chair of the committee - has expressed interest in serving in a different capacity in the OACTA Committee system in the future.

If you are interested or you know of someone who might be a strong candidate, please contact [Jim Kline](#), OACTA Vice President.



### OACTA Summer Happy Hour Series

## The Summer Happy Hour Series is Back!



#### Cleveland

July 19, 2018  
5:00 - 7:00 p.m.  
The Corner Alley  
402 Euclid Ave.  
Cleveland, OH 44114  
[RSVP Today!](#)

#### Columbus

August 2, 2018  
5:00 - 7:00 p.m.  
Land Grant Brewery  
424 W. Town St.  
Columbus, OH 43215  
[RSVP Today!](#)

#### Dayton

August 30, 2018  
5:00 - 7:00 p.m.  
Dayton Beer Company  
41 Madison St.  
Dayton, OH 45402  
[RSVP Today!](#)

#### Cincinnati

September 6, 2018  
Location TBD

*The OACTA Happy Hour series is open to all OACTA members and prospective members. The Happy Hour is complimentary. Your RSVP does not obligate you to attend.*

**Thank you to S-E-A for sponsoring this**



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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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- Cost Analysis
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- Efficacy of line items
- 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





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!](#)

### Case Victories Needed!

OACTA members - send summaries of your significant case victories to David Oberly, OACTA Social Media & Website Chair, at [djoberly@mdwecg.com](mailto: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.](#)

### We Are Updating Our Database!

To better serve our OACTA members we are updating the OACTA membership database. Please help us by updating your OACTA profile. You can do this by logging into your OACTA account or by

completing this [online form](#).

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## 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](mailto: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](mailto:OACTA@AssnOffices.com) and we will follow up to request the information needed.

View our profile on [LinkedIn](#)

Follow us on [twitter](#)


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## Member News



Anthony E. Brown is pleased to announce that he opened his own law office in May 2018. Anthony continues to handle primarily insurance defense cases across Ohio. Anthony Looks forward to serving his clients at the Anthony E. Brown Law Office LLC, 1428 Market Ave. N., Canton, Ohio, 44714, (330)510-4880 - [tony@attorneybrownlaw.com](mailto:tony@attorneybrownlaw.com)

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