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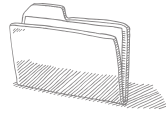
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from the
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DESK**



As we reach the midpoint of 2026, it is clear this has been a milestone year for USLAW. We are proudly celebrating USLAW's 25th anniversary and reflecting on the relationships, accomplishments and shared experiences that have shaped our first quarter century and our path ahead. We also continue to recognize the 20-year legacy and impact of the USLAW Women's Connection and our longstanding collaboration with TELFA in Europe.

In this summer edition of *USLAW Magazine*, you will find insightful articles that explore the evolution of the legal profession and the forces shaping its future. Topics range from HIPAA at 25 and the accelerating pace of technology to the legal considerations surrounding employers' use of artificial intelligence. Our authors offer practical perspectives to help businesses navigate today's increasingly complex legal and regulatory landscape.

We are also pleased to highlight the achievements of our members, whose professional excellence, community involvement and commitment to service continue to distinguish our NETWORK. In addition, we congratulate the recipients of the USLAW NETWORK Law School Scholarship Program. Their awards are made possible through the generosity of our Partners Program and individual donors, and we are proud to support the next generation of legal professionals.

Thank you for your continued support of USLAW, and please contact us if we can assist you with any USLAW connections

All the best,

Jennifer D. Tricker
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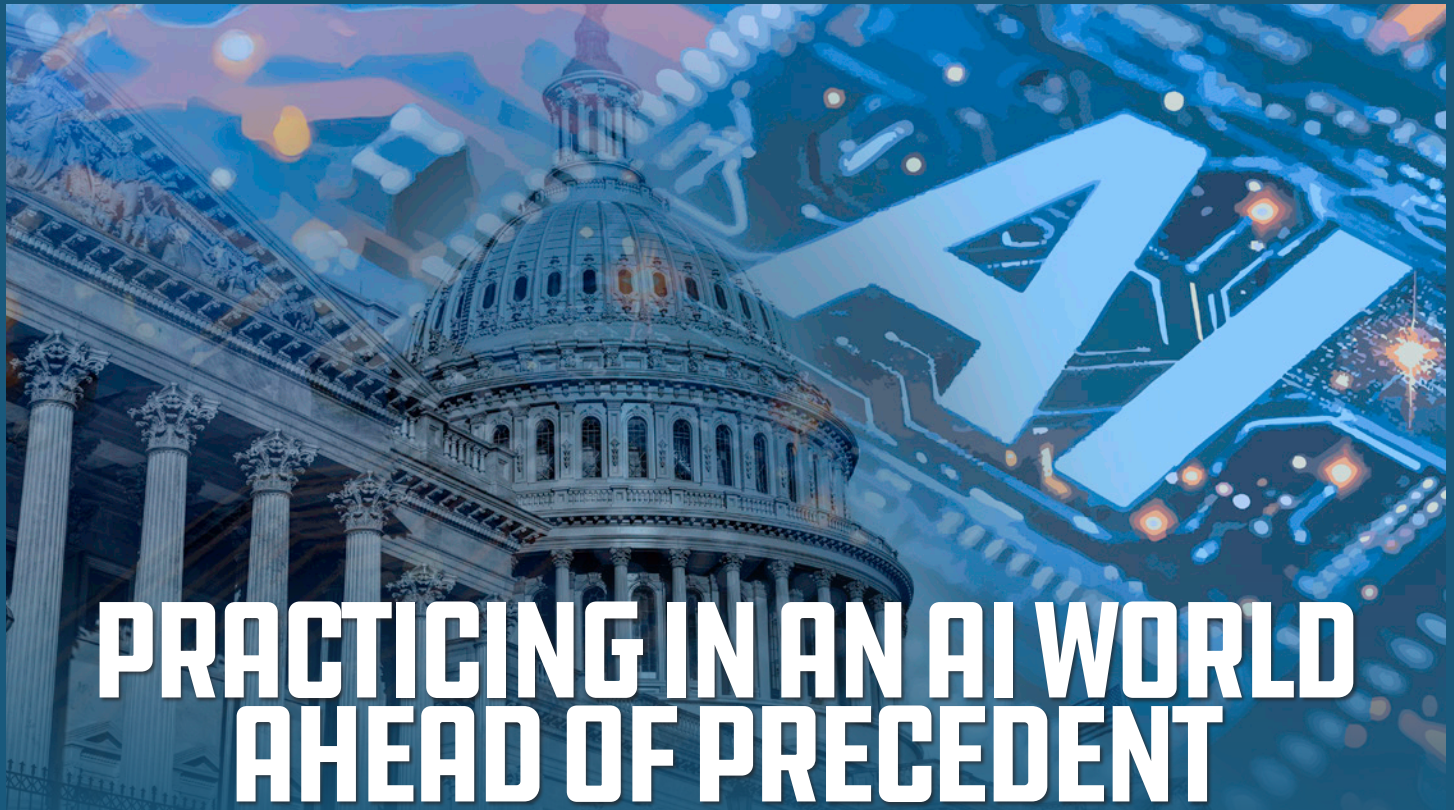
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PRACTICING IN AN AI WORLD AHEAD OF PRECEDENT

Legal Tech, Doctrinal Drag, and the Modern Duty Of Competence

Christina Hesse

Duke Evett, PLLC

Technology evolves faster than the law, a persistent gap driven by the rapid pace of innovation compared to the measured, deliberate nature of our legal system. Artificial intelligence (AI), cloud platforms and automated data systems now shape nearly every aspect of modern legal practice, yet judicial doctrine continues to develop incrementally and often by analogy to a paper-based past. Courts are still resolving disputes about electronically stored information (ESI), digital evidence, and AI-assisted advocacy by mapping legacy rules onto unfamiliar technological terrain.

At the same time, professional conduct standards are moving in the opposite direction, increasingly treating technological competence as a baseline obligation rather than a specialized skill. The result is a growing tension: attorneys are expected to adopt and competently use advanced technology even as precedent lags—and even as courts may later judge those decisions using frameworks never designed for modern systems.

This article explores that tension. It offers (1) a brief account of how the gap between technology and precedent emerged, (2) three pressure points where doctrinal drag is most visible—discovery sanctions,

authentication of digital evidence, and AI-assisted advocacy—and (3) a practical framework for making technology decisions defensible when clear precedent does not yet exist.

FROM PAPER TO PLATFORMS: HOW THE GAP OPENED

In the early 2000s, discovery and evidentiary practice assumed a paper world: discrete documents, identifiable custodians, and visible destruction. Email and shared drives were emerging, but most doctrine still rested on physical metaphors.

As technology accelerated, judicial doctrine struggled to keep pace. Mobile devices, cloud storage, collaboration platforms, and automated retention systems introduced complexity that paper-era rules were never designed to measure. By 2011, BlackBerry devices had captured a sizeable market share among professionals wanting a secure mobile email device before losing popularity to iOS and Android touchscreen devices. Recognizing the need for attorneys to be technologically savvy, in 2012, the American Bar Association added specific language that keeping current with “benefits and risks associated with relevant technology” is integral to an attorney’s

duty of competency under Model Rule of Professional Conduct 1.1. Courts analogized where necessary—emails became letters, servers became filing cabinets, and deletion became shredding—preserving continuity while also embedding assumptions that no longer hold in light of today’s technological advances.

The 2015 amendments to the Federal Rules of Civil Procedure attempted to modernize discovery by elevating proportionality and expressly addressing ESI, but many applications of those rules still require judges to stretch precedent to fit unfamiliar systems. Federal Rule 26 frames discovery as limited to what is “relevant” and “proportional,” but what counts as “proportional” can turn on technical details about data volume, accessibility, and system burden that paper-era doctrine never had to measure.

Ethics rules, however, have moved more decisively. Since 2012, most U.S. jurisdictions have adopted similar language to Rule 1.1 requiring technological upkeep. Competence now explicitly includes understanding how technology affects confidentiality, accuracy, efficiency, informed consent, fees, and client service.

The gap between technology and legal precedent persists today and is at risk of

further widening. Courts continue to resolve disputes using analog-era reasoning, while attorneys are professionally obligated to understand and use modern technological tools. That tension is most visible where litigation risk intersects with technological complexity, particularly in the context of AI.

DISCOVERY SANCTIONS IN A WORLD OF ESI AND AUTO-DELETION

Spoliation disputes remain one of the clearest examples of doctrinal drag. Federal Rule 37(e) governs the loss of ESI and centers on whether a party took “reasonable steps” to preserve information when litigation was reasonably anticipated. Severe sanctions require intent to deprive, but even unintentional loss can result in curative measures, cost shifting, or adverse inferences. What constitutes “reasonable steps,” however, is inseparable from the technology itself. Retention policies, auto-delete settings, ephemeral messaging, cloud collaboration tools, and mobile device management all affect what is preserved—and what is lost. Courts are often asked to assess those decisions after the fact, applying precedent developed in a very different technological context.

Consider a common scenario: a company preserves email but notifies no one to suspend auto-deletion in an unsanctioned messaging platform where key discussions occurred. When relevant messages disappear, the court’s analysis will not focus on intent alone. It will ask whether counsel understood how employees actually communicated and whether preservation efforts reflected modern business reality. Legacy case law still supplies the framework, but the judgment turns on technological awareness and foresight.

The lesson is not that every system must be preserved in every case. It is that preservation decisions must be informed, deliberate, and documented. When precedent lags, defensibility depends less on the outcome and more on the reasonableness of the process used to reach it.

AUTHENTICITY AT SCALE: PROVING DIGITAL EVIDENCE IS WHAT YOU CLAIM

Authentication presents a similar challenge. Rule 901 requires evidence sufficient to support a finding that an item is what the proponent claims it is. That standard is straightforward when the exhibit is a paper document. It is more complex when the evidence is a system log, platform export, geolocation dataset, or automated record. Modern digital artifacts can be altered without a visible trace, and their integrity often depends on system configuration

and extraction methods. While courts still rely on familiar foundations—witness testimony, distinctive characteristics, or process evidence—disputes increasingly turn on technical details that traditional custodians cannot explain.

The 2017 amendments to the Federal Rules of Civil Procedure, adding Rules 902(13) and 902(14), offer a partial solution by allowing certain electronic records and data copies to be self-authenticated through certification. Properly used, these rules shift the focus from rhetorical assurance to process proof: how the data was generated, extracted, and verified.

For litigators, the takeaway is clear. Authenticity disputes are best addressed upstream through documented, repeatable processes that can be explained without requiring the court to master the underlying technology. When precedent is thin, structure and transparency become substitutes for doctrinal certainty.

GENERATIVE AI AND THE REASSERTION OF ATTORNEY AS GATEKEEPER

No area better illustrates practicing ahead of precedent than generative AI. Courts have been quick to clarify that AI itself is not prohibited in the legal industry; unchecked and irresponsible use is. Recent decisions across jurisdictions have sanctioned attorneys for submitting filings containing fabricated citations, misquoted authority, or nonexistent cases “hallucinated” by AI tools. The emerging judicial consensus is consistent: existing duties of candor, diligence, and supervision apply regardless of whether work product is generated by a human or a machine. Courts have invoked Rule 11, professional conduct rules governing candor and supervision, and inherent authority to sanction AI-related misconduct.

In response, many judges have issued standing orders requiring disclosure or certification of AI use. While these orders vary in form from judge to judge or court to court, they share a common theme: responsibility for accuracy, candor, diligence, and truthfulness remains with the attorney who signs the filing. Failure to comply can result in sanctions (including fines, striking of pleadings, case dismissal, and/or referral to a state bar association for disciplinary proceedings), as well as reputational harm and strategic disadvantage for the client.

The practical lesson is not “never use AI.” It is to treat AI output like non-lawyer or junior work product—useful, efficient, and potentially powerful, but never final without human oversight and verification. AI does not displace the lawyer’s role as gatekeeper; it intensifies it.

ETHICAL COMPETENCE AND RESPONSIBLE TECHNOLOGY USE

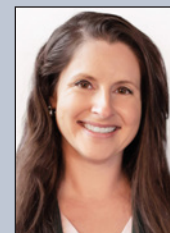
Model Rule 1.1 and its state analogs make technological competence an ethical obligation for attorneys. That obligation extends beyond knowing how to operate tools; it requires understanding their benefits, risks, and limitations. In 2024, the ABA’s first formal opinion on generative AI emphasized that competency, confidentiality, informed consent, and reasonable fees are all implicated by AI use.

Attorneys must safeguard client information regardless of its source, communicate with clients about how objectives will be achieved—including the use of AI—and remain alert to risks such as bias, inaccuracy, and overreliance. Ethical exposure is more likely to arise from unmanaged risks than from the mere use of advanced technology tools like AI.

While superhero culture may have popularized the maxim, “with great power comes great responsibility,” the principle is centuries old and still relevant. Technological advances, including the capacity of AI to rapidly synthesize case law, draft pleadings, and automate discovery, are impressive. For attorneys, “great responsibility” is not just a moral ideal but increasingly part of ethical mandates and client expectations.

PRACTICING AHEAD OF PRECEDENT

Practicing ahead of precedent is the new normal. Courts will continue to rely on analog-era concepts, while ethics rules and clients will demand fluency in modern technology tools. The answer is not avoidance, but rather disciplined adoption grounded in informed judgment, verification, and documentation. When precedent lags, defensibility lies in process: understanding the technology, anticipating courts’ analysis, and creating a record that reflects reasoned practice. Attorneys who navigate it successfully will be those who combine technological competence with professional judgment—long before the case law catches up.



Christina Hesse is a partner at Duke Evett in Boise, Idaho, specializing in medical/professional malpractice defense and business/commercial litigation. Christina is vice chair for USLAW’s Medical Practice Group and vice chair for AHLA’s Medical Staff, Credentialing, & Peer Review Practice Group. While not working, Christina enjoys hiking, biking and exploring the great outdoors with her husband and two young sons.

USE OF AI IN EMPLOYMENT IN AN EVOLVING LEGAL LANDSCAPE

Lisa A. Zaccardelli Hinckley Allen

Legal risk in employment has long been a challenge as laws are constantly passed to address inequity in a society ever seeking to create a more even playing field for employees, and each change forces employers to adapt to a new landscape. Today, employers are increasingly utilizing AI to assist in day-to-day employment decisions. Tasks ordinarily conducted by trained human resource professionals, whether as routine as reviewing resumes and employment applications, or as consequential as hiring decisions, conducting performance management processes, and even monitoring employees' on-the-job activities, are now being performed in part, and in some cases entirely, by AI, an emerging technology whose precise benefits and drawbacks are as of yet unknown.

The surface appeal for employers is obvious: AI promises greater efficiency, data-driven insights, emotionless judgment, and cost savings. But as adoption accelerates, so does legal exposure. AI's powerful yet unnuanced logic may lead to biased workplace decisions that subject employers to liability under a host of federal, state, and local anti-discrimination and privacy laws — even where the employer did not intend to discriminate.

This article surveys the key legal frameworks implicated by employers' use of AI in the workplace, examines recent litigation that illustrates the real-world consequences of noncompliance, and offers practical recommendations for mitigating risk.

DISCRIMINATION CONCERNS AND AI BIAS

The most pressing legal risk associated with AI in employment is its potential to produce discriminatory outcomes. For example, some AI hiring software rates job candidates by comparing their micro-facial expressions to those of current employees, and those who differ may be rated lower, disadvantaging them in the hiring process. The core issue is that AI systems are only as unbiased as the data on which they are trained and the sophistication of the algorithms that power them. In combination, these can lead to subtle latent errors that directly contravene multiple established federal anti-discrimination frameworks.

For one, the long-standing Americans with Disabilities Act ("ADA") protects persons with disabilities from workplace discrimination. Employers may violate the ADA when AI tools unfairly screen out qualified disabled individuals. The ADA also requires employers to provide reasonable accommodations to individuals with disabilities, including during the hiring process. Users of AI may run afoul of this requirement if the tools preclude or impede the provision of reasonable accommodations — one possible scenario is an AI-powered interview platform not accommodating a candidate's need for additional time or assistive technology, unintentionally exposing the employer to liability.

Similarly, Title VII of the Civil Rights Act prohibits employment discrimination on the basis of race, color, religion, sex, or national origin. An employer engages in

disparate treatment discrimination when it employs automated decision-making tools to intentionally treat members of a protected class differently. For example, in *Equal Employment Opportunity Commission v. iTutorGroup, Inc.*, the EEOC alleged a violation of the Age Discrimination in Employment Act against a company that used an AI hiring program to automatically filter out candidates over a certain age, resulting in a substantial payment to the rejected applicants.

Even where there is no intentional discrimination, AI systems that unfairly exclude protected groups may violate Title VII under a disparate impact theory. Disparate impact discrimination may arise, for example, if a company uses an automated decision-making tool to review resumes and the tool disproportionately excludes female applicants. Unlike disparate treatment, a disparate impact claim does not require proof of discriminatory intent—only that the tool produces an unjustified adverse effect regarding a protected class.

The EEOC has also cautioned that certain AI capabilities may violate employment discrimination laws, and although it has withdrawn some earlier guidance, its reasoning is instructive. Examples cited by the EEOC include video interviewing software that analyzes applicants' speech patterns and applies low scores to those with speech patterns attributable to a disability, and monitoring software that incorporates facial recognition technology that is less accurate for darker skin tones, leading to potential bias against minority employees.



Notably, employers are liable for discriminatory outcomes caused by AI tools regardless of whether the software was supplied by an outside vendor, as the decision to employ a particular tool is sufficient to trigger employer liability for that tool's outputs.

One of the greatest challenges employers face is the opacity of AI decision-making. Unlike human decision-makers who can articulate their reasoning, generative AI systems often operate as "black boxes," making it difficult — if not impossible — to understand or justify how their decisions are reached. This presents a significant obstacle when defending against discrimination claims, because an employer may struggle to present a legitimate, non-discriminatory reason for an adverse employment action if the logic underlying the AI's recommendation cannot be explained.

Finally, the use of AI to monitor employees raises additional concerns under federal and state privacy laws. If an employer is monitoring or collecting employee information through AI systems, it must consider if applicable laws require disclosure of that monitoring. Failure to provide adequate notice may expose employers to claims under state privacy statutes, while concurrently eroding workplace trust.

THE FEDERAL AND STATE REGULATORY LANDSCAPE

There is currently no comprehensive federal law governing AI use in employment settings. On January 20, 2025, President Trump issued an executive order revoking President Biden's Executive Order 14110, "Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence," which implemented safeguards for AI's evolution and directed agencies to develop guidance to ensure AI policies were consistent with civil rights.

