



OHIO  
ASSOCIATION  
of CIVIL TRIAL  
ATTORNEYS

*The Source for Defense Success*

# The UPDATE

*News & Practice Pointers from OACTA*

## Summer 2014

### In This Issue

[President's Message](#)

[Awards Announcement](#)

[OACTA Diversity Recipients](#)

[Save the Date!](#)

[Committee Updates](#)

[Business & Commercial](#)

[Litigation Seminar](#)

[Registration](#)

[ADR Committee Update](#)

[Employment Law](#)

[Committee Update](#)

[Insurance Committee Update](#)

[What To Do if Your](#)

[Employee is Due](#)

[DRI Annual Meeting](#)

[OACTA Board of  
Trustees](#)

[Upcoming Events](#)

**Business &  
Commercial  
Litigation  
Seminar**

August 8, 2014

Golf Outing  
September 2, 2014  
Pinnacle Golf Club

### PRESIDENT'S MESSAGE

By **Anne Marie Sferra**  
2014 OACTA President

I hope everyone has had a chance to enjoy some of the pleasures of summer . . . a leisurely bike ride, a trip to the beach, a chair beside the pool with a good book, or maybe just more time with family and friends. While time always seems to fly by, this seems particularly true of summer . . .



I am so appreciative of the many OACTA members who have taken time from their busy summer schedules to contribute to the good of the organization (presenting at a seminar, writing an article, bringing potential new members to a happy hour, etc.). Some have gone above and beyond. To name a few:

[Read More...](#)

### OACTA Awards

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
- Distinguished Contributions to the Profession Award
- Outstanding Young Lawyer Award
- Distinguished Contributions to the Community Award
- Public Service Award
- Lifetime Achievement Award
- Outstanding Advocacy Award
- Sponsor Awards
- Client Award
- Frank Seth Hurd Member of the Year Award

2014 OACTA  
Annual Meeting  
November 13-14, 2014  
Crowne Plaza  
Columbus

**Submit Articles  
to the  
Newsletter  
Committee:**

[Joe Borchelt](#)

[Tony Brown](#)

**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)

**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

[Joe Borchelt](#)

**The Update Fall Issue  
deadline is  
September 30, 2014**

- 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.

[Read More...](#)

**OACTA Announces 2014 Law Student Diversity  
Scholarship Recipients**

Three (3) OACTA Law Student Diversity Scholarships, each in the amount of \$1,250, have been awarded to: **Frederick D. Cruz**, Cleveland-Marshall College of Law, **Michael Elliott**, University of Cincinnati College of Law, and **Candice S. Thomas**, University of Cincinnati College of Law. These three students will be recognized at the OACTA Annual Meeting on November 13, 2014 at the Crowne Plaza 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 Service to community and to the cause of diversity.

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. In 2011, OACTA was nationally recognized as the recipient of the DRI (Defense Research Institute) State and Local Defense Organization Diversity Award.

Thank you to OACTA's Diversity Committee, Chaired by Hilary Taylor, for their efforts on this worthwhile initiative!



OACTA President, Anne Marie Sferra, with Chief Justice Maureen O'Connor at the OACTA 2014 Appellate Advocacy Seminar



REVEALING THE CAUSE

- Biomechanics
- Civil/Structural
- Construction
- Consumer Products
- Electrical
- Environmental/Industrial Hygiene
- Fires & Explosions
- Machinery Equipment
- Maritime
- Materials
- Research & Testing
- Trucking & Heavy Equipment
- Vehicle Accidents



**800.782.6851**  
[www.SEAlimited.com](http://www.SEAlimited.com)

## Save the Date!

Mark your calendars . . .

**OACTA's Business & Commercial Litigation Seminar** at The Conference Center at OCLC in Dublin, is on **August 8, 2014**. So, mark your calendars and help spread the word about this seminar! [Register Here!](#)

**OACTA Golf Outing, September 2, 2014** at Pinnacle Golf Club. [Register Here!](#) Sponsors Include: **ProAssurance, SEA Ltd., Peter & Robin Hersha, Mike Mobley Reporting and Garvey, Garvey, Vinci & Garvey, Duffers-at-Law, Robson Forensics and Subashi & Wildermuth.**

**OACTA Annual Meeting, November 13-14, 2014** at the Crowne Plaza Columbus. Registration information coming soon.

## Committee Updates:

### Young Lawyers Committee

The Summer Happy Hour Series is back!! The Young Lawyers Committee will be hosting Happy Hours in various cities across Ohio. We have already been to Cleveland, Cincinnati and Columbus! The remaining events are from 5:30-7:00 p.m. as follows:

- **Thursday, August 14, 2014** in **Canton** at **The Barrel Room Wine Bar**, 7901 Cleveland Avenue NW, North Canton 44720

**ALL OACTA MEMBERS AND PROSPECTIVE OACTA MEMBERS ARE INVITED TO ATTEND!!** We encourage OACTA members to bring non-OACTA members to learn about the benefits of joining our organization. These Happy Hours are sponsored by S-E-A.