Shortly thereafter, the Trump Administration issued Executive Order 14179, "Removing Barriers to American Leadership in Artificial Intelligence." The executive order instructed federal agencies to review and roll back existing AI policies and regulations deemed to be barriers to innovation, and to ensure AI systems are "free from ideological bias or engineered social agendas." This executive order signaled a federal preference for minimal regulation in this space.

In the absence of comprehensive federal AI legislation, state and local governments are rapidly filling the regulatory vacuum. Over 1,500 AI-related bills have been introduced across 45 states as of March 2026. This presents an obvious tension between state and the more permissive

federal law.

For example, in New York City, employers that deploy automated employment decision tools in hiring or promotion must conduct annual bias audits for race and gender traits, make the results public, and provide transparency notices about the use of the tool to job seekers. Enforcement, however, has proven difficult. Illinois law goes further, making it a civil rights violation for employers to use AI in recruiting, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure, or the terms, privileges, or conditions of employment when such use leads to discrimination based on a protected class — even if the discrimination is unintentional. Employers are required to provide employees with the AI product's name, the employment decisions it influences, the data it collects, and grant them the right to request a reasonable accommodation. Employers in Illinois must also provide notice to candidates and obtain consent before using AI to analyze video interviews.

In Colorado, employers must provide notice when AI is used in "consequential decisions," a category that includes decisions to offer or deny employment. Employers in Maryland must obtain applicant consent before using facial recognition in job interviews. And in California, employers cannot use AI in any way that causes discrimination in employment, including in hiring, promotion, and screening. Further, California's Automated Decision-Making Technology Regulations, which will apply to many employers by January 1, 2027, impose detailed requirements before automated decision-making technology can be used for certain employment actions. As of this writing, the Connecticut legislature has passed a bill regulating the use of AI tools in employment-related decision-making, and Massachusetts is considering regulations requiring bias audits.

Even employers in states without a local AI regulatory framework may be exposed to legal challenges for the use of AI in their decision-making. Plaintiffs have already started filing putative class actions against AI software companies whose tools assist with employment decisions. No statutes at present preclude individual or class action lawsuits from being brought against employers for challenges based on legal theories listed above — and as discussed, defenses may be hindered when the AI's underlying decision-making process is unknown.

WAYS TO AVOID AI PITFALLS

Given the complexity and rapid evolution of the legal landscape, employers should take proactive steps to mitigate the risks

associated with AI in employment.

1. Employers should implement clear, written policies governing the use of AI in employment decisions. These policies should define the scope of permissible AI use, establish approval processes for new tools, and assign responsibility for compliance.
2. Employers must review applicable state and local laws as they relate to AI use in employment practices and obtain all required consent from applicants and employees.
3. Employers should train HR professionals and managers on the appropriate use of AI in employment. Training should cover the tools' technical capabilities and all legal requirements associated with their use.
4. Employers should regularly audit and review AI software for bias to help identify and remediate discriminatory patterns before they result in legal exposure.
5. Employers should implement meaningful human review of AI-driven employment decisions and ensure that humans retain decision-making authority so that AI is used to inform — rather than dictate — workforce decisions.

CONCLUSION

While the integration of AI into employment decision-making offers substantial benefits in efficiency and scale, a robotic application of these powerful new tools will introduce significant legal risks. With the shifting regulatory framework on AI, for now, the onus is on employers to proactively monitor how they use these systems and to make sure they are compliant with changing laws. Discrimination claims, privacy violations, and a rapidly expanding web of state requirements and potential private litigation mean that employers cannot adopt these technologies without careful planning. By implementing robust policies, training their workforces, auditing their tools, and most importantly, maintaining meaningful human oversight, employers can harness the ever-increasing power of AI while minimizing the legal pitfalls that accompany it.



Lisa Zaccardelli is the Chair of the Labor and Employment Practice at [Hinckley Allen](#) and practices in all areas of civil litigation with a concentration on employment law litigation and commercial matters.

*Building a Privacy Program
That Works Across Borders*

HOW A COMMON LEGAL FRAMEWORK SHAPED GLOBAL PRIVACY LAWS

John Williams Amundsen Davis

Since Sweden passed the first privacy law in 1973, 171 countries have adopted national laws regulating how personal information can be collected, used, and shared. The U.S. is not one of those countries. Instead of one comprehensive federal privacy law for the private sector, we have dozens of industry- and state-specific laws that vary based on what kind of information businesses collect and where their customers live.

While managing this global patchwork of privacy laws can feel overwhelming, it may be easier than you think. Almost all privacy laws share a common, easily recognizable structure: they create rights for the people whose personal data is collected (“data subjects”) and obligations for the entities that collect and use the personal data (“data controllers”). Data subjects generally have the right to know what information a data controller has about them and correct or delete that information. For their

part, data controllers are prohibited from over-collecting or misusing personal data, and they must keep it secure.

Understanding why privacy laws around the world are so similar is an interesting story; it can also help businesses comply with these laws efficiently and sensibly.

THE COMPUTER NERDS WHO INVENTED PRIVACY LAW

The common elements in today’s privacy laws were very intentionally developed by a small group of computer policy experts in the 1970s. Probably the most important American member of this group was Willis Ware, a Rand Corporation scientist and lead author of the famous 1973 U.S. government report, “Records, Computers, and the Rights of Citizens.” This report proposed five basic rules to govern the relationship between humans and computers, which it called “fair information practices” (FIPs).

The policy debate during the time Ware and his team developed the FIPs was similar in some ways to today’s debate about artificial intelligence (AI). As the capability of computers to process and store personal information (in so-called “data banks”) quickly advanced, the technology faced backlash from people who worried that it would eliminate their jobs and threaten their personal autonomy. Professor Arthur Miller published a bestselling book titled “The Assault on Privacy: Computers, Data Banks, and Dossiers,” and Congress held hearings examining whether the U.S. was turning into the surveillance state depicted in George Orwell’s novel “1984.”

Ware and his colleagues were optimistic computer nerds, confident that technology could help governments and businesses operate more efficiently while respecting important human values. They emphasized the “mutuality” of the relationship between data controllers and data subjects. In the



digital age, data subjects may have to share their personal information with a third party to receive services or government benefits. But in exchange, the third party must agree to limits on data use. This insight formed the basic structure of Ware's FIPs and many later versions of "fair information principles" that form the core of today's global privacy laws.

FIPS BECOME LAWS

Congress liked Ware's ideas so much that they used his FIPs as the foundation for the Privacy Act of 1974, one of the earliest national privacy laws that, more than 50 years later, still governs how federal agencies must treat the personal information of U.S. citizens. The law requires federal agencies to disclose what kinds of personal "records" they gather about U.S. citizens and limits how they may use those records. It correspondingly gives individuals the right to access and correct any records the agencies hold about them, and to sue agencies that misuse the records.

Ware had colleagues in other countries who were developing similar rules of the road for humans and computers. In 1980, two important multinational organizations, the Council of Europe (CoE) and the Organization for Economic Cooperation and Development (OECD), published "data protection" (i.e., privacy) guidelines for their member countries. The dual goals of these guidelines were to protect personal information and "harmonize" the privacy laws that individual countries were beginning to adopt.

Following Ware's approach, the CoE and OECD guidelines are based on a set of high-level privacy principles. For the CoE's authors, the purpose of this "common core" set of principles was to "guarantee to data subjects in all countries...a certain minimum protection with regard to automated data processing of personal data." If different countries' privacy laws shared a common baseline of privacy protections, then people's privacy would be protected and the data could cross national borders without restrictions. Although the OECD proposed eight fair information principles (instead of the five FIPs developed by Ware), they followed the same pattern: a few basic rights for data subjects and obligations for data controllers.

These guidelines were, and remain, hugely influential models for national privacy laws all over the world. The CoE document, known as "Convention 108," is still in effect and has been ratified by 55 countries, including almost a dozen non-European countries.

From our 2026 perspective, however,

the most important impact of these guidelines comes through the privacy laws that the European Union adopted in 1995 and then revised and updated in 2016. Article 5 of the 2016 law, commonly known as the General Data Protection Regulation (GDPR), lists six fair information principles that descend directly from the OECD list. Article 5 requires that personal data must be:

- Processed with "lawfulness, fairness, and transparency."
- Collected for limited purposes ("purpose limitation").
- Used only to perform agreed-upon services ("data minimization").
- Maintained in an accurate and up-to-date condition ("accuracy").
- Disposed of when no longer needed ("storage limitation").
- Protected from unauthorized use ("integrity and confidentiality").

A final, seventh "accountability" principle requires data controllers to comply with the previous six principles.

THE "BRUSSELS EFFECT"

The GDPR's Article 5 fair information principles may seem familiar to you because they have almost literally been copied and pasted into the privacy laws of dozens of countries around the world and many U.S. states. For example, the authors of the ballot initiative that created the California Consumer Protection Act (CCPA) used the principles listed in Article 5 as the model for the CCPA's section setting out the "General Duties of Businesses that Collect Personal Information" (Cal. Civ. Code § 1798.100).

One of the reasons the GDPR has been so widely imitated by the rest of the world is the GDPR's "adequacy" provision (Article 45). This section says that if a non-EU country has privacy protections that are "essentially equivalent" to those that the GDPR provides European citizens, the personal information of European citizens can be transferred to that country without additional legal protections.

Countries eager to increase their digital trade with the large and wealthy European market have a strong incentive to achieve "adequacy." The European Commission currently recognizes 15 countries (including Brazil, Japan, and—at least for now—the U.S.) as "adequate," but many others are vying for this favored status. This global interest in meeting Europe's privacy standards (sometimes called the "Brussels effect") means that most national privacy laws adopted over the past two decades have been modeled on the EU laws.

WHAT THIS MEANS FOR YOUR PRIVACY PROGRAM

It is easy to dwell on the quirky nuances and vocabulary of individual privacy laws. In one law, a data controller needs to have a "legitimate interest" to use personal data, while in another it must have a "business purpose." An entity can be a "processor" in one law, but a "service provider" or "business associate" in others. And, of course, no privacy law defines "personal information" or "personal data" in exactly the same way.

But when you look closely, you will see they are built on the same basic chassis that Ware and his colleagues designed many decades ago. Following Ware's "mutuality" model, the laws give data subjects certain rights over their personal information and hold data controllers accountable for honoring these rights.


For businesses trying to follow the letter and spirit of these privacy laws, accountability means:

- Clearly disclosing to data subjects (through a privacy policy or other documents) what information they are collecting and what they are doing with it.
- Giving data subjects access to their information and the ability to update, correct and delete it.
- Keeping track of the personal information they hold, using it only for purposes they have disclosed to data subjects, and getting rid of it when they no longer need it.
- Implementing security measures that protect the information from improper use or sharing.

A business that has implemented and maintains this framework has done most of the work necessary to comply with any privacy law in the world. In other words, if a business following these global "fair information principles" decides to enter a new market, it has already done most of the work necessary to comply with the privacy laws of the new jurisdiction. While the details of each law are important, it is equally important to recognize that privacy law is a global language.



John Williams, partner in Amundsen Davis's Cybersecurity & Data Privacy Service Group, advises companies of all sizes on data privacy and cybersecurity practices, helping them distinguish themselves and build trust. He can be reached at jwilliams@amundsendavislaw.com.



QUANTUM COMPUTING

A Potential Shift in Encryption and Litigation

Richard R. Marsh

Flaherty Sensabaugh Bonasso PLLC

Attorneys have always adapted to new technology and utilized those advancements in their practice, including in the areas of confidentiality, discovery, and the presentation of evidence. Quantum computing, once just a theory, is becoming real in small ways and will soon affect many industries, including law.

WHAT IS QUANTUM COMPUTING?

In discussions of quantum computing, devices such as desktops and smartphones are considered classical computers. Quantum computers are not just faster classical computers; rather, they work in a completely different way.

Any computer relies upon binary code: the basic language of all digital communications. Binary code is comprised of only two characters: 0 and 1. Classical computers use bits to express this code. This creates an “either-or” or “on-off” setup that limits how they compute. Quantum computers use qubits, which can be 0, 1, or both at the same time. This feature, called superposition, allows quantum systems to handle many possibilities simultaneously, greatly boosting their power for some tasks.

Quantum computers are not meant to take over everyday computing. They are built for specialized uses such as complex modeling, running simulations and analyz-

ing large amounts of data. These abilities could affect encryption, scientific research and product development.

FROM STRONG ENCRYPTION TO VULNERABILITY: A PRIVACY RECKONING

Quantum computing poses a real challenge to today’s encryption methods. In the past, attorneys did not need to know much about encryption, but now their professional duties require at least a basic understanding.

In the past, keeping information confidential meant locking up paper files. As digital records became common, attorneys also had to protect electronic data. Now,

they must follow rules such as HIPAA and state data breach laws, and guard against risks such as wire fraud. Due to these changes, attorneys could (and can) no longer ignore rules of encryption and instead had to have a basic user's understanding of the technical mechanisms by which their clients' sensitive information was protected. Today's encryption methods rely on mathematical problems, such as factoring large prime numbers or solving certain discrete logarithm problems. Classical computers cannot solve these math problems quickly. Quantum computers, on the other hand, can solve these problems much faster. A classical computer could take thousands of years to crack an encrypted file, whereas a quantum computer might only take hours.

In response, governments and industry are developing post-quantum cryptography or PQC. PQC encompasses new encryption methods designed to withstand quantum attacks. Transitioning to PQC will take years; the U.S. government aims to mitigate quantum-related risks by 2035.

Attorneys should keep an eye on this change. Big companies such as Microsoft and Google are working to add PQC to their systems, which matters because so many people use cloud services. Still, lawyers need to carefully select and vet vendors to ensure data remains safe.

Importantly, even before quantum systems become mainstream, attorneys must still practice good cybersecurity and encryption protocols. Attackers have been focused on a "harvest now, decrypt later" strategy, which is already in use. With this strategy, bad actors may collect encrypted data today, anticipating future decryption capabilities. This reinforces the need for continued vigilance in data security as part of an attorney's duty of confidentiality.

THE COURTROOM OF THE FUTURE: SIMULATION, EVIDENCE, AND LIABILITY

Technology has steadily transformed courtroom practice, from overhead projectors to digital presentations and AI-assisted tools. Attorneys started with overhead projectors and then started using computers to present slide decks. Today, the presentation of video and audio recordings is almost expected. And with the latest AI advancements, "on the fly" slide decks can be prepared as part of openings or closings to provide near real-time advocacy to the jury.

Expert witnesses have frequently relied upon technology in developing and presenting their opinions. This technology includes modeling software for accident reconstruction, engineering analysis and financial projections. Courts have responded to this

modeling software by developing standards, such as Daubert, to evaluate the reliability and admissibility of such evidence.

Quantum computing has the potential to significantly enhance these capabilities. One key application is advanced simulation. For example, in pharmaceutical research, companies want to model chemical interactions before performing lab experiments. Classical computers have a difficult time with these and similar scenarios. Quantum systems can run multiples of those scenarios and thereby model chemical interactions with significant accuracy. Instead of relying on limited scenarios and then focusing on physical experiments, researchers can simulate numerous scenarios and refine their hypotheses before testing a closer-to-final product in the lab. As a result, quantum computing is predicted to greatly change pharmaceutical research and lead to quicker creation of new drugs.

The advancement in scenario simulation could translate directly into litigation. Experts in product liability cases, for instance, currently analyze a limited number of scenarios to assess defect or foreseeability. Quantum computing could enable them to simulate hundreds or thousands of variations, generating a broader, more detailed evidentiary record.

These enhanced simulations could benefit both plaintiffs and defendants. Plaintiffs may use them to demonstrate that harm was likely across a wide range of conditions. Defendants could simulate the occurrence and show that it could only occur under rare or unforeseeable circumstances. Early adopters of quantum tools could gain a significant strategic advantage.

At the same time, these developments will raise familiar evidentiary issues. Courts will still need to evaluate whether quantum-generated evidence is reliable, testable, and reproducible under Daubert. Questions of transparency may become more complex if opposing parties lack access to comparable technology. Attorneys with a working understanding of quantum methods will be better equipped to address these challenges.

DISCOVERY REIMAGINED: QUANTUM-ACCELERATED ANALYSIS

Over the last 25 years, discovery has changed significantly due to the rapid growth of digital information. Moreover, with e-discovery, there is "hidden" information to find and disclose. Historically, in large lawsuits, teams of attorneys and staff would review thousands or perhaps millions of documents for relevance, privilege and responsiveness. This process was obviously time-consuming and expensive.

Artificial intelligence and machine

learning have already improved document review by increasing speed and accuracy. Courts have largely accepted these tools and their methodologies.

Quantum computing is positioned to make another leap forward for large-scale document review. Quantum algorithms are especially adept at solving optimization problems, including the identification of related documents, the determination of communication methods, and the detection of patterns of concealment or spoliation. They can process and categorize documents far faster and on a larger scale than classical computers. These quantum algorithms will be better able to tackle discovery-intensive large lawsuits.

Quantum systems will make discovery much more efficient by sorting and analyzing data faster than ever before. As with earlier technologies, attorneys need to know how these tools work, including their limitations and potential pitfalls. If they do not, then they are poorly positioned to supervise their use or to respond when opposing counsel challenges the methodology. Those who learn about quantum tools early will probably work more efficiently and have better strategies.

CONCLUSION

Quantum computing is moving from theory to practical reality, with meaningful implications for encryption, discovery and evidence. While it will not replace classical computing, its ability to disrupt existing encryption and expand simulation capabilities introduces both risks and opportunities.

As post-quantum cryptography becomes standard and quantum-enhanced tools enter legal practice, attorneys will need to understand these technologies as part of their professional obligations. Those who proactively engage with these developments will be better positioned to safeguard client data, evaluate emerging forms of evidence, and advocate effectively in a changing technological landscape.



Richard Marsh is an attorney in Flaherty's Morgantown, West Virginia, office, focusing on trust and estate planning, administration and litigation; real property; general business representation; and municipal law. He has developed

a growing interest in cybersecurity and data privacy issues. Richard is expanding his practice to help clients safeguard sensitive information, manage cyber risks, and navigate the legal implications of data breaches and digital asset protection. He may be reached at 304.225.3057 or rmarsh@flahertylegal.com.

THE MORE THINGS CHANGE, THE MORE THEY STAY THE SAME



Chris Torrens and **Allison Sweeney** S-E-A

The courtroom was quiet in that way that suggests a turning point in the case. Papers were stacked neatly, laptops open, the low voices of attorneys giving way to anticipation as the expert witness's report, central to the case, was brought into focus. It had been presented during discovery as authoritative and meticulous, the product

of years of experience. And then cross-examination began. An odd phrasing here, an improper citation there. Something felt off. Within minutes, all unraveled as it was discovered that the report hadn't just been written by an expert, it had been generated in part by artificial intelligence (AI). What followed was the swift and decisive collapse

of credibility as the judge moved to strike the testimony entirely from the record.

In a recent Harvard Business Review podcast interview, McKinsey & Company CEO Bob Sternfels offered a glimpse into how the firm is reshaping its strategy around AI. Asked about the company's size, his answer reflected an important shift in

how that question is even defined. “I update this almost every month,” he said, “but the latest number is about 60,000—40,000 humans and 20,000 agents.” Just a year and a half ago, McKinsey had roughly 3,000 AI agents, and Sternfels expected it would take until 2030 to reach a one-to-one ratio of agents to employees. Now, he believes that milestone is less than 18 months away, with every employee supported by at least one AI agent.

Forensic engineering and the surrounding industries are reaching a similar inflection point, one that underscores a familiar truth: the more things change, the more they stay the same. Today’s tools, such as advanced simulation software, high-resolution scanning, drone-based inspections, non-destructive CT scan abilities and much more, are more powerful and accessible than ever, allowing us to gather data faster and with unprecedented precision. Yet as the volume and complexity of that data increases, so does the need for experienced human judgment and, perhaps even more importantly, the relationships that support it.

Technology can identify patterns, flag anomalies, and compare datasets, but it cannot replicate the trust built among engineers, clients, attorneys, and courts. It cannot replace the nuanced discussions that shape an investigation, the gut instinct that guides questions, or the credibility earned through years of practice. In a field where conclusions must stand up to scrutiny, it’s not just about *what* the data shows; it’s about *who* interprets it, *how* it’s communicated, and whether it’s trusted. As the investigative and analytical tools we use every day continue to evolve, they don’t diminish the role of the human; they elevate it, reinforcing that while the methods may change, the responsibility and that human element at its core, remains the same.

As the unending growth of technologies and AI becomes even more embedded in our professional workflows, one thing that remains indispensable is the critical role of human judgment. While these systems can process massive amounts of information and generate outputs at remarkable speed, they still lack the ability to do what humans can: weigh context, assess credibility, and make principled decisions in uncertain or high-stakes situations.

Let’s say a civil/structural engineer investigates a building collapse. This individual will use high-resolution scan data to map the building, and perhaps that data shows areas of deterioration that might point to an obvious reason for the collapse. But the engineer, being able to draw on experience, will also look into things like build-

ing history, codes and standards, periods of maintenance, as well as load distribution. These other factors could perhaps bring them to a completely different outcome than what the initial scan data suggested. This professional judgment is shaped by experience, ethics, and accountability and still remains the constant that determines whether data is relevant, reliable, or appropriate to act upon. In fields like engineering, conclusions carry real legal, financial, and safety consequences. This is why it is ultimately the human expert who must interpret the results, challenge assumptions, and stand behind their outcomes. Technology may evolve, but the need for thoughtful, accountable decision-making endures.

That same principle extends beyond individual judgment to the need for collaboration across disciplines and even industries. As technology advances, investigations rarely live within the boundaries of a single expertise. That same building collapse, for example, may require input from structural engineers, but what about corrosion of metals like rebar or steel beams? What about the foundation settlement under the building? What about warnings or hazard communication failures? Materials experts, geotechnical engineers, mechanical engineers, and even human factors specialists each bring a different lens that technology alone cannot replicate. The scan data may show *what* happened, but it takes a coordinated effort from professionals to understand *why* it happened. These conversations during site inspections, debates in conference rooms, and shared insights over a meal are where critical connections are made and assumptions are tested. It is this multidisciplinary collaboration that ensures conclusions are not only technically sound but also complete, credible, and able to withstand real-world scrutiny.

Just as critical is the role of personal relationships and building trust, something that has always been foundational, regardless of how much the tools around us continue to evolve. With all these steady increases and advances in technology and AI, decisions are still made, accepted and defended by people. Clients rely on engineers they trust. Attorneys depend on experts who can clearly and credibly communicate their findings. And courts weigh not just the data, but the confidence and integrity behind it. These relationships aren’t built by algorithms; they are developed over time through consistency, transparency, and professional accountability. You’ll always remember the engineer who calls you with empathy to break the bad news that your client was responsible for the incident,

or the one who answers the phone at any time of day to talk through the nuances of a tricky case. As technology accelerates the pace and complexity of our work, it doesn’t replace this human element, it reinforces it. Because at the end of the day, no matter how sophisticated the tools become, trust remains the real piece that gives conclusions their weight.

Think of the opening scenario in a different way. The courtroom was quiet as the expert’s report, central to the case, was brought into focus. As questions began, nothing wavered. Each answer was clear, supported by both advanced tools and deep expertise. The data held, the conclusions aligned, and the credibility of the expert was strengthened. In the end, the report and testimony were allowed by the judge and helped shape the outcome of the case.

The contrast between these two scenarios is clear. In one courtroom, credibility unraveled in moments. In another, it held firm because it was built on experience, reinforced by relationships, and supported by technology used in the right way. That is the balance the profession and the industry must continue to strike. The tools will keep advancing. The data will keep growing. AI will keep suggesting outcomes. But the right outcome will always depend on the same constants: sound judgment, collaborative insight, and the trust earned over time. Because when the questions begin, and they always do, it won’t be the technology that answers them. It will be the expert. And that is why, no matter how much the landscape evolves, the foundation remains unchanged.



Chris Torrens is vice president of business development at S-E-A, located in the Baltimore, MD, office. With over 25 years of experience in the forensic engineering, fire investigation and consulting space, Chris and his team are responsible for the development and oversight of S-E-A’s business development concepts and strategies.



Allison Sweeney is the manager, marketing projects based out of S-E-A’s Columbus, Ohio, office. In her current role, Alli conceptualizes digital and print marketing campaigns, plans corporate and regional events, updates and runs the company’s social media presence and website, and works to generally maintain and enhance the company’s brand recognition.



HIPAA AT TWENTY-FIVE

The Evolution of Privacy Law and Its Expanding Reach

Sydney Stuart MehaffyWeber

Twenty-five years ago, privacy law was a relatively modest corner of American regulatory practice. It largely consisted of discrete, sector-specific statutes, rarely discussed outside compliance departments and seldom treated as a board-level risk. Today, privacy law is one of the most consequential and fast moving areas of regulation, touching nearly every aspect of modern business operations and legal practice. As technology has reshaped how information is created, stored, shared, and monetized, privacy law has evolved in lockstep—often reactively, and sometimes imperfectly, but consistently expanding in reach and importance. Today, privacy regulation sits squarely at the intersection of business operations, cybersecurity, litigation risk, and professional responsibility.

Few statutes illustrate this transformation more clearly than the Health Insurance Portability and Accountability Act of 1996 (HIPAA). What began as an effort to promote insurance portability and administrative efficiency has become one of the most influential privacy regimes in American law. HIPAA's reach now extends well beyond hospitals and physicians to insurers, vendors, litigation support teams, and law firms—often in ways that would have seemed implausible

when the statute was first passed.

This article looks back at how privacy law has evolved over the past quarter century and examines how HIPAA, in particular, has come to shape the daily realities of clients, insurers, and practicing attorneys.

THE PRIVACY LANDSCAPE

At the turn of the millennium, U.S. privacy law was defined more by fragmentation than by coherence. Rather than a unified body of principles, practitioners navigated a collection of targeted statutes, each addressing a narrow slice of personal information:

- The Privacy Act of 1974, governing federal agencies
- The Fair Credit Reporting Act (FCRA), focuses on consumer credit data
- The Family Educational Rights and Privacy Act (FERPA), protecting educational records
- The Video Privacy Protection Act (VPPA), famously aimed at video rental histories
- HIPAA, enacted in 1996 but not fully operational until the early 2000s

What was largely absent from this land-

scape was a shared understanding of data as both a core business asset and a significant legal liability. A broad, unified concept of “data privacy” as we understand it today had not yet firmly taken hold. Cybersecurity rarely features in boardrooms. Compliance programs were lean. And few organizations appreciated that a single privacy failure could simultaneously trigger regulatory scrutiny, civil litigation, contractual exposure and reputational harm.

That world would not last long.

THE FORCES THAT CHANGED EVERYTHING

Several converging developments fundamentally altered the privacy landscape over the ensuing decades.

Digitization Became the Default. Paper records gave way to electronic systems, and electronically stored information became the norm across industries. Efficiency increased, but so did vulnerability. Regulatory attention followed closely behind.

Personal Data Became a Commodity. The rise of e-commerce, social media, mobile platforms, and cloud computing transformed personal information into both currency and risk. Data could be leveraged, monetized, shared—and breached.

Cyber Incidents Went Mainstream. Highly publicized breaches made clear that data security failures carried staggering financial, legal, and reputational consequences. Health care systems and insurers, in particular, became frequent targets.

Data Crossed Borders. Global data flows forced policymakers to confront inconsistencies among national privacy regimes. European developments – most notably the General Data Protection Regulation (GDPR) – began influencing U.S. expectations even without their outright adoption.

Public Expectations Shifted. Consumers increasingly demanded transparency, accountability, and meaningful control over their personal information. Privacy concerns moved from the abstract to the personal.

Together, these forces transformed privacy law from a background compliance issue into a central operational concern. In the business and insurance context, they vaulted HIPAA from a sector-specific statute to a de facto privacy and security benchmark for privacy and security practices

EXPANDING PRIVACY EXPECTATIONS IN THE UNITED STATES

Despite the absence of a single comprehensive federal privacy statute, the United States has seen significant expansion of privacy regulations through overlapping mechanisms.

State Privacy Laws. An increasing number of states have enacted consumer privacy statutes modeled loosely on GDPR style principles. Although many of these laws carve out HIPAA covered data, they still intersect with health care and insurance operations through breach notification requirements, vendor oversight, and data governance obligations.

Federal Enforcement Through the FTC. Relying on its authority to police unfair and deceptive practices, the Federal Trade Commission has effectively assumed the role of a national privacy regulator. Its enforcement posture reshaped expectations across industries, including health care and insurance.

HIPAA's Regulatory Maturation. HIPAA itself has evolved through successive layers of regulation, including the Privacy Rule,

the Security Rule, the Breach Notification Rule, the HITECH Act, and subsequent omnibus updates. Collectively, these developments produced a robust and continuously evolving framework that reaches far beyond hospitals and physician offices.

HIPAA'S QUIET EXPANSION

HIPAA was never intended to be the backbone of American privacy law. Over time, however, it has effectively assumed that role within the business and insurance ecosystem.

Defining the Rules of Disclosure. The Privacy Rule formalized limits on the use and disclosure of protected health information (PHI) while granting individuals enforceable rights. These requirements reshaped how information flows among providers, insurers, vendors, and counsel.

Requiring Ongoing Security Judgment. The Security Rule established a flexible, risk based obligation to safeguard electronic PHI. For insurers and law firms managing large volumes of sensitive data, this obligation is both demanding and legally consequential.

Making Breaches Public. The Health Information Technology for Economic and Clinical Health Act (HITECH) introduced mandatory breach notification and significantly expanded enforcement authority. Public reporting obligations, regulatory investigations, and reputational fallout became unavoidable features of data incidents.

Bringing Business Associates into the Fold. Perhaps most significantly, HIPAA now directly regulates business associates. Law firms that handle medical records—whether in claims administration, litigation, or employment matters—are no longer peripheral participants. They are regulated entities with independent compliance obligations.

PRACTICAL IMPLICATIONS FOR CLIENTS, INSURERS AND LAW FIRMS

Clients. For client organizations handling PHI, HIPAA compliance has evolved well beyond a static checklist. Meaningful compliance now requires formal policies, workforce training, periodic risk assessments, and tested incident response plans.

Technology safeguards—from encryption to access controls—are essential, not optional. Enforcement risk has increased, with investigations often lasting years even when no penalties are ultimately imposed. Reputational stakes are higher than ever.

Insurers. Insurers sit at the crossroads of health care delivery, data, and regulatory oversight. They process enormous volumes of PHI, rely on complex vendor ecosystems, and must underwrite privacy risk amid shifting enforcement standards. HIPAA compliance is now inseparable from insurers' operational and underwriting strategies.

Law firms. Law firms, particularly those in litigation and insurance defense, have experienced HIPAA's expansion acutely. Firms handling PHI are business associates subject to direct regulatory obligations. Clients increasingly demand sophisticated cybersecurity controls and documentation. Discovery involving PHI requires careful management, from protective orders to secure data transfer and storage. Ethical duties of competence and confidentiality now clearly encompass privacy and cybersecurity literacy. In practice, firms are expected to operate with security sophistication approaching that of their clients.

LOOKING AHEAD

Over the past 25 years, HIPAA has evolved from a narrow administrative statute into a defining pillar of American privacy law. In doing so, it has reshaped the obligations of clients, insurers, and legal professionals alike.

For attorneys advising clients in these spaces—or simply handling medical records in the ordinary course of practice—HIPAA compliance is no longer incidental. It is a core professional responsibility and a strategic imperative.

The next phase of privacy law will be shaped by increased use of artificial intelligence, remote care, and connected health technologies, alongside escalating cyber threats and continued pressure for privacy reform. HIPAA will remain foundational—but it will not stand still.



Sydney Stuart has been practicing law for over three decades and is a shareholder with the firm of [Mehaffey Weber](#). Sydney has an active insurance defense practice and extensive in-house and general counsel experience in both insurance and health law. She has first-chair litigated over 40 jury trials to verdict and is a credentialed and experienced mediator.

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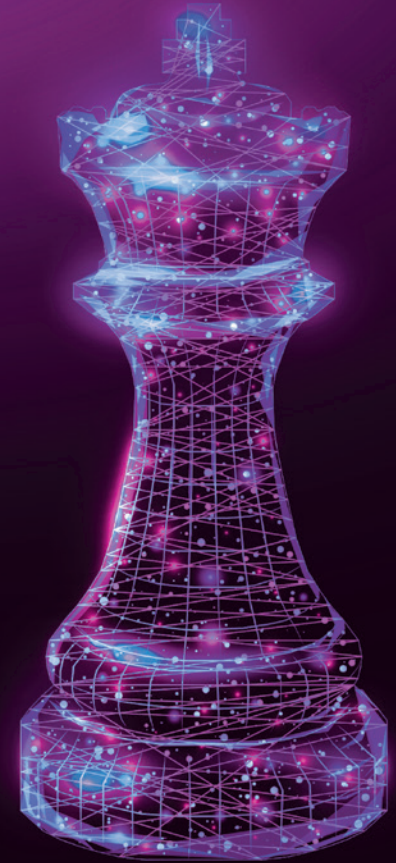
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WHEN TECHNOLOGY BECAME STRATEGY

How data, analytics, and AI have reshaped the way litigation is investigated, evaluated, and tried

Deborah Temkin, CA (SA), CFE, MMI, eDex MDD Forensic Accountants



INTRODUCTION

I remember all too well the experience of searching for relevant financial documents in warehouses filled with paper records in the 90s and early 2000s.

Nowadays, the quest for relevant evidence is executed at a desk, using technology that we had not even begun to imagine in 2001. Today, litigation involves massive volumes of data extracted from emails, text messages, accounting systems and cloud platforms. What once took months of manual review can now be found in hours using sophisticated review platforms and advanced analytics.

The legal technology revolution began in the early 2000s, when corporate scandals such as Enron and WorldCom established that critical evidence was no longer confined to paper. Email and other electronic records moved to the center of cases, offering attorneys a direct view into the decision-making and intent of the parties involved. Technology was moving at lightning speed through a legal system that had not anticipated the sudden information dumps.

The impact on forensic accountants, often brought in as consultants or expert witnesses to assist on cases with financial aspects to them, has been just as significant. Financial evidence is no longer limited to ledgers and bank statements. It now includes transactional data, system logs, communications, and digital artifacts that, when considered together, tell a more complete story than the numbers alone.

In 25 years, technology has moved from the background to the center of litigation, influencing how attorneys and their experts build case theories, assess risk, and present complex issues clearly and persuasively. Understanding how we got here helps explain what litigation looks like today and where it is heading next.

2001–2008: DIGITAL EVIDENCE RESHAPES LITIGATION WORKFLOWS

The early 2000s marked a turning point. High-profile corporate failures showed that electronic communications often contained the most revealing evidence. Emails, internal drafts, and accounting system data helped explain not just what happened, but how

decisions were made, who was involved and when events occurred.

For forensic accountants, this meant rethinking how financial investigations were conducted. Financial records alone were no longer enough. A journal entry might look routine on its face, but when paired with internal emails discussing pressure to meet earnings targets, it could tell a very different story.

At the same time, the sheer volume of data quickly became overwhelming. What once felt like an unmanageable amount of paper was dwarfed by the scale of electronically stored information (ESI). Relevant evidence could be buried in hundreds of thousands of documents across multiple systems and entities, increasing the risk of missing the “smoking gun.”

Having no alternative, attorneys and courts were applying traditional discovery approaches to this new type of evidence. A framework for handling ESI was urgently needed, prompting the 2006 amendments to the Federal Rules of Civil Procedure. Even then, the available technology lagged behind the demands of modern discovery.

Keyword searches and manual linear review remained the norm, often hindering and slowing the process, making it prohibitively expensive.

2008–2016: WHEN DATA ANALYSIS BEGAN SHAPING STRATEGY

As technology continued to evolve, so did the scope of evidence in litigation. Smartphones, text messaging, cloud computing, and social media introduced entirely new sources of data. Financial activity became increasingly intertwined with communication and operational systems.

At first, this compounded the challenge. Data volumes continued to grow, costs increased, and review timelines stretched out. The risk of missing something important grew even greater.

Over time, better tools began to change the equation. Technology-Assisted Review allowed teams to prioritize documents more efficiently, reducing the need for extensive manual review. Courts gradually became more comfortable with these methods, which helped drive broader adoption.

Analytics tools also improved, with email threading making it easier to follow conversations and clustering group-related documents.

At the same time, forensic accounting became even more data driven. Forensic accountants could now analyze entire populations of transactions. This made it easier to identify patterns that stood out, such as round-dollar payments, unusual vendor relationships, or timing that did not match normal business activity.

In bid rigging and revenue recognition cases, analytics made it possible to identify pricing patterns, bidder behavior, and transactions that did not align with historical trends or underlying operations.

Computer forensics added another critical layer of insight. Metadata and system logs made it possible to see when transactions were created, modified or deleted. This helped build clearer timelines and connect financial activity to user behavior.

Together, these developments marked a shift away from data review as a downstream exercise and toward data analysis as a strategic input. This shaped how cases were investigated, where discovery was focused and which issues emerged as central.