[Read More...](#)

## Business & Commercial Litigation

Registration is now open for the upcoming Educational Seminar on August 8 in Dublin at the Conference Center at OCLC. Click [here](#) to register!



## Robson Forensic

Engineers, Architects, Scientists & Fire Investigators

800.813.6736 | [www.robsonforensic.com](http://www.robsonforensic.com)



## ADR Committee

The ADR Committee has completed its listing of Ohio mediators by counties served. Contact information for both the mediator and the source who submitted the mediator is available through the ADR Committee webpage. [Click here](#) to access the mediator listing. New mediators may be added and corrected or updated information may be submitted by sending a completed [Mediator Submission form](#) to [OACTA@assnoffices.com](mailto:OACTA@assnoffices.com). Thanks to all who participated in supplying mediator names for this project!

## Employment Law Committee

Thank you to everyone who was able to join us for the June 17 webinar for a discussion on how to advise clients on complex FMLA situations. We hope the information was useful, and it was certainly an easy and efficient way to earn an hour of CLE credit. Please let us know if there are any topics that you would like to see covered on future webinars.

The employment committee's next project is to develop an online library of intentional tort case law. We know this is an important part of many of your practices, so we would like to create a resource where you can obtain an up-to-date list that summarizes recent decisions on this topic. We will also be relying on all of you to provide us with new cases. If you are interested in being a part of this effort or if you have any ideas or suggestions for other committee projects, please contact me at [lvluther@eastmansmith.com](mailto:lvluther@eastmansmith.com).

## Insurance Committee

The Insurance Coverage Committee's own Mike Neltner and

Megan Faust will be presenting at the Annual Meeting in November on the topic of "Trying the Mixed Damages Coverage Case."

We are looking for anyone interested in serving on a Panel towards the end of our presentation. So if you have any experience in trying a mixed damages coverage case, please respond to either Megan or Mike and let us know! Please email [michael\\_neltner@staffdefense.com](mailto:michael_neltner@staffdefense.com)

## Leading Technologies, LLC

CONSULTANTS & FORENSIC EXPERTS

**Over 180 Qualified Local Experts in more than 75 Disciplines**

Accounting & Economics	Human Factors & Warnings
Agricultural & Animals	Industrial & Manufacturing
Architecture & Construction	Medical, Dental & Nursing
Biomechanical & Biomedical	Police, Criminal & Security
Computers & Intellectual Property	Premises & Product Liability
Document Identification	Real Estate & Insurance
Electrical & Controls	Securities & Brokerage
Elevators & Escalators	Sports & Recreation
Environmental & Occupational	Vehicles & Crash Reconstruction
Fires & Explosions	Vocational & Life Care Planning



**Robert A. Yano, PE**  
[bob@LTForensicExperts.com](mailto:bob@LTForensicExperts.com)

419.452.6992

[www.LTForensicExperts.com](http://www.LTForensicExperts.com)



## What To Do if Your Employee Is Due

*By Rima Ina*

The U.S. Equal Employment Opportunity Commission (EEOC) issued a list of priorities for strategic enforcement in 2012. Among its national priorities: "accommodating pregnancy-related limitations under the Americans with Disabilities Act Amendments Act (ADAAA) and the Pregnancy Discrimination Act (PDA)."

So what can you, as an employer, do to avoid a pregnancy bias lawsuit? Here are some practical tips.



[Read More...](#)

*We put environmental problems into perspective and develop well-conceived, scientifically-defensible solutions.*

- Soil and groundwater remediation design and cost allocation
- Soil and groundwater forensics
- Site characterization
- Timing of chemical releases to groundwater (Who did what and when?)
- Groundwater modeling
- Groundwater supply/competitive use of groundwater
- Cases in Arizona, California, Florida, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Michigan, Missouri, New Jersey, Ohio, Illinois, and Ontario, Canada.

Contact Jeffrey A. Bolin, M.S., CHMM ([jbolin@dragun.com](mailto:jbolin@dragun.com)) 248-932-0228  
Farmington Hills, MI, Windsor, ON, Toronto, ON

30445 Northwestern Highway, Suite 260, Farmington Hills, MI 48334 [www.dragun.com](http://www.dragun.com)

## DRI 2014 Annual Meeting

[Online registration](#) is now available for DRI's 2014 Annual Meeting, October 22-26, at the San Francisco Marriott Marquis. This is a great opportunity to enhance your network of defense attorneys and in-house counsel from across the country. In addition to Blockbuster presentations, on Thursday evening DRI has reserved the entire AT & T park for networking fun. [Book your hotel](#) and [register](#) today.

We look forward to seeing you in San Francisco!

*OACTA requests that authors who republish articles that were originally published in an OACTA publication, reflect that the article first appeared in the OACTA publication.*