2016–PRESENT: AI AND THE INTEGRATION OF DATA INTO LITIGATION STRATEGY

Over the last decade, litigation technology has become more integrated and more influential. Platforms now routinely combine data collection, processing, review and analysis within a single environment. This

integration has made it easier to connect communications, financial data, system logs and user activity, providing attorneys and their experts with the full evidentiary picture rather than isolated data points.

Although nascent, Artificial Intelligence (AI) is already central in this shift. AI-enabled tools are commonly used to identify relevant documents, flag unusual transactions, and reveal connections between individuals and financial activity. These tools have significantly reduced the time required to sift through large data sets, allowing litigation teams to focus more on interpretation and judgment rather than on data management.

Generative AI has also begun to play a role in litigation support. In the last several years, these tools have been used to summarize large collections of documents, assist with drafting, and help translate complex analyses into clearer narratives. While human oversight remains essential, these capabilities have already changed how work is performed and how insights are communicated.

At the same time, computer forensics has expanded in scope. Investigations increasingly involve reconstructing activity across multiple devices, cloud platforms and enterprise systems. This has made it possible to link financial transactions more directly to user behavior, strengthening timelines and providing greater insight into intent and control.

Together, these developments have changed how litigation is approached. Data analysis is no longer confined to later stages of a case or limited to supporting conclusions reached through other means. Instead, it has become central to litigation strategy, informing early assessments, shaping discovery priorities and influencing how cases are positioned and pursued.

THE FUTURE: WHERE LITIGATION IS HEADED

Looking ahead, technology is poised to play an even larger role in litigation strategy. Predictive analytics tools are being developed to identify risk patterns and assist in evaluating potential outcomes at earlier stages of a dispute. While still evolving, these tools point to a future in which litigation decisions are increasingly informed by deeper and more sophisticated data analysis.

Artificial intelligence is also expected to continue expanding its role in areas such as anomaly detection and transaction analysis. As these capabilities improve, they may allow potential issues to be identified earlier and with greater precision, helping litigation teams focus their efforts on the most consequential facts.

At the same time, the legal and regulatory landscape will continue to evolve. Courts are likely to articulate clearer standards governing the use of AI and advanced analytics in litigation. As a result, ensuring that analytical methodologies remain transparent, defensible, and well documented will become even more important.

The role of the forensic accountant is expected to continue changing alongside these developments. In addition to traditional financial expertise, future engagements will increasingly require an understanding of data systems, technology, and digital behavior, reflecting the growing integration of analytics and technology into litigation practice.

CONCLUSION

Over the past 25 years, litigation has undergone a fundamental shift. What started as a move away from paper has become a fully data-driven approach to investigating and resolving disputes.

Today, cases are no longer built solely on documents or financial records. They are built by connecting the numbers to the surrounding data, the communications, system activity, and user behavior, to understand what really happened.

For attorneys, this shift has real, practical implications. It means engaging with data early in the case, not waiting until discovery is well underway. It means working closely with forensic and technical experts from the outset to identify key issues and risks. And it means being prepared to explain complex data in a way that is clear and persuasive to judges and juries.


The core objective of litigation has not changed. It is still about telling a compelling and credible story. What has changed is how that story is built. Increasingly, it is grounded in data and shaped by tools that allow attorneys to see the facts more clearly and act more quickly.

The past 25 years have shown that the future of litigation will belong to attorneys who understand this shift, who are comfortable at the intersection of law, data, and technology, and who can turn data into insight and insight into effective strategy.



Deborah Temkin is a managing director with a focus on disputes and litigation in MDD's Chicago office. Deborah has almost 30 years of experience, working in the forensic accounting, litigation dispute and eDiscovery areas.

Deborah enjoys working with law firms, in-house counsel and C-Suite executives.



MASS TORTS THROUGH THE DECADES

Paul V. Majkowski
Rivkin Radler LLP

With mass torts as with many things in life, the aphorism – the more things change, the more they remain the same – rings true.

Legal practitioners still grapple with the issue of causation and how to achieve collective redress, key issues in one of the seminal mass tort litigations involving Agent Orange, the herbicide formulation developed and used by the U.S. military during the Vietnam War.

We continue to look for the next asbestos – PFAS (per/polyfluoroalkyl substances) and the herbicide, Roundup, are among the recent candidates – yet asbestos litigation continues apace with the emergence of cosmetic talc litigation; and we might wonder if ultra-processed foods will become an analog to the tobacco litigations.

Given the hurdles in prosecuting traditional toxic tort and product liability theories for a class, there has been a trend toward seeking class action relief based on consumer protection theories (which com-

pare to an earlier trend of class actions seeking “medical monitoring” on a class-wide basis without needing to prove injury).

AGENT ORANGE RETROSPECTIVE

One of the first chapters in the mass torts story is the Agent Orange litigation. The cases were presided over by late federal district judge Jack Weinstein, who is commonly referred to as the Father of Mass Torts for his innovations in handling such matters, including his use of special masters and creative settlement and claim administration processes.

As some basic background, lawsuits against the chemical companies that produced the herbicide for the U.S. government under contracts governed by the Defense Production Act were first commenced in the late 1970s, with some 600 cases later being consolidated in a federal multi-district litigation. These cases alleged a variety of diseases arising out of purported

exposure to Agent Orange and, more particularly, trace amounts of dioxin formed during the production of the formulation’s 2,4,5-T component (measurable in an average concentration of less than 2 parts per million). The matter was ultimately certified as a class action encompassing veterans from the U.S., Australia and New Zealand, along with their spouses, children and parents. On the eve of trial in May 1984, the case settled with seven defendants agreeing to pay \$180 million into a settlement fund to be established and administered by the court.

Issues over the application of class action principles and standards for causal proof in the mass torts context – which Judge Weinstein tried to solve in the Agent Orange litigation – have persisted across the succeeding decades of mass tort practice.

MASS TORT CLASS ACTIONS

As individual issues (exposure, medical history) typically predominate over

common issues in the mass tort context, proceeding by class action is uncommon. Agent Orange was an exception; Judge Weinstein is said to have structured a class action to engineer a settlement.

But a problem that emerged with respect to treatment of the Agent Orange claims on a class basis was how a mass tort settlement could be applied to future claims, affording settling defendants a complete resolution. The Agent Orange settlement fund was designed to last for 10 years; however, beginning in 1998, new lawsuits were filed by veterans claiming their diseases were not discovered until after the settlement fund was exhausted, and they were therefore not bound by the class settlement. Judge Weinstein dismissed the newly filed cases as barred by the 1984 class settlement, but the Second Circuit concluded that such future claimants could not be bound to a class settlement without violating their due process rights.

The resolution of future claims has significantly impeded class treatment of mass torts, resulting in delays and inefficiencies. A proposed class settlement of Roundup claims in Missouri State Court tackles the future claims issue by providing for its compensation program to last for 21 years, though the Federal judge presiding over the Roundup MDL questions whether it could legally bind people who may develop cancer in the future.

MASS TORT CAUSATION AND EXPOSURE

Causation and exposure remain battleground issues for mass toxic torts. To support approval of the Agent Orange class settlement, the courts acknowledged the weakness of the evidence supporting a causal link between Agent Orange and the myriad diseases claimed by the veterans. Judge Weinstein later observed that “in the 1970s, 1980s and 1990s, the courts concluded that none of the available evidence would support a finding to a more-probable-than-not standard of causality between exposure to Agent Orange and disease.” As for Agent Orange exposure, although there is historical data on the timing and parameters of spray missions and troop locations, the National Academy of Medicine describes it as an “intractable” scientific issue.

The tug-of-war over causation and exposure has continued in the mass torts arena. Pulling in one direction, scientific evidence is now generally more accessible and available to plaintiffs. Researchers’ ability to gather and analyze data for epidemiological studies is always improving, aided by advancements in AI, and scientific liter-

ature continues to proliferate. Regarding exposure, methods to detect substances in the environment and the human body have become increasingly sensitive, along with methods to model exposure pathways. In addition, we have seen the hazard classifications issued by the International Agency for Cancer Research (IARC) become more impactful over the years, perhaps most prominently with its 2015 assessment of glyphosate as probably carcinogenic, playing a key role in the Roundup litigation. (Regarding IARC, we might flag its 2025 monograph upgrading its classification for automotive gasoline to “carcinogenic to humans” as a potential source of new litigation.)

Pulling in the other direction, first, with the expanse of scientific literature, provenance and quality have become significant concerns. Indeed, issues have arisen on both the plaintiff and defense sides. While a scientific journal recently retracted a glyphosate paper based on questions of “authorial independence,” in other instances, papers authored by plaintiff experts have been subject to efforts to quash as nothing more than made-for-litigation science. Amendments to Federal Rule 702, effective in 2023, were intended to reinvigorate the federal courts’ gatekeeping role on expert scientific evidence in response to growing criticism that courts were inadequately fulfilling that role, including deferring consideration of expert evidence to the jury as a matter of its strength or weight. The 2023 amendments clarified that a court must review expert testimony as a preliminary question, finding whether its admissibility is established by a preponderance of the evidence and the expert’s “opinion reflects a reliable application of the principles and methods to the facts of the case.”

ALTERNATIVE MASS TORT THEORIES

Given the causation battleground and lack of class-wide relief in a traditional toxic tort context, it is not surprising that claimants have sought out other theories on which to base recovery. Around the 1990s, claims for class-wide medical monitoring, which would not require a fulsome showing of causation and provided recovery for “no-injury” plaintiffs, became a trend, but those cases had mixed results.

The current trend to avoid the elements of a traditional toxic tort case and invoke class-wide relief has been to attack a product’s alleged toxic hazards under various consumer protection statutes and causes of action, asserting that the consumer was misled because some undisclosed, potentially hazardous substance is

in the product.

For instance, as a corollary to the Roundup cancer cases, consumer class actions were brought alleging that the purported presence of glyphosate in breakfast cereal (used on wheat crops), was misleading insofar as the product was advertised as “natural.”

PFAS have been a broader target in this regard. PFAS are referred to as “forever chemicals” because they do not break down in the environment or the body due to an exceptionally strong carbon-fluorine bond, and they have been linked to cancer, liver damage and weakened immunity, among other things. The substances are found in numerous consumer products (nonstick pans, stain-resistant carpets, grease-resistant paper used in food packaging, cosmetics, etc.), leading to consumer lawsuits based on the nondisclosure or misdescription of the presence of PFAS in the product and their attendant risks. For example, suits have been filed against cosmetics manufacturers on the theory that the presence of PFAS in their products contradicts their representation of the product as providing “sustainable beauty.”

WHAT’S NEXT?

Predicting the next mass tort, we might follow the growing focus on ultra-processed foods (UPFs) as foretelling a litigation trend. One of the early UPF cases analogized the food companies to the tobacco industry for concealing health risks while using “addiction science techniques and predatory marketing campaigns.” The case was dismissed, though, with the court relying on the traditional exposure and causation standards, observing that the plaintiff failed to “allege how often he consumed Defendants’ products, in what amounts, or when” and “[e]ven putting aside the reality that [his] diseases have a multitude of causes, there are simply not enough facts to suggest that Defendants’ products caused Plaintiff’s harm.”

For the mass torts process, it seems the primary issues and our tool kits will largely resemble earlier versions.



Paul V. Majkowski is a partner with Rivkin Radler LLP in Uniondale, New York. He focuses on the defense of complex mass toxic tort and class action litigation in both domestic and foreign forums, in matters involving herbicides, pesticides and other chemicals. He can be reached at paul.majkowski@rivkin.com.

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SURVIVAL OF THE ARTIFICIALLY FITTEST

How AI Is Rewriting Litigation Strategy and Evidence for the Civil Defense

Alison Sausaman and Austin Sherman Carr Allison

Technology has always reshaped the practice of law, but the current speed at which it is evolving is unprecedented. In the last couple of years, artificial intelligence (“AI”) has transformed from an abstract, hypothetical, and extremely daunting curiosity that clients forbade practitioners from using to a nearly mandatory tool that lawyers are expected to utilize. For general counsel, risk managers, claims professionals, and business professionals who oversee claims and litigation, the implications seem immediate and concrete: the teams that embrace these technologies will be equipped to resolve cases or litigate more effectively and efficiently. The teams that do not will be playing catch-up against opponents (and competitors) who already have. With the growing acceptance and implementation of AI in the legal profession, trial attorneys, risk managers, and legal departments must accept that, while AI is not going to steal their jobs, legal professionals who embrace AI will.

WHERE WE CAME FROM — AND HOW QUICKLY THINGS CHANGED

Every generation of legal professionals has faced a technological advancement they believed signaled the beginning of the end. Whether it is the creation of e-mail, digital legal research databases, claims handling software, or LegalZoom, legal professionals have shown their resilience by embracing and incorporating these changes to better our profession. When it comes to AI, document review

presents the perfect case study and illustrative example of how AI can be embraced. Historically, document review meant armies of attorneys and paralegals digging through bankers’ boxes of documents in boardrooms, sifting through millions of pages of documents at substantial hourly rates. Document review was first revolutionized



by digital evidence collection and review, wherein scrolling replaced paper shuffling and “control F” made “find” everyone’s favorite four-letter word.

Now, the next document review revolution is upon us as OCRing quickly becomes a relic of the past with the introduction of Co-Pilot, Harvey, ChatGPT, Claude,

Perplexity, and so many others — which have demonstrated they can draft, summarize, analyze, and brainstorm at a scale no human team could ever match, no matter how much coffee was consumed. Between 2024 and 2025, the percentage of lawyers using some form of generative AI more than doubled. The legal profession quickly abandoned its original skepticism and broadly adopted the use of AI. This adoption paid, and will continue to pay, dividends.

WHAT AI DOES WELL

Here is what most savvy defense practitioners are already doing with AI on a daily basis.

Early case assessment and triaging. Defense counsel can now upload an entire case file — claim notes, incident report, witness statements, police reports, medical records, photographs, repair estimates, trucking logs, text messages, emails, policies and procedures, training materials, handbooks, personnel files, black box downloads — into a secure, closed AI platform and receive an immediate summary of pertinent information. This enables counsel to quickly learn an entire file and have a tailored, interactive roadmap of its contents with easy-to-use hyperlinks to every critical piece of information, so that they can easily navigate even the most voluminous files. Defense counsel can have a structured evaluation of liability, causation, damages, and settlement range within minutes. For outside counsel, in-house counsel, and risk and claims professionals managing hundreds of open

files, this is a transformative triage tool. AI should not be used instead of human review of a file, but rather as a tool to guide and focus human review and help find the proverbial needle in the haystack. AI is essentially going through the bankers' boxes for the lawyers and narrowing the focus to just a few boxes with pre-labeled yellow tabs on all of the most important pages, with a corresponding customized table of contents.

Discovery. AI accelerates the drafting of interrogatories, document requests, and requests for admission, calibrating each set to the specific complaint, defenses, evidence, and testimony. AI can also flag objectionable requests, articulate the legal basis for each objection, and draft responses. AI can also review documents to determine what is responsive and aid in organizing documents in the course of discovery.

Deposition preparation. Defense practitioners can load pleadings, discovery responses, expert reports, and medical records into a closed AI system to generate detailed deposition outlines, anticipate opposing counsel's lines of questioning, and prepare witnesses for specific tactics, including certain techniques like "safetyism" and the "reptile theory." Because AI draws on the collective knowledge embedded in thousands of published articles, CLE presentations, and treatises on these very topics, it effectively has access to the strategic thinking of others and can emulate savvy plaintiffs' attorneys so that defense counsel can better defend against such tactics. AI can be especially helpful in preparing for expert depositions because defense practitioners can load voluminous expert files, including the deponent's articles, treatises, publications, CVs, prior depositions, prior reports, etc. and prepare a tailored outline of impeachment questions based on prior inconsistent testimony or opinions given. Similarly, defense counsel can better prepare their own experts and corporate representatives by ensuring that they give testimony that is consistent with their own prior depositions, publications and articles.

Preparing and summarizing record evidence for use in court filings. AI can quickly summarize deposition transcripts and other record evidence for use in motions, providing pinpoint citations and significantly reducing the time spent writing the "facts" section in many motions.

Trial preparation. Through a structured series of prompts, a defense attorney can upload an entire case file and brainstorm trial themes, draft multiple versions of opening and closing arguments, develop cross-examinations tailored to prior depo-

sition testimony, and design jury-selection strategies. One can even upload transcripts evidencing opposing counsel's prior opening and closing arguments or voir dire outlines to enable AI to contemplate the opponent's trial theme and strategy. In a world where "top" trial attorneys for national plaintiff firms set the trial themes and narratives utilized by even the lowest tier of plaintiff attorneys, the trickle-down advantage of dissecting and countering these national themes will be significant.

PLAYING CATCH-UP: THE PLAINTIFFS' BAR HAS HEAVILY UTILIZED AI FOR YEARS

The plaintiffs' bar was quick to adopt and utilize AI early and has invested heavily. Plaintiff firms are using AI to evaluate potential claims by uploading medical records and bills, to prepare demand packages, draft pleadings and discovery, and develop trial strategies. They are maintaining repositories of corporate and expert deposition transcripts, expert reports, handbooks, policies, procedures, training materials, and other key materials to use against defendants on a national scale. They use AI to track jury verdicts and past settlements and have developed algorithms based on such to determine the value of current cases. Thus, despite the ongoing acceptance of AI, defense counsel are already significantly behind the plaintiffs' bar in our strategic implementation and utilization.

THE HUMAN ELEMENT: WHY SEASONED JUDGMENT IS STILL VITAL

At first glance, any legal professional reading this article would ask themselves, "How do I stay relevant?" The simple answer is that AI is a useful tool, but it is not a replacement for experienced professional judgment. The answers and information we receive from AI are only as accurate as the content we provide and the prompting we give it. We have all read the orders where practitioners have been sanctioned for filings containing fabricated case citations generated by AI, with the sanctions growing more severe each time. While AI is a powerful tool, it is the ultimate "yes man," often generating false positives that tell users what they want to hear rather than what they need to hear. These false positives without a thoughtful, seasoned review are worthless.

The firms producing the best results are those that utilize AI as a tool with prudent attorney oversight. Firms should implement structured and specific mandatory verification protocols — requiring independent confirmation of every legal citation

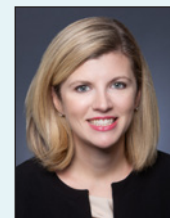
and "fact" written in any document and senior sign-off on AI-assisted work product. This careful deployment and utilization of AI creates a competitive advantage—making lawyers more efficient and effective—without the liability.

THE ECONOMIC EQUATION: LOWER COSTS FOR CLIENTS

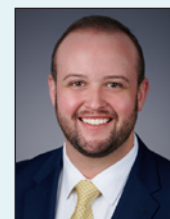
With AI reducing the time required for discovery, depositions, file analysis, motion practice, and medical chronologies, clients naturally expect to see a commensurate reduction in their litigation costs and attorneys' fees. Strategy and defense development billing entries will become the norm, rather than pure drafting and review, requiring an evolving mindset of what qualifies as an attorney task for traditional billing relationships. This could lead to recalibrating and reimagining fee arrangements, especially since firms will be expected to absorb the costs associated with utilizing this new technology.

TIME TO GET WITH THE TIMES

The legal profession is changing, and AI is unquestionably here to stay. Those who embrace it now will be best positioned for what comes next. Practical first steps include forming an AI committee to evaluate platforms and develop specific verification protocols and guidelines for responsible use of AI. The firms and defense teams that invest today in scalable processes, disciplined attorney oversight, and advanced technology will deliver superior results at a lower total cost and likely expand their business as a result of such. AI's true superpower is not efficiency alone — it is the ability to make legal teams more creative, more imaginative and more effective, provided they learn to handle the technology responsibly.



Alison Sausaman is a shareholder in Carr Allison's Jacksonville, Florida, office, where she practices in the areas of retail and hospitality, transportation, and labor and employment.



Austin Sherman is a shareholder in Carr Allison's Jacksonville (FL) office. He focuses his practice on defending matters involving personal injury, trucking and transportation, construction defect, professional malpractice and commercial litigation.



FROM NECESSITY TO STRATEGY: HOW SPAIN'S LAW FIRMS ARE NAVIGATING THE AI REVOLUTION

Juan José García Adarve Abogados SLP

WHY SPAIN IS A COMPELLING CASE STUDY

Spain offers a particularly interesting lens through which to look at how the legal profession is changing. Its legal market has traditionally been seen as formal, procedure-heavy, and deeply relationship-driven. For years, that meant change often came slowly. But over the last five years, Spain has become a surprisingly revealing example of how quickly a legal market can evolve when client pressure, operational demands and regulation start moving (almost) in the same direction.

What makes Spain stand out is not simply that law firms have adopted more technology. Many markets can say that. The more interesting story is how that adoption has happened. It began as a practical response to disruption during the pandemic, then accelerated under pressure from clients demanding more predictability, transparency and value. Now it is entering a new

phase, shaped in large part by artificial intelligence (“AI”) and the regulatory framework developing around it.

Generative AI and Agentic AI have now intensified that shift. It has exposed the gap between how firms operate and what clients increasingly expect, and it has done so very quickly. For Spanish firms, that creates both risk and opportunity. For outside observers, it makes Spain a useful and interesting case study of what legal modernization looks like when driven not by theory but by real commercial pressure.

THE PRE-AI MODERNIZATION ARC (C. 2021–2023): OPERATIONAL CHANGE DISGUISED AS CONTINUITY

From the outside, the first phase of modernization in Spain did not look revolutionary. In many firms, it appeared as a practical consolidation of habits adopted during the pandemic, such as more remote coordination, more structured document

handling or closer attention to cybersecurity. But the deeper shift was not really about gadgets, it was about process. Spanish firms were slowly beginning to treat legal work as something that could be organized, standardized and monitored more deliberately, rather than left entirely to individual working styles.

One important nuance in the Spanish case is that this was not the starting point of judicial digitization. The foundations had been laid earlier through the framework for electronic justice and the general obligation for justice professionals to interact electronically with the courts. What changed between 2021 and 2023 was the sense that digital interaction was no longer just a formal requirement, but an operational reality that firms had to build around. The Ministry of Justice’s (the “Ministry”) 2030 agenda and its 2022–2023 digital transformation projects placed interoperability, common electronic commu-

nications, digital infrastructure and access to the electronic case file at the center of reform.

That mattered in practice. In 2023, LexNET (the digital platform for the electronic exchange of documentation between judicial bodies and legal professionals) was already operating at very high volume, with hundreds of millions of notifications and well over one hundred million submissions by professionals. The Ministry also launched Carpeta Justicia in June 2023 as a single access point for citizens, companies and legal professionals, with the stated aim of improving access to digital justice services regardless of territory and advancing full interoperability; by October 2023, professionals' access to the electronic case file through Carpeta Justicia and Visor Horus (the file visualizer used by the Ministry) was being expanded. For firms, this meant that digital workflow discipline was becoming part of day-to-day legal practice, not a back-office improvement project.

At the same time, clients were also changing. Spanish market studies on LegalTech in law firms and in-house legal teams increasingly framed efficiency, intake, pricing and better process visibility as unmet needs. The firms that adapted best understood this early.

2024: THE YEAR "LEGAL OPERATIONS" EVOLVED FROM A DEPARTMENT INTO A STRATEGY

By 2024, the conversation in Spain had clearly moved beyond simply adopting new tools. The real issue was no longer whether firms should digitize, but how legal work should be organized, supervised and delivered. That shift was visible across the market. For instance, the Informe Innovación y Tendencias del Sector Legal 2024, presented at Madrid's Bar Association (Ilustre Colegio de la Abogacía de Madrid or ICAM) – the biggest bar association in Spain – highlighted that technological innovation was gaining real weight in the business and growth strategies of Spanish legal operators, while the debate around generative AI was already being framed as part of a broader rethinking of the legal function.

In practical terms, that meant a more operational mindset. Firms and legal teams were paying closer attention to standardization, workflow design, consistency and turnaround times. The best example came from Iberdrola's Legal Hub, recognized in 2024 by the Financial Times for operational transformation through a contract lifecycle platform that digitized the full contract process and legal queries at scale. The broader

market conversation was moving in the same direction, with Spanish legal leaders openly linking AI to efficiency, shorter delivery times and new models of supervision. By that point, legal operations were no longer a side function. It was becoming part of the service model itself.

THE LAST MONTHS: GENERATIVE AI AND AGENTIC AI

If the earlier phase of modernization made legal work more structured, the last 18 months have made it impossible to talk about efficiency without also talking about AI. In Spain, generative AI has landed at the same time as the EU AI Act. That timing matters because it turns AI from a productivity tool into something much closer to an operational and regulatory issue.

The Spanish angle makes that shift even more concrete. Spanish Agency for Supervision for Artificial Intelligence ("AESIA") was created precisely to supervise, guide, raise awareness and support the implementation of national and European rules on AI. In practice, the debate has become much more specific in recent months, as the AESIA has published practical AI Act compliance guides covering areas such as risk management, human oversight, data governance, transparency, cybersecurity and technical documentation.

For law firms, that raises the stakes. It means governance can no longer stop at procurement or confidentiality clauses. It now reaches training, supervision, accountability, human review and data protection by design. That is why the commercial question for firms is changing in Spain. Clients are no longer just curious about whether their lawyers use AI. Increasingly, they want to know how it is controlled, where the risks sit, and whether the firm can explain its use of these systems in a way that is credible, disciplined and trustworthy.

THE SPANISH CONTEXT

Spain's path has been uneven for reasons that are quite specific to the market. In our own experience, we found clear gaps in areas such as matter intake, pricing, budgeting and predictive risk tools, while much of the market still focused more on managing legal work than on improving the operational side of firms themselves. Some studies also pointed to cultural resistance and limited technological training among lawyers as real barriers to adoption. Against that backdrop, the milestones mattered. Procedural digitization had already pushed firms toward more disciplined digital workflows, and the arrival of the mentioned EU AI Act, together with Spain's growing super-

visory architecture, made it harder to treat modernization as optional. Spain's story, then, is not one of sudden disruption but of steady pressure that finally becomes impossible to ignore.

THE IMMEDIATE FUTURE FOR SPANISH LAW FIRMS

The next stage in Spain will be less about experimenting with AI and more about learning how to build around it. The real challenge is not technology alone, but combining it with judgment, communication, leadership and ethics. In practice, firms will need to invest not only in tools but also in supervision, internal standards, and new ways of developing junior lawyers whose early learning used to depend on repetitive tasks.

There are also deeper professional questions to solve. Firms will need to think carefully about how junior lawyers (reduced by 14% in the last few years) are trained in an environment where some traditional learning tasks are being compressed or automated. As all around the world, they will need to make sure tools are reliable, appropriately governed and used with proper human judgment. And they will need to remain alert to issues such as bias, over-reliance and uneven quality.

The firms that get ahead will be the ones that treat AI as part of professional design, not just as a productivity tool. In the years ahead, the strongest firms in Spain will not be those that use the most AI, they will be the ones Spanish and international clients trust to use it well.

CONCLUSION

Throughout 2026, artificial intelligence tools will solidify their position as a strategic pillar in law firms—not merely as support functions but as key drivers of competitiveness and profitability. The future law firm in Spain will compete as much on its operating system as on its legal intellect—and clients will increasingly purchase the former as a condition for trusting the latter.



Juan José García is a partner at [Adarve Abogados](#) in Spain. He has more than 30 years of experience in legal advice to companies in several sectors. He earned his law degree from the Complutense University (Madrid), LL.M. at the London School of Economics (London) and a Master's in Tax Law and European Law from Complutense University.



The Challenge of Cost-Effectively Resolving Nuclear Verdicts and Catastrophic Cases

John McCulloch, JD/MBA Arcadia Settlements Group

Nuclear verdicts have continued to grow over the last several years, putting upward pressure on settlements, particularly when trying to resolve catastrophic injury cases. According to the most recent study by Marathon Strategies, nuclear verdicts rose 55% between 2015 and 2022.¹ In 2022

alone, there were 20 verdicts over \$100 million and four verdicts over \$1 billion.

The risk of an eight or nine-figure verdict is substantial, thus forcing settlement values to rise. Catastrophic injuries, often with extensive or lifetime medical care required, can quickly add up to eight figures.

Jurors are sensitive to this issue, often struggling with the rising cost of healthcare and financial troubles themselves, leading them to award higher verdicts. Compounding this is the public's general distrust of big businesses, insurance companies and hospitals, which can lead to verdicts intended to

punish rather than compensate. Together, these dynamics present a significant financial challenge for even the most skilled defense attorneys and claims professionals.

There are a number of strategies that counsel can deploy to mitigate this. One of the oldest techniques is a structured settlement annuity, a needs-based settlement offer that employs a fixed annuity to fund long-term needs such as medical care and income replacement. Needs-based negotiation, or horizontal negotiation theory, focuses on providing a settlement offer that meets the specific needs of the plaintiff, creating more flexibility in negotiations than the more traditional positional or vertical bargaining. Vertical bargaining usually starts off with the plaintiff demanding X while the defense counters with Y until the numbers overlap, or failing in that, proceeds to trial.

For the last 50 years, the majority of structured settlements utilized fixed annuities, given the strength of tax-free, guaranteed rates of return and the peace of mind for plaintiffs that predictability provides. In recent years, additional product options have been layered into the traditional tax-free annuity approach to keep pace with inflation and overall changes in the market. One such option is a market-based structured settlement that layers an indexed or equities option on top of a fixed annuity to enhance the settlement offer by combining guaranteed growth with higher potential returns. But why is that important?

When a plaintiff's attorney is contemplating a settlement for their client, one of the most critical considerations, particularly in catastrophic cases, is the economic sufficiency of the settlement amount. In other words, will this recovery be sufficient to take care of an injured person and their family? In the past, it was often a discussion of whether to choose cash and invest it in the market to offset medical inflation to provide for all of their future needs or choose the structured settlement and its guaranteed tax-free return. A key driver of high demands and higher verdicts in catastrophic cases is the impact of medical inflation. Utilizing data from the Bureau of Labor Statistics and the Bureau of Economic Analysis, an analysis by Peterson-KFF showed that the cost of medical care increased 121.3% between 2000 and 2024,² a significantly larger increase than overall inflation over the same period.

Thanks to the evolution of the structured settlement industry, this Hobson's choice no longer exists. A plaintiff can obtain a tax-free structured settlement that is the optimal blend for future medical and financial needs.

While the structured settlement annuity can provide low-risk payments that provide a set guaranteed return, the market-based structured settlement can address medical and general inflation and the potential for greater tax-free growth so that a lifetime of needs can always be met. This creates a value point or anchor for the negotiations by providing the actual cost to provide a lifetime of care or income replacement. Kevin Ogilby, chief growth officer of Prospera Market Strategies, a leading market-based structured settlement provider, summed it up this way, "Market-based structured settlements in the form of equity investments have a superior ability to provide growth and inflation protection because businesses have the ability to raise prices to protect their margins, innovate and increase productivity to enhance them, thus growing along with the economy. While fixed-rate annuities offer predictable consistency, alone they lack the structural growth necessary to outpace inflation and protect long-term purchasing power."

Blending the two options can take the same settlement dollars and stretch them much further than a cash or an annuity-only option can. A tax-free structured settlement that can protect from loss and provide growth enhances the settlement offer by providing more dollars without more cost. It creates an option for putting more money into the plaintiff's hands for their future needs without the defense having to spend more to provide it.

For example, consider John Doe, a 40-year-old male receiving a \$2 million settlement. Placing it into a lifetime annuity will provide him with a monthly income of \$9,000 and an expected payout over his lifetime of over \$3.3 million. This is a substantial level of security and makes for a compelling offer. Alternatively, if \$1 million were placed into an annuity and \$1 million into a market-based structure, the total payout goes from a projected range of \$6 million at the low end to \$10 million on the high end (based on market performance) with \$2 million guaranteed by the annuity. The monthly payments would increase over

time, keeping pace with both medical and general inflation, addressing one of the plaintiff's greatest fears – is this settlement enough? By providing a settlement offer that fully funds their future needs and won't be eroded by inflation, that obstacle to settlement and the reason they hold out for more money has been removed.

Which then would be the more compelling offer to get the case resolved? For some plaintiffs, security is paramount and the annuity more compelling; for other plaintiffs, higher returns and larger payouts are more important, and the market-based blend is more compelling. More options provide more opportunities to resolve the case at a cost the defense is willing to pay.

Catastrophically injured plaintiffs and their families face financial decisions of extraordinary complexity, often while managing trauma, ongoing medical care and an uncertain future. A blended structured settlement – combining guaranteed annuity payments with market-based growth – provides an attractive framework that serves both immediate and long-term needs. This is particularly important for minors, who cannot access funds until reaching the age of majority, and for adults under guardianship who require ongoing assistance managing their medical and financial affairs.

Modern settlement theory puts an injured person's need for economic sufficiency at the forefront in a much more holistic way. Blended structured settlements leveraging both market-based and annuity options provide defense counsel and claims professionals with a unique settlement tool to add significant additional financial value to the settlement offer without adding significant cost.

The successful settlement of a nuclear verdict or catastrophic case is difficult even in the most skilled hands. Leveraging a tool like market-based structured settlements that can cost-effectively meet all of a plaintiff's needs today and tomorrow can greatly increase the chance of a positive outcome for all.




John McCulloch, JD/MBA, CSSC, CMSP, CMSS, FLMI is the vice chairman and a settlement consultant for Arcadia Settlements (jmcculloch@teamarcadia.com). Prior to joining Arcadia, John was

the senior vice president of structured settlements at Allstate Financial and a regional vice president at AEGON Transamerica. He holds a JD, an MBA and a B.A., with multiple professional designations in both financial services and claims settlements.

¹ Corporate Verdicts Go Thermonuclear, Marathon Strategies. <https://marathonstrategies.com/corporate-verdicts-go-thermonuclear-report/>

² Peterson-KFF Health System Tracker (2024). <https://www.healthsystemtracker.org/>



Hospitality Risk Reduction Lessons from the Past, Strategies for Today and a Look into the Future

Justin B. Jones Fee, Smith, & Sharp LLP

In today's nuclear-verdict litigation landscape, hospitality businesses face increasing exposure across vendor management, premises liability, and alcohol service practices. This piece provides some historical context, outlines key strategies for reducing legal risk in 2026, and identifies issues we will likely see in the future. By proactively addressing some of these areas, our hospitality clients can better protect their organizations and create safer, more resilient environments for guests and employees alike while at the same time ideally

curbing their actual litigation risk.

THE PAST

Historically, hospitality risk for some was predominantly thought of as slip-and-fall exposure. Boxes of paper records kept track of employee schedules and reporting. Vendor agreements were redlined by hand, and risk exposure guidelines were transferred on floppy disks. Surveillance video, if any, was stored on VHS tapes. Legal costs and legal risk audits were viewed primarily as expenses and cost centers as opposed to value adds.

STRATEGIES FOR TODAY

Today, hospitality risk encompasses a broader reach, and in today's nuclear-verdict environment, significantly more risk. Here are several key issues for hospitality risk management in 2026.

1. Insurance considerations

First, hospitality businesses should reassess their insurance limits and coverage with an eye toward today's nuclear verdict environment, ensuring that excess policies are appropriately structured and strategi-

cally assessed. Several of our clients have encountered catastrophic personal injury cases where they were simply underinsured, which presented the client with scary exposure that exceeded their available insurance.

Rather than relying on generic “off the rack” coverage that may look adequate in name only, it is important for our hospitality clients to work closely with their insurance personnel to prioritize industry specific coverage that aligns with real risk exposure. Further, clients that serve alcohol should revisit their liquor liability provisions within their policies, recognizing that gaps in alcohol related coverage can create significant vulnerabilities.

2. Risk transfer

Next, hospitality clients should take a disciplined approach to risk transfer by closely reviewing their key vendor contracts. As part of the vendor review, verification that each key vendor’s Certificate of Insurance (“COI”) accurately reflects the underlying policy can pay dividends down the road. In several instances in our hospitality cases, we identified COIs for vendors that did not match the actual written insurance policy, creating unexpected exposure. While a remedy to sue the vendor may exist, pursuing the vendor can be costly, challenging, and damaging to the vendor-business relationship. To reduce this risk, businesses should not only obtain COIs but also request full insurance policies when appropriate. Moreover, today’s AI based tools can help speed up an analysis of vendor insurance documentation for inconsistencies or gaps between the contract language and policy language.

3. Key contracts with indemnity language

Further, hospitality businesses should carefully review their contracts with counsel to ensure that the indemnity provisions truly meet their operational and risk management needs. Just as important, businesses must evaluate whether the indemnification provisions are actually enforceable in the jurisdictions where they face the greatest litigation pressure, since indemnity language can be limited or invalidated by state specific contract law on a state-by-state basis. For example, in Texas, courts apply the Ethyl rule, which requires conspicuous and explicit drafting for an indemnity clause to shift liability for a party’s own negligence, among other requirements. Ensuring the mission-critical indemnity provisions are both tailored and enforceable can help transfer risk in or even before litigation.

4. Double-check and re-think system designs for litigation

In addition, hospitality businesses should double check and rethink their system designs with litigation in mind, particularly in substantive areas where they face frequent litigation. For example, one key inquiry is how easily a business can retrieve documents when needed for litigation. I.e., sophisticated restaurant clients should be able to quickly compile maintenance requests and incident reports. This is particularly important in jurisdictions where the burden of producing information in litigation typically falls on the producing party; thus, efficient document retrieval can save expenses. While the producibility of information is obviously not the sole business consideration, as real business use still reigns paramount, thoughtfully designing systems that make frequently requested information easy to access can help reduce litigation challenges.

5. Guidelines and training - do they need a refresh?

Separately, hospitality businesses should regularly evaluate whether their formal and informal guidelines and training programs need updating, especially when materials are outdated or rely on antiquated references that no longer reflect modern operations.

Any update must also be effectively cascaded throughout the organization, since even the best revisions from legal or key decision-makers are ineffective if they never reach frontline employees.

As part of this refresh, operators should revisit their premises liability practices by: (1) strengthening written inspection checklists; (2) emphasizing the importance of swift action when hazards arise; and (3) ensuring that hazard signage includes multiple languages to meet current best practices.

These efforts should be reinforced with consistent, targeted training so that updated procedures are fully understood and reliably executed.

6. The safe service of alcohol

Hospitality businesses with alcohol-service components should maintain a focused approach to dram shop (the safe service of alcohol) compliance with a jurisdiction-by-jurisdiction analysis. Where appropriate, alcohol service providers should ensure that all required state certifications are current and consider supplemental training programs such as ServSafe, TIPS Alcohol Training, etc., to bolster responsible service practices.

While additional training expenses for the safe service of alcohol can be a concern,

consider that they offer meaningful value when framed as an added layer of protection—functioning almost like an umbrella insurance policy created through practice rather than premiums.

It is also advisable to require ongoing training on alcohol service compliance. This helps rebut in-litigation arguments that guidelines exist “only on paper” and reinforces a culture of safe service. This is especially important for businesses that rely heavily on beverage sales as a high percentage of total revenue, such as breweries and brewpubs.

In conjunction with the ongoing safe service of alcohol training, clients should include a renewed emphasis on preventing the service of alcohol to minors, which can be an exacerbating factor in hospitality dram-shop litigation.

THE FUTURE

The future of hospitality risk is sure to bring additional nuance, some known and others more opaque. For example, the proliferation of electronic data poses its own regulatory and legal issues. AI will probably help supplement a client’s repertoire in identifying and comparing insurance policies. Interestingly, video software is now being trained to recognize human behavior. Will it soon be able to identify allegedly drunk patrons? And if so, will the legal standard of care rise as the price of new video identification software drops? Exciting questions abound as new technology impacts hospitality risk.

CONCLUSION

In sum, thoughtful efforts to attempt to control risk before litigation can pay huge dividends for hospitality clients. Today’s best practices are evolving. By reviewing the appropriate insurance coverages, scrutinizing vendor contracts with an eye toward risk transfer, improving documentation systems, refreshing training, and intensifying alcohol service practices, hospitality clients can face 2026’s litigation landscape with greater confidence. While the future will bring even more change, especially with respect to technology issues, thoughtful planning now can help pay dividends in the future.



Justin B. Jones is a partner at Fee, Smith, & Sharp LLP in Dallas, where he focuses on litigation with an emphasis in hospitality, insurance, sports law, and catastrophic personal injury. He is a part of the 2026 USLAW LeadX: Pathway to Success leadership development initiative and can be reached at jjones@feesmith.com.



WHEN THE “FACTS” DON’T MATCH

Using Biomechanical Incident Analysis with Inconsistent Fact Patterns

Grace Oswald, M.S., E.I. S-E-A

Let’s talk about facts. Not facts like the sky being blue (on a good day), or facts like there exist 206 bones in the adult human skeleton (also on a good day), but fact patterns. Do we accept as “fact” that the claimant interacted with the alleged sidewalk defect and that this interaction resulted in all alleged injuries? Do we believe these “facts” with the same level of certainty as the laws of physics? Can an investigation and analysis be completed to scientifically evaluate the allegations? Oftentimes, a biomechanical incident analysis is the missing link to help with this determination.

Frequently, these so-called “facts” are

the crux of the case and the main point of contention. This is particularly common within the premises liability space, in which the differences in a small detail can drastically shift not only the damages aspect of a case but also the liability aspect as well. Biomechanists, with their backgrounds not only in physics and mechanics but also in human anatomy and movement, can be uniquely poised to address a variety of concerns in these cases. By walking through several case studies, I will illustrate how the unique background of biomechanists can be used to address not only the alleged injuries but also how well these foundational

“facts” fit all of the evidence.

A GUT FEELING

Picture a person riding an old-school push scooter down the sidewalk. According to the “facts” of the matter, they are cruising right along, then boom, the front wheel of their scooter encounters an alleged defect on your client’s sidewalk. Suddenly the scooter comes out from underneath them, and they fall to the sidewalk. But how did they fall and how does the way they fell explain the interaction or lack thereof? If they fell “backward” versus falling “head over handlebars” when the scooter inter-

acted with the alleged defect, how does this change things?

Not long ago we received a call with this scenario. The client said they could not get over this gut feeling that the claimant really should have fallen forward, not backward as claimed. A civil engineer had previously been sent out and determined that a.) the pavement condition was on his client's property and b.) the condition was out of code. However, the civil engineer had recommended retaining a biomechanical expert to further address the alleged incident.

Using the surveillance footage of the incident, as well as laser scans collected at the scene, a camera match was performed to confirm the path of travel of the scooter, and the motion of the claimant as they traversed the region of interest. The first allowed us to confirm something vital to the case, while the latter led to an opposing hypothesis.

Through the camera match we were able to determine that not only was the scooter tire six inches minimum away from the nearest point of the alleged defect, but the scooter operator had steered away from this area well before the alleged defect. Thus, we were able to eliminate two "facts": the scooter tire did not interact with the defect, and the operator was not surprised by the defect, as determined by their pre-incident steering input.

In addition to this, the camera match of the scooter rider's motion, specifically their pushing leg prior to the incident, allowed us to propose an alternative hypothesis for their fall. When examining the push cycle directly prior to the incident, it was determined that the push leg stayed planted even as the rear tire of the scooter passed the rear foot, in contrast to the prior push cycles. This led to the individual losing control of the scooter as their weight was not evenly distributed, which could reasonably be expected to result in a rearward fall consistent with the subject incident. Thus, understanding human movement resulted in a determination of liability favorable to the case, and allowed us to directly combat the proposed "facts" regarding incident location and inciting event.

NEGLIGENT STAFF, OR SOMETHING ELSE

The next case occurred at a skilled nursing facility. The claimant stated that during a transfer from their wheelchair to a different seat, the staff at the facility stepped on their ankle and pulled up on their torso to lift them, resulting in a severe ankle fracture. Opposing counsel hired a biomechanist who corroborated this narrative. When

the staff's depositions were taken, they all testified that the individual repeatedly denied assistance and proceeded to trip over their own two feet during the transfer. The other fact that everyone agreed upon was that at the beginning of the interaction the plaintiff had two uninjured ankles, and at the end they only had one. At this point, a standard of care expert was retained, but there was still one thing that needed to be determined: was this ankle fracture consistent with the alleged incident scenario?

This question was the catalyst for my retention on the matter and was one that a biomechanist may be best suited to answer. Within the radiographs provided I saw something illuminating: the involved bones in the foot and ankle were pushed together, similar to what would be expected if a force had been applied to the bottom of the foot driving it upwards. In the proposed injury mechanism, the fracture surfaces would be expected to be pulled apart from each other as the ankle would be in tension, not compression. Thus, the plaintiff's claimed injury mechanism did not align with the one objective fact of the matter, the injuries.

An interesting tangent on this matter is that in addition to asserting that the primary ankle fracture was a result of stepping on the side of the foot and pulling the torso upwards, the opposing biomechanist postulated that a fracture of the opposite ankle diagnosed months after the incident was a result of an unbalanced gait. A review of the medical records illustrated a key point that was lost in the shuffle: the first diagnosis of the opposing ankle fracture was actually the same day as the incident. While this was initially concerning, it proved to be both favorable and key to excluding the plaintiff's alleged incident scenario. After all, how does stepping on one foot fracture the opposite ankle?

AN ANTI-THEFT FEATURE, OR A LIABILITY

A man walked into a large retail store with a shopping cart with the intention of buying only one item. Having wandered the store, he determined the object was not available and proceeded to exit, bypassing the checkout. As he was exiting the store, the anti-theft wheel lock on the shopping cart deployed, stopping the cart as it was designed. The man, who had been leaning on the cart at the time, proceeded to fall and fracture his hip. The Complaint stated that the wheel lock mechanism was the sole direct contributor to his fall and subsequent injuries. However, the footage from the store showed numerous wheel locks deploying on other carts, but only one fall. Thus,

the question was raised: why did the plaintiff fall over, but not the other shoppers who experienced wheel-lock deployment? Within this matter, the "fact" in question was the assertion that the deployment of the wheel lock was the sole contributor to the plaintiff's fall and injuries. Given that he was the only shopper to fall as a result of the wheel lock deployment despite numerous other deployments, I was retained to analyze the plaintiff's incident and determine what the difference was in this case. A site inspection was performed which allowed for a camera match of the plaintiff's posture and gait as he traversed the store.

Using the camera match, the center of gravity of the individual was calculated, and it was determined that it was in front of his feet prior to deployment of the wheel lock feature. This indicates that prior to the wheel lock deployment, the plaintiff was using the shopping cart to extend his base of support, projecting it forward of his own two feet. Thus, when the cart stopped as designed, his base of support was reduced to only his own feet, resulting in instability and the subsequent fall. An analysis of a patron that successfully traversed the entrance when the wheel lock on their cart deployed indicated that an upright posture while pushing the cart resulted in the center of gravity staying within the base of support, mitigating instability. Therefore, the plaintiff's chosen posture and improper cart use directly caused or contributed to the incident and subsequent injuries.

So, what do you think? Should these so-called "facts" be accepted as truths, or examined as allegations that must withstand objective scrutiny? These cases demonstrate that the difference between allegation and reality often lies in details best uncovered through analysis of human movement, injury mechanics, and physical evidence. Whether disproving contact with an alleged defect, identifying an injury mechanism inconsistent with the claimed event, or revealing how a plaintiff's own posture and movement contributed to a fall, biomechanical analysis provides a powerful tool in your legal fact-finding mission.



Grace Oswald holds a Bachelor and Master of Science from Ohio State University in biomedical engineering. Prior to [S-E-A](#), she applied biomechanics in a variety of medical device development fields. Grace now applies her knowledge to a variety of matters at [S-E-A](#), including investigation of premise liability claims.

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Jessica Dark goes to Washington



PIERCE COUCH HENDRICKSON
BAYSINGER & GREEN, LLP

Pierce Couch Partner
Jessica Dark participated in Capitol Hill Day

in March in Washington, D.C., for a day of advocacy with the Federal Bar Association (FBA). Dark is the Government Relations Chair for the FBA's Oklahoma City Chapter. The Oklahoma contingent met with both U.S. Senator James Lankford and Congresswoman Stephanie Bice to discuss issues impacting the federal judiciary.



Simmons Perrine cares!

Simmons Perrine PLC recently participated in the annual United Way Day of Caring. This year, the firm joined 58 organizations and more than 1,600 volunteers to assist in cleanup efforts for organizations such as *His Hands Free Clinic* and the *Cedar Rapids Metro Economic Alliance*.



Poyner Spruill shines in annual service week

Poyner Spruill LLP in North Carolina recently organized its fourth annual Service Week, honoring the life and legacy of their late colleague, *Cheslie Kryst*. *Kryst* served as both an attorney and, later, the firm's diversity advisor, championing social justice and advocating for underserved communities. Her legacy of service continues to inspire the firm's efforts each year, and from May 4-8, 2026, the *Poyner Spruill DEI Committee* organized opportunities for employees to give back to local organizations while also focusing on mental health awareness.



Poyner Spruill
ATTORNEYS AT LAW



Han organizes AANHPI Fireside Chat

(above) **Rivkin Radler** Partner Lawrence Han helped to organize the event, "Fireside Chat with Asian American Women in Robes - In Celebration of Asian American & Native Hawaiian/Pacific Islander Heritage Month," presented by the Korean American Lawyers Association of Greater New York.

Fabulous February games raise money for charity

Each year, **Rivkin Radler** splits into teams for a month-long friendly competition called "Fabulous February." Each team selects a charity to support and raises money for it over the course of the month by playing a variety of games. This year, the firm raised \$7,000, which was distributed to the American Foundation for Suicide Prevention, CancerCare, America's VetDogs, and St. Jude Children's Research Hospital.

Paws for a Cause

(below) **Rivkin Radler's** Women's Initiative organized a puppy yoga event to benefit Smile Train.



Baker honored by Capital District YMCA

Rivkin Radler Associate **Colin Baker** (pictured left) was an honoree at the Capital District YMCA 2026 President's Awards Celebration, which recognizes the contribution of key area leaders who share a passion for building stronger communities and helping individuals and families live healthier lives.



March Naturalization Ceremony

Carr Allison shareholder and retired Mobile County District Judge **Judson W. Wells, Sr.** recently spoke at the March Naturalization Ceremony in Mobile, Alabama. The formal ceremony was conducted by the United States District Court for the Southern District of Alabama. In his capacity as past president of the Mobile Bar Association, Judge Wells congratulated 29 new American citizens and delivered remarks after they were admitted to citizenship by U.S. District Judge Sonja Bivins.

Goodsill tees it up for a good cause

Goodsill sponsored and participated in the 52nd Annual Law Day Golf Tournament hosted by the Hawai'i State Bar Foundation on April 27, 2026, at Oahu Country Club. The annual tournament brings together members of Hawai'i's



legal community for a day of camaraderie and purpose, raising funds to support nonprofit legal service providers across the state. These organizations play a critical role in expanding access to justice, particularly for individuals and families who might otherwise be unable to secure legal assistance. Goodsill's sponsorship reflects the firm's ongoing commitment to supporting initiatives that strengthen the legal system and serve the broader community. Attorneys from Goodsill who attended the event included Daniel Lam, John Mackey, David Gruebner, Joelle Yamamoto, David Hoftiezer, Thomas Starks, Peter Kashiwa, Dale Zane, Shannon Wong, Kenory Khuy, Kellie Wong and Kylie Takafuji.

Goodsill supports cross-border collaboration



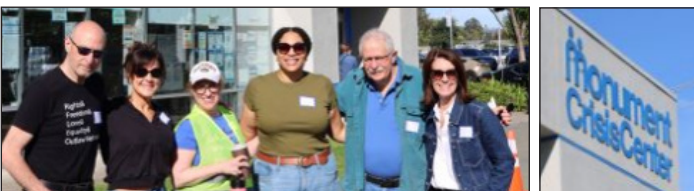
Goodsill served as a sponsor of the 2026 East Meets West conference, hosted by Blue Startups and held April 8 - 9 on O'ahu. Recognized as Hawaii's premier technology and innovation conference, East Meets West convenes entrepreneurs, investors, and industry leaders from across the Asia-Pacific region and the United States to exchange ideas, explore opportunities, and advance cross-border collaboration. The firm was represented by partners **Jamie Fukumoto**, **Joe Dane**, and **Daniel Lam**, along with associate **Trent Miyashiro**. Their participation reflects Goodsill's continued commitment to supporting Hawaii's innovation economy and engaging with emerging companies, investors, and global business leaders.



GOODSILL

Community connections

On Monday, May 11, **Hanson Bridgett** attorneys and staff visited Monument Crisis Center for their annual spring volunteer event. They spent a sunny morning assisting with food distribution to the local community.





CCTB attorneys volunteer in Ole Miss Moot Court Competition

The University of Mississippi School of Law recently concluded the 2026 Copeland, Cook Taylor & Bush (CCTB Moot Court Competition), for which CCTB attorneys Cole Wood, Charles Partridge and Ken Davis volunteered as judges for the championship round. For over 20 years, CCTB has sponsored this competition that provides an invaluable opportunity for first-year law students to showcase their legal research and writing abilities and to hone their oral advocacy skills. The competition also serves as a springboard for students to compete in state and national trial appellate advocacy programs through the Ole Miss Moot Court Board.

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ISO 27001 certification

Connell Foley achieved ISO 27001 certification, the internationally recognized gold standard for information security management systems. This prestigious certification highlights the firm's unwavering commitment to protecting its clients' most sensitive information.



Celebrating 20 years

Experienced mergers and acquisitions, corporate, and transactional attorneys from USLAW NETWORK and TELFA member firms across the United States, Europe, Canada, Mexico, Latin America, and Asia joined forces during the 2026 USLAW NETWORK/TELEFA Business Transactions Exchange to commemorate the 20th Anniversary of the USLAW NETWORK and TELFA partnership, celebrating two decades of collaboration, trusted referrals, and lasting professional relationships



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Faces from around the USLAW circuit...

Throughout the year, USLAW members and clients lead facilitated discussions at USLAW events from coast to coast. Here are some of the recent leading voices.



Julie A. Brennan, Pion, Nerone, Girman & Smith, P.C. (Pittsburgh, PA); Michael J. Judy, Dysart Taylor, P.C. (Kansas City, MO)



Anne M. Fishbeck, Amundsen Davis LLC (Chicago, IL); Taylor M. Brewer, Moran Reeves & Conn (Richmond, VA); Tom Hernandez, EMA Risk Services (Mesa, AZ)



Kurt M. Spengler, Wicker Smith (Central Florida); R. Eric Toney, Copeland, Cook, Taylor & Bush, P.A. (Ridgeland, MS); Kyle Weaver, Assistant General Counsel, Transportation Resource Management (Fort Worth, TX); James K. Hetzel, Franklin & Prokopik, P.C. (Baltimore, MD)



Nicholas A. Rauch, Larson King, LLP (St. Paul, MN); Josephine M. Birdwell, Director of Risk Management, Koch Companies (Green Bay, WI); Jack J. Laffey, Laffey, Leitner & Goode LLC (Milwaukee, WI)



Michael J. Judy, Dysart Taylor, P.C. (Kansas City, MO); Jack Nevins, SEA, Ltd. (Liberty, MO); Bryan E. Stanton, Pierce Couch Hendrickson Baysinger & Green, L.L.P. (Oklahoma City, OK)



Bryan Currie, National Interstate Insurance Company (Lagrange, OH); Patrick E. Foppe, Lashly & Baer, P.C. (St. Louis, MO); Chris Cotter, Roetznel & Andress (Cleveland, OH)



Jamie S. Lane, Amundsen Davis LLC (Chicago, IL); Cristi Bullard Laird, Counsel and Director of Litigation, Western Flyer Express (Oklahoma City, OK); Timothy R. Smith, Pion, Nerone, Girman and Smith, P.C. (Pittsburgh, PA)



Jean Charest, Therrien Couture Joli-Coeur (Montreal, QC Canada); Jennifer D. Tricker, USLAW NETWORK Chair, Baird Holm LLP (Omaha, NE)



Pamela Springrose Halford, Carr Allison (Dothan, AL); Julie A. Brennan, Pion, Nerone, Girman & Smith, P.C. (Pittsburgh, PA); Lea Kapral, Executive Claims Examiner, Knight-Swift Transportation Holdings Inc. (Chilton, WI)



Ryan P. Atkinson, Strong & Hanni, PC (Salt Lake City, UT); Brett E. Feldman, Sweeney & Sheehan, P.C. (Philadelphia, PA); Taira H. Towne, Wicker Smith (Central Florida); Adam M. Crain, Sweeny Wingate & Barrow, P.A. (Columbia, SC); Jordan C. Hettrich, Pion, Nerone, Girman & Smith, P.C. (Pittsburgh, PA)



Andrea Rescigno, TELFA President; Ughi e Nunziante (Milan, Italy); Rodolpho Protasio, Mundie e Advogados (São Paulo, Brazil)



Shea Sisk Wellford, Martin Tate Morrow & Marston (Memphis, TN); Nicola Shaver, CEO and Co-Founder, Legaltech Hub; Joseph S. Goode, Laffey, Leitner & Goode LLC (Milwaukee, WI)



Jake G. Pipinich, Pierce Couch Hendrickson Baysinger & Green, L.L.P. (Oklahoma City, OK); Richard C. Moreno, Murchison & Cumming, LLP (Los Angeles, CA); Peter T. DeMasters, Flaherty Sensabaugh Bonasso PLLC (Morgantown, WV)



Marshall C. Crane, Sweeny Wingate & Barrow (Columbia, SC); Heath L. Vickers, Carr Allison (Northwest Florida); B. Trey Sandoval, MehaffyWeber (Houston, TX); Jennifer Mauer Lee, Fee, Smith & Sharp LLP (Dallas, TX); Chris Cotter, Roetznel & Andress (Cleveland, OH)



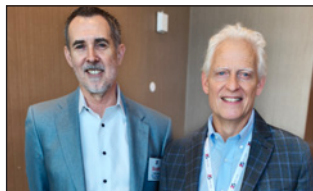
Peter T. DeMasters, Flaherty Sensabaugh Bonasso PLLC (Morgantown, WV); John T. Pion, Pion, Nerone, Girman & Smith, PC (Pittsburgh, PA); Rodney L. Umberger, Williams Kastner (Seattle, WA)



Andrea Rescigno, Ughi e Nunziante (Milan, Italy); Stella Lellos, Rivkin Radler LLP (Long Island, NY); Jan Tibor Lelley, BUSE (Frankfurt, Germany)



Keely E. Duke, Duke Evett, PLLC (Boise, ID); John Kim, Pierce Couch Hendrickson Baysinger & Green, L.L.P. (Oklahoma City, OK); Jessica Kansky, Verdict Insight Partners



J. Scott Searl, Baird Holm LLP (Omaha, NE); Kenneth B. Wingate, Sweeny, Wingate & Barrow, P.A. (Columbia, SC)



Lisa A. Zaccarelli, Hinckley Allen (Hartford, CT); Sandra L. Rappaport, Hanson Bridgett LLP (San Francisco, CA)



Joseph Goode, Laffey, Leitner & Goode LLC (Milwaukee, WI); Earl W. Houston, II, Martin, Tate, Morrow & Marston, P.C. (Memphis, TN)



...and more USLAW facilitator faces.



Douglas W. Clarke, Therrien Couture Joli-Coeur L.L.P. (Montreal, QC, Canada); René Mauricio Alva - EC Rubio (Chihuahua, Mexico); James D. Snyder, Klinedinst PC (San Diego, CA); Nicolás P. Jaca Otaño, Barreiro (Buenos Aires, Argentina)



Julia A. Proscia, Amundsen Davis LLC (Chicago, IL); Robert P. Brooks, Adler Pollock & Sheehan, P.C. (Providence, RI); Barbara Barron, MehaffyWeber (Houston, TX)



Julie A. Brennan, Pion Nerone Girman & Smith, PC (Pittsburgh, PA); Krista Cammack, Wicker Smith (Orlando, FL)



Julie Z. Devine, Lashly & Baer, P.C. (St. Louis, MO); Noelle Sage, Coleman Chavez & Associates - Workers' Compensation Only (Los Angeles, CA); Nichole Koford, Wicker Smith (Tampa, FL)



Jennifer D. Tricker, Baird Holm LLP (Omaha, NE); Shea Sisk Wellford, Martin Tate Morrow & Marston (Memphis, TN)



Nancy M. Mellard, Executive Vice President and General Counsel, CBIZ Benefits & Insurance Services (Kansas City, MO); Sarah Thomas Pagels, Laffey, Leitner & Goode, LLC (Milwaukee, WI); Moira H. Pietrowski, Roetzel & Andress (Cleveland, OH)



Paul R. McCullough, P.E., Discipline Lead, Civil/Structural Engineering, SEA, Limited (Tampa, FL); Jacob Liro, Wicker Smith (Miami, FL); Jack Sanker, Amundsen Davis LLC (Chicago, IL)



Daniel W. Gerber, Gerber Ciano Kelly Brady LLP (Buffalo, NY); Christy E. Mahon, Sweeny, Wingate & Barrow, P.A. (Columbia, SC); John W. Bieder, Black Marjeh & Sanford (Elmsford, NY)



Pamela Springrose Hallford, Carr Allison (Dothan, AL); Juliana Manrique, Jury Consultant, Verdict Insight Partners (New York, NY); Keely E. Duke, Duke Evett, PLLC (Boise, ID); Taylor D. Brewer, Moran Reeves Conn PC (Richmond, VA)



Julie A. Proscia, Amundsen Davis LLC (Chicago, IL); Sheryl J. Willert, Williams Kastner (Seattle, WA); Sandy L. Rappaport, Hanson Bridgett LLP (San Francisco, CA)



James Dierking, Fluor Corporation (Aliso Viejo, CA); Joseph Moore, Hanson Bridgett (San Francisco, CA)



Denise M. Montgomery, Sweeney & Sheehan, P.C. (Philadelphia, PA); Bret A. Sanders, Fee, Smith & Sharp L.L.P. (Austin, TX)



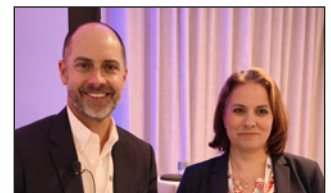
Christine V. Anto, Amundsen Davis LLC (Chicago, IL); Jennifer M. Lee, Fee Smith & Sharp L.L.P. (Dallas, TX); Jeanie Seidelmann, AVR, Arch Insurance Group Inc. (Jersey City, NJ); Kristin L. Chong, General Counsel, Johnson Brothers Liquor Company (St. Paul, MN)



Rebecca K. Hinds, Martin Tate Morrow & Marston, P.C. (Memphis, TN); Kristin A. VanOrman, Strong & Hanni, PC (Salt Lake City, UT); Maggie A. Ziemianek, Hanson Bridgett LLP (San Francisco, CA)



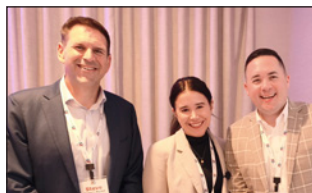
Matthew C. Bouchard, Poyner Spruill LLP (Raleigh, NC); James T. Dixon, Roetzel & Andress (Cleveland, OH)



Kyle B. Mandeville, Duke Evett, PLLC (Boise, ID); Dawn R. Freyder, Principal Mechanical Engineer/Biomechanics, SEA, Limited (Tampa, FL)



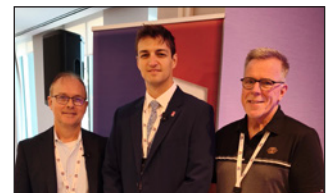
Kristina J. Kamler, Baird Holm LLP (Omaha, NE); John Jablonski, Gerber Ciano Kelly Brady LLP (Buffalo, NY)



Stephen J. Marshall, Franklin & Prokopik, P.C. (Baltimore, MD); Juliana Manrique, Verdict Insight Partners (New York, NY); Nicholas A. Rauch, Larson & King, LLP (Fargo, ND)



Scott W. Self, Fee, Smith & Sharp L.L.P. (Dallas, TX); Anne A. Fishbeck, Amundsen Davis LLC (Chicago, IL)



C. Dewayne Lonas, Moran Reeves Conn PC (Richmond, VA); Troy Graham, P.E., CFEI, CVFI, Mechanical Engineer, SEA, Ltd. (Columbus, OH); Jack J. Laffey, Laffey, Leitner & Goode LLC (Milwaukee, WI)



The USLAW Women's Connection

2006-2026 20th ANNIVERSARY

celebrate

USLAW NETWORK Women's Connection at 20

Stars were bright in Beverly Hills as USLAW celebrated Women's Connection 20th anniversary. Attendees kicked off the Women's Connection's 20th anniversary celebration with an event at Spago Beverly Hills, the flagship restaurant of world-renowned chef Wolfgang Puck. Chef Puck visited with attendees during the evening.



Unlocking Excellence.

USLAW Women's Connection leadership with keynote speaker and Olympian Sarah Wells (pictured L-to-R: Jennifer Lee, Margot Wilensky, USLAW Chair Jennifer Tricker, Sarah Wells, Mandy Ketchum, Hailey Hopper, USLAW Vice Chair Tamara Goorevitz) and an energizing morning run with Olympian Sarah Wells,





A Glamorous Red Carpet Celebration

Red Carpet evening of luxury and legacy in the famed Beverly Wilshire Ballroom.



Presenting the 2026 USLAW NETWORK O'Hagan-Carr Award

During the USLAW NETWORK Women's Connection's 20th anniversary celebration, USLAW NETWORK presented the [2026 USLAW NETWORK O'Hagan-Carr Award](#) to the founder and pioneers of the [USLAW NETWORK Women's Connection](#). The award is named after Jim O'Hagan and [Charles Carr](#), co-founding members of USLAW NETWORK, and is given annually by the USLAW Chair to a USLAW member(s) who demonstrates outstanding service and commitment to the organization's mission and guiding principles.

"The USLAW Women's Connection has become one of the most successful programs within USLAW, and it is fitting to recognize its founder and early leaders with the 2026 USLAW NETWORK O'Hagan-Carr Award," said [Jennifer D. Tricker](#) (pictured right), Chair of USLAW NETWORK from [Baird Holm LLP](#) in Nebraska. "We are grateful for the many individuals who served as the initial catalyst to create, develop, inspire and spark this remarkable USLAW community."

Judge Renée Yanta (retired), founder of the USLAW Women's Connection and the first female Chair of USLAW NETWORK, accepted the award on behalf of all who have helped shape and contributed to its growth since 2006.

20th Anniversary Commemorative Film

USLAW NETWORK unveiled a 20th anniversary commemorative film that captures the spirit, strength and stories of the past two decades of the USLAW NETWORK Women's Connection. Through archival photos, personal narratives and a look at the remarkable rise of women in the legal profession, the film tells the story of how far this community has come—and where it is headed next.

Experience the PREMIERE

WATCH ON DEMAND





On the Road with USLAW

Once the formal sessions end, USLAW event attendees continue networking together while enjoying fun times in various host cities, including exclusive events at the GRAMMY Museum, kayaking excursions, curated shopping tours, playing mahjong, pedaling through the heart of Beverly Hills and Bel-Air, downtown Nashville food tours, exclusive music experiences with #1 Billboard artist Meghan Linsey from The Voice and producer Tyler Cain, a powerhouse performance with Def Leppard, custom experiences at Dig This - Las Vegas, the Las Vegas Motor Speedway and Allegiant Stadium, home of the Las Vegas Raiders, plus so much more.



CONGRATULATIONS! 2026 USLAW NETWORK FOUNDATION LAW SCHOOL SCHOLARSHIP RECIPIENTS

Twelve exceptional law school students from ABA-accredited law schools across the United States have been named recipients of the 2026 USLAW NETWORK Foundation Law School Scholarship Program. The scholarship program is dedicated to supporting eligible law students who demonstrate a genuine commitment to their communities and have a financial need to achieve their academic and professional goals. Each recipient receives \$5,000 towards their law school tuition as well as an invitation to participate in the 2026 USLAW NETWORK Annual Client Conference in Boston in September.

The scholarship program is funded through the [USLAW NETWORK Foundation Partners Program](#), which invites individuals, corporations and foundations to support access to legal education by sponsoring one full scholarship per partner. Additional contributions from USLAW member attorneys, in-house legal decision-makers and corporate partners help extend the program's reach through smaller individual donations.





Ada Cruz
University of Florida
Levin College of Law



Jasmine Flores
Northwestern
Pritzker School of Law



Maria Islam
Temple University
Beasley School of Law



Yulissa Jimenez
USC Gould School of Law



Zion Lampley
Stetson University
College of Law



Peter Lubembela
Howard University
School of Law



Daniel Moussa
Boston College Law School



Gaelle Nelfise
Suffolk University Law School



Sophia Polisar
Northeastern University
School of Law



Daryn Rockett
Washington University in St. Louis
School of Law



Blaine Samson
UCLA School of Law



Alejandra Tinoco Bonilla
Seattle University School of Law

Legaltech Hub In-House Legal Team Referral Program

USLAW NETWORK is extending its collaboration with [Legaltech Hub](#) - the leading platform for legal technology insights, research, and advisory - to USLAW's client community through the USLAW Legaltech Hub In-House Legal Team Referral Program.

Through this program, corporate legal teams referred by USLAW NETWORK gain exclusive access to trusted research, curated insights, and a 10% discount on Legaltech Hub Premium subscriptions—plus direct links to expert advisory support and the most comprehensive legal tech directory in the market. It's a simple way to stay ahead of emerging tools and trends without the uncertainty of navigating the market on your own.

These resources help define requirements, secure stakeholder buy-in, pilot effectively, and onboard legal departments with confidence—so they avoid costly missteps and deliver results faster. With this support, in-house legal teams can quickly adopt technology, manage risks and achieve better outcomes.

Whether exploring new solutions, evaluating vendors, or planning the next phase of innovation, this program provides a competitive edge and trusted guidance at every step.

How to participate

Visit [USLAW Legaltech Hub In-House Legal Team Referral Program](#) for details and to sign up

Benefits of the USLAW Legaltech Hub In-House Legal Team Referral Program

- Explore the world's most complete legal tech directory.
- Watch short, expert-moderated demos offering a firsthand look at legal tech products.
- Access to the latest legal tech trends and news.
- Access in-depth reports and commentary on legal tech developments.
- Access to step-by-step templates, checklists and planning tools.

PLUS Get a 10% discount on Legaltech Hub Premium subscriptions as a result of this USLAW NETWORK referral.



a LEGAL TECHNOLOGY and AI partnership

firms
ON THE MOVE




ADLER POLLOCK & SHEEHAN P.C.

The Rhode Island Public Expenditure Council (RIPEC) has elected [Bob Brooks](#) of [Adler Pollock & Sheehan](#) in Rhode

Island as treasurer of the organization.

Brooks has served on the RIPEC Board of Directors since 2022 and has been an active contributor to the organization's mission of promoting sound public policy and fiscal responsibility in Rhode Island. The Rhode Island Public Expenditure Council is a nonprofit, nonpartisan organization dedicated to improving the effectiveness of government through objective research, analysis, and public education on fiscal and economic issues facing Rhode Island.

[Hamza Chaudary](#) of [Adler Pollock & Sheehan](#) in Rhode Island has been named Chair of the Leadership Rhode Island Board of Governors. Chaudary was a 2017 graduate of Leadership Rhode Island's Nu II Class and has served on the Board of Governors as a member and as vice chair for the past three years. Board members are widely respected Rhode Island leaders from a cross-section of community sectors, including business, finance, education, and community nonprofits. Adler Pollock & Sheehan is committed to promoting the economic growth of its community and has maintained a long relationship with Leadership Rhode Island since its inception. Twenty percent of Adler Pollock & Sheehan attorneys are Leadership Rhode Island graduates.



A TRADITION OF LEGAL EXCELLENCE SINCE 1938

[Karen Painter Randall](#) of [Connell Foley](#) in New Jersey was named one of only five recipients of the 2026 International

Legal Technology Association (ILTA) Influential Women in Legal Tech Award. Randall was selected from an exceptionally competitive field of 96 nominations and 70 applications, underscoring the distinction and importance of this recognition within the global legal technology community.



DUKE EVETT
ATTORNEYS AT LAW

[Christina Hesse](#), a partner at [Duke Evett, PLLC](#), in Idaho, has been appointed vice chair of the Medical Staff, Credentialing, and Peer Review Practice (MSCPR) Group of the

American Health Law Association (AHLA), effective July 1, 2026. AHLA is the nation's largest nonpartisan educational organization devoted to legal issues in the health care field, serving more than 12,000 members nationwide.



HansonBridgett

[Hanson Bridgett](#) Partner [Payam Saljoughian](#) has been elected president of the Iranian American Bar Association

(IABA), a national nonprofit legal organization and national bar association founded in 2000 dedicated to advancing the professional interests and civic engagement of Iranian American attorneys, judges, and law students across the United States. Through its chapters, national programming, education initiatives, and public advocacy, IABA works to support and empower the Iranian American community and other minority communities.



Longtime [Klinedinst PC](#) Shareholder and immediate-past treasurer [Ian A. Rambarran](#) has been elected chief executive officer following a unanimous decision by the firm's Board of Directors. He succeeds interim CEO and firm founder [John D. Klinedinst](#), who resumes his role as Chairman.

[James D. Snyder](#) has been named [Klinedinst PC](#) managing shareholder of its San Diego office. Snyder has been a cornerstone of the firm and its San Diego office for many years, establishing and expanding the firm's transactional and data privacy/AI practice groups firmwide, while positioning KPC for continued growth and innovation.

firms
ON THE MOVE




MEHAFFYWEBER

Maryalyce Cox of *MehaffyWeber* in Houston, Texas, has successfully passed the rigorous certification examination administered by the Texas Board of Legal Specialization (TBLS) and is now officially Board Certified in Personal Injury Trial Law. Fewer than 10% of Texas attorneys earn Board Certification.



QUATTLEBAUM, GROOMS & TULL PLLC

Jeb H. Joyce of *Quattlebaum, Grooms & Tull PLLC* in Arkansas has been selected as a Fellow of the American College of Mortgage Attorneys (ACMA). With this distinction, Joyce joins firm partners Tim Grooms and Cliff McKinney as Fellows of ACMA. ACMA Fellows are recognized for their significant contributions to real estate mortgage law. A managing member of the firm, Joyce focuses his practice on commercial real estate and commercial finance.



Rivkin Radler Partner *Brian Schlosser* was appointed as a member of the Nassau County Bar Association Lawyer Assistance Committee. Nassau County Bar Association Lawyer Assistance Program (LAP) provides a range of services to lawyers, judges, law students, and their immediate family members who are struggling with alcohol or drug abuse, depression, anxiety, stress, as well as other addictions and mental health issues.

Rivkin Radler Partner *Stu Gordon* was elected as secretary of the Board of Directors of Developmental Disabilities Institute (DDI). DDI operates day and residential programs in approximately 50 locations throughout Long Island for the care, education, treatment and training of children and adults with autism and other developmental disabilities.

Rivkin Radler Partner *Eric Santos* was appointed by the Appellate Division, Second Judicial Department to serve a four-year term on the Committee on Character and Fitness for the Ninth Judicial District.

Rivkin Radler Partner *Michael Antongiovanni* has been elected to the Executive Committee of the Nassau County Bar Association. He will serve a one-year term as secretary effective June 2026, and will advance through the leadership ranks, ultimately serving as president of the association in 2030.



Lewis W. Adkins Jr., shareholder-in-charge of development and practice integration, and president of Roetzel Consulting Solutions at *Roetzel & Andress*, received an honorary Doctorate of Humane Letters from The University of Akron during the College of Health and Human Sciences 2026 commencement ceremony. Adkins has served as chair and vice chair of The University of Akron Board of Trustees during the past eight years and has supported numerous community organizations and initiatives throughout the greater Akron and Summit County region, including the Akron Urban League.



Aileen E. Cohen of *Thorndal Armstrong* in Nevada was awarded the 2025 Volunteer of the Year by the Southern Nevada Association of Women Attorneys (SNAWA) at the Annual SNAWA Kick Off Party in January 2026.



pro bono
SPOTLIGHT



Quattlebaum, Grooms & Tull PLLC commitment to public service

Quattlebaum, Grooms & Tull PLLC has been recognized as a 2025 Pro Bono Leader for its extraordinary pro bono service through ABA Free Legal Answers, a virtual legal clinic operated by the American Bar Association. [ABA Free Legal Answers](#) allows income-eligible individuals to post civil legal questions online, which are then answered by volunteer pro bono attorneys licensed in their state. Quattlebaum, Grooms & Tull received this honor in recognition of the firm’s commitment to public service, having answered 77 civil legal questions on the Arkansas ABA Free Legal Answers site in 2025.

In addition to the firm’s recognition, [J. Cliff McKinney II](#), managing member of Quattlebaum, Grooms & Tull PLLC, was honored individually for his exceptional service. McKinney answered more than 50 civil legal questions through the program in 2025, demonstrating a strong personal commitment to expanding access to justice.



Hanson Bridgett files Amicus Brief in Ninth Circuit Appeal addressing inclusive academic support programs



Hanson Bridgett LLP in San Francisco has filed an amicus curiae brief in the U.S. Court of Appeals for the Ninth Circuit in *Californians for Equal Rights Foundation v. Her, et al.*, a high-profile appeal involving a challenge to Fresno Unified School District’s inclusive academic support programming.

Partner [Patrick Burns](#) (left) and Associate [Shandyn Pierce](#) serve as counsel for amici curiae and filed the brief in partnership with the National Center for Youth Law and advocacy organizations dedicated to expanding access to educational opportunity for underserved students across California.

Drawing on longstanding U.S. Supreme Court precedent, the amicus brief emphasizes that speculative allegations of harm are insufficient to sustain legal challenges to programs designed to expand opportunity through tutoring, mentoring, college counseling, and other inclusive academic supports.

The organizations represented in the brief bring decades of experience advancing educational equity and supporting students in historically under-resourced communities. Their perspective underscores what is at stake in this appeal: the continued availability of inclusive programs that help close opportunity gaps and improve student outcomes statewide.

“We are honored to partner with mission-driven organizations advancing access to educational opportunity for students across California,” said Burns. “This case raises important questions about the ability of school districts to provide inclusive academic support programs that benefit students who have historically lacked access to critical resources.”

Hanson Bridgett’s work on this matter reflects the firm’s ongoing commitment to public interest advocacy and advancing legal strategies that support equitable access to education



Nassau County Bar Association recognizes Rivkin Radler as a Top Pro Bono

On Thursday, April 16, [Rivkin Radler](#) was recognized by the Nassau County Bar Association as a Top Pro Bono Provider for 2025. Several Rivkin attorneys were also individually recognized for their pro bono contributions this year, including [Brian Bank](#), [Lindsay Brocki](#), [Bernadette Kasnicki](#), [Jessica Flores Lynch](#), [Ben Malerba](#), [Christopher Mango](#), [Harini Maragh](#), [Phil Nash](#), [Moise Ogé](#), [Ashley Prinz](#), [Joanna Rosenblatt](#), [Alan Rutkin](#), [Bill Savino](#), and [Madison Willmott](#).



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Black Marjeh & Sanford LLP (Elmsford, NY)

BMS secures summary judgment dismissal in construction accident case and dismissal of accountant liability suit

Black Marjeh & Sanford LLP Partner [James J. Lofrese](#) secured summary judgment dismissal of all claims asserted against the firm's client in a personal injury action arising from a construction accident. The plaintiff alleged injuries after falling through an elevator shaft at a construction site. After the accident, the plaintiff reported that he stepped on a conduit and repeated that account to health care providers, but he later admitted during deposition testimony that the account was fabricated. Lofrese's motion was opposed by several parties asserting contractual claims against the firm's client, who argued that the prior statements created issues of fact. The Court agreed with Lofrese's argument that the prior version constituted inadmissible hearsay and was insufficient to create a genuine issue of material fact. As a result, the Court granted summary judgment dismissing all claims against the firm's client.


In an unrelated matter, Black Marjeh & Sanford LLP Partner [Dana K. Marjeh](#) secured dismissal of all claims against the firm's client, an accountant named as a third-party defendant in a professional liability action. The case involved allegations that the firm's client was professionally negligent in providing accounting and tax-related services. The Court agreed that no viable cause of action existed. BM&S demonstrated that the third-party complaint failed as a matter of law because common-law indemnification was unavailable, as the defendant was sued for its own alleged negligence rather than under a vicarious liability theory.

In the underlying action, the defendant was alleged to have committed errors in rendering tax advice, resulting in substantial damages to the plaintiffs. The defendant then commenced a third-party action seeking common-law indemnification and contribution. BM&S established that such claims could not be maintained because contribution is unavailable where the alleged loss is purely economic and the defendant was sued for its own negligence.


The Court granted dismissal of the third-party complaint and all cross claims in their entirety, reaffirming important principles governing professional liability and common-law indemnification.

As a result, all claims against the firm's client were dismissed prior to the commencement of extensive discovery, bringing the

matter to a swift and favorable resolution. The ruling underscores BM&S's commitment to vigorously defending its clients and achieving successful outcomes in complex litigation.

 CARR ALLISON **Carr Allison (Jacksonville, FL)**
Sausaman obtains appeal on behalf of a convenience store client

[Alison H. Sausaman](#) of [Carr Allison's Jacksonville](#) (Florida) office won a recent appeal of an order granting Defendant's motion for summary judgment on behalf of a convenience store. The Fifth District Court of Appeals affirmed the trial court's order, which held that an undefined change in elevation where concrete met asphalt is an open and obvious condition and does not constitute a dangerous condition as a matter of law.

 CARR ALLISON **Carr Allison (Birmingham, AL)**
DeCoudres and Brown Granted Summary Judgment, DeCoudres and Driver Obtain Summary Judgment

[Shaun DeCoudres](#) and [Web Brown](#) of [Carr Allison's Birmingham](#) (Alabama) office were granted summary judgment in Jefferson County (Alabama) on claims of negligent hiring, training and supervision in a death case involving a temp agency and tire wholesaler. DeCoudres and Brown argued that the temp agency scans possible employees for placement and once placed, the agency has no control over the worker's job duties and responsibilities. In the motion, DeCoudres and Brown argued the plaintiff had not established the temp agency owed a duty to the plaintiff, and even if they did owe a duty, there was no evidence that the said duty was breached. Ultimately, the court agreed and granted the motion.

In an unrelated matter, [Shaun DeCoudres](#) and [Joseph Driver](#) of [Carr Allison's Birmingham](#) (Alabama) office recently had their summary judgment upheld by the Alabama Supreme Court. The case involved a trip and fall at a shopping center while the plaintiff was walking through a construction zone that had been established in front of a store entrance during a renovation project. At her deposition, the plaintiff admitted she noticed the construction signs and warning as she was approaching the store; however, she claimed she fell because of uneven concrete that had been cut several days earlier as part of the sidewalk replacement project. Spray paint had been used to mark the uneven concrete. The open and obvious defense was argued at the summary judgment level and upheld at the appellate level.



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Duke Evett, PLLC (Boise, ID)

Duke Evett attorneys obtain four separate trial wins in early 2026

DUKE EVETT
ATTORNEYS AT LAW

Since January 2026, Duke Evett has gone 4-0 in trials: a medical malpractice win in Alaska, a real estate victory in Boise, a successful bench trial in Salt Lake City, and an appropriate use-of-force triumph in Boise.

[Keely Duke](#) and [Christina Hesse](#) of [Duke Evett, PLLC](#), in Idaho, represented a Boise hospital and three of its protection officers in a week-long jury trial against allegations of civil battery. The Plaintiff was an emergency department patient being evaluated for initiation of an involuntary mental health hold. While in the emergency department, the Plaintiff struck one of the protection officers and was restrained so she could receive medical help. During the restraint, she sustained injuries to a wrist and the opposite arm. The jury returned a defense verdict for all defendants because it determined that the protection officers used necessary and reasonable force in self-defense and in defense of others while acting in the course and scope of their employment with the hospital.

[Molly Mitchell](#) and Duke Evett represented a window-and-door company that installed a custom sliding-door panel system in a customer's home in Utah. After the door system was installed, the customer refused to pay for it. The customer claimed he expected the door system to be taller, despite it matching the specifications in the agreement he signed. The customer filed a counterclaim alleging the door did not meet his expectations. Duke Evett filed suit in Utah state court, and the case proceeded to a bench trial. Although the court allowed a minor offset for certain work that had allegedly not been completed, the firm's client was awarded the majority of the funds it was seeking.

[Kyle Mandeville](#) and [Molly Mitchell](#) represented a client who purchased a home in the East Boise foothills for an employee. After the employee moved, Duke Evett's client sold the property. The buyer and his engineering experts later found that the property has serious issues with the foundation and structure. The buyer sued Duke Evett's client, who never lived at the property, for fraud and violation of the Idaho Consumer Protection Act. After a week-long trial, the Duke Evett team convinced the jury that its client should not be held responsible for issues its client did not know about and that arose after the sale. The Court dismissed all claims against Duke Evett's client with prejudice.

[Keely Duke](#), [Christina Hesse](#), and the entire trial team secured a hard-fought defense verdict after a two-week medical malpractice trial in Juneau, Alaska. The case centered on the defense of a bariatric surgeon against claims involving alleged thiamine defi-

ciency, Wernicke's Encephalopathy, and complications related to a Roux-en-Y gastric bypass, including stricture. Following less than two hours of deliberation, the jury returned a unanimous verdict finding no negligence.



Fee, Smith & Sharp LLP

Fee, Smith & Sharp LLP (Dallas TX)

Daniel Karp secures dismissal with the Texas Supreme Court on behalf of national retailer in shipping liability.

Following a fatal traffic accident involving a commercial vehicle, Plaintiff filed suit against Home Depot, alleging that a common shipper of goods has a duty under Texas law to vet, control or be responsible for the independent acts of a motor carrier and its driver. The dismissal of the case was initially denied by the Trial Court and again by the 14th Court of Appeals. The Texas Supreme Court granted a mandamus, holding today and making new law in Texas that a shipper has no such duties and ordered that all claims against Home Depot be dismissed as a matter of law.

In a case of first impression, Equity Partner [Daniel Karp](#) argued to the Texas Supreme Court that placing a burden on a common shipper would contradict many of the guiding principles of tort responsibility in Texas and could not be allowed to stand. This same logic and holding can be applied to broker cases across the State of Texas as well, especially in light of the newest U.S. Supreme Court opinion as to Broker pre-emption.

This well-thought-out decision marks a win not only for the firm's client, but also for consumers across Texas who depend on shippers like Home Depot to keep shelves stocked.



Flaherty Sensabaugh Bonasso PLLC (Charleston, WV)

FLAHERTY | SENSABAUGH | BONASSO *Flaherty secures insurance coverage victory for Berkley National Insurance Company in Mingo County*

[Flaherty](#) attorney [Erica Baumgras](#) recently secured a significant insurance coverage victory for Berkley National Insurance Company in the Circuit Court of Mingo County, West Virginia.

The matter arose from claims asserted by Cost Control Consulting, Inc. against Kinzer Business Realty, Ltd., including ejectment, trespass, conversion, and tortious interference. Cost Control alleged that Kinzer had no legal right or interest in the surface property that would permit Kinzer to construct, operate, and maintain a gas pipeline transporting gas from other properties.

Berkley National Insurance Company denied coverage for the claims asserted against Kinzer under the applicable policy and



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was subsequently brought into the litigation through a third-party complaint seeking declaratory judgment and alleging breach of contract.

On behalf of Berkley, Flaherty successfully obtained judgment on the pleadings before Judge Deskins, resulting in dismissal of the claims against Berkley without the need for trial. Applying West Virginia's conflict-of-law analysis, the Court determined that Kentucky law governed the insurance coverage dispute and found there was no coverage under the Berkley policy on four independent grounds.

First, the Court held that the claims against Kinzer did not constitute an "occurrence" or "accident" within the meaning of the policy. Second, the Court found that the claims fell within the policy exclusion for bodily injury or property damage expected or intended from the insured's standpoint. Third, the Court concluded that the exclusion for property damage to property the insured "owns, rents, or occupies" applied. Finally, the Court determined that coverage was barred by the exclusion applicable to property damage arising out of operations being performed on the subject real property.

Kinzer did not appeal the Circuit Court's ruling.

The result provided Berkley with a complete dispositive victory at the pleadings stage, avoiding the substantial time and expense associated with prolonged litigation and trial proceedings.



Hanson Bridgett LLP (San Francisco, CA)

Hanson Bridgett secures Appellate Victory in landmark Ventura County groundwater adjudication

Hanson Bridgett attorneys successfully defended a favorable trial court judgment in a significant groundwater rights adjudication involving Ventura County's Las Posas Valley Groundwater Basin. The California Court of Appeal affirmed the judgment in full, resolving challenges to the final judgment brought by several parties.

The case was the first comprehensive groundwater adjudication filed under the Sustainable Groundwater Management Act (SGMA), addressing competing claims to groundwater rights within the Basin. The litigation involved two trials over a multi-phase process that determined the Basin's safe yield and operating yield; allocated water rights; and determined a court-approved physical solution for managing the Basin. Throughout those phases, the trial court ensured its adjudication was consistent with the Basin's Groundwater Sustainability Plan.

Hanson Bridgett represented Ventura County Waterworks District Nos. 1 and 19, which played a leading role in litigation as

they collectively held the largest share of water rights in the Basin. Partners [Michael Van Zandt](#) and [Sean Herman](#) tried the case in the trial court, where the team obtained a favorable judgment for their clients. Herman later argued the appeal before the Court of Appeal. The appellate court affirmed the judgment, rejecting numerous challenges and confirming the trial court's allocation framework and management structure for the basin.

The appellate decision confirms that courts may implement comprehensive solutions in groundwater adjudications that fit with groundwater sustainability plans developed under SGMA. The streamlined adjudication balanced competing water rights while advancing the state's constitutional mandate for reasonable and beneficial use of water resources.

The Hanson Bridgett team also included [Nathan Metcalf](#), [Spencer Ferguson](#), [Kimberly Sutton](#), and [Delores McCullum](#). This appellate victory reinforces the firm's experience advising clients in complex water rights litigation and in matters involving SGMA compliance and groundwater basin management.



MEHAFFYWEBER

MehaffyWeber (Houston, TX)

In separate cases, MehaffyWeber attorneys secure mandamus win in the Texas Fourteenth Court of Appeals and summary judgment in a transportation case

A trial court in Fort Bend County (Texas) granted a Rule 202 Petition filed by a personal injury claimant, ordering a corporate defendant to appear for deposition and produce documents before a lawsuit was filed. *MehaffyWeber* Shareholder [Konor Cormier](#) drafted and filed a petition for a writ of mandamus on behalf of the defendant, seeking to have the court of appeals overturn the order. The Fourteenth Court of Appeals agreed that the plaintiff had not met its burden for needing a pre-suit deposition or discovery and set aside the order.

In a separate matter, [Mike Magee](#) and [Mark Appling](#) have been defending EOG Resources (EOG) in a quadruple death lawsuit pending in Ector County (Texas). The case involves the death of four Pioneer crewmembers who were killed as they were heading back to EOG's well site from breakfast; apparently, the driver of the crew's truck was intoxicated, and the truck was hit by a semi-truck after rolling through a stop sign. The Court recently granted summary judgment for EOG in full and then denied Plaintiffs' motions for reconsideration. It should be noted that the MSJ was opposed by three separate camps of plaintiff lawyers (*MehaffyWeber* had one lawyer arguing against 4-5 plaintiff lawyers at the original hearing). The result is the right result for a sad case.



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Rivkin Radler LLP (Uniondale, NY)

On the issue of 1st Impression, Rivkin Team establishes a 3-year statute of limitations for charging lien

A trial and appellate team comprised of [Rivkin Radler](#) Partners [Henry Mascia](#) and [John Queenan](#), Counsel [Merril Biscone](#), and Associate [Jeff Ehrhardt](#) successfully argued before the Appellate Division that a charging lien under Judiciary Law § 475 is subject to a three-year statute of limitations, rather than a six-year period.

The First Department unanimously affirmed the Supreme Court's dismissal of the plaintiff's attorney charging lien claim against Rivkin's client, which allegedly paid settlement funds without protecting an attorney of record's charging lien. The court agreed with Rivkin's primary argument advanced at the trial court that, under existing Court of Appeals precedent, a charging lien is a species of property interest.

By extension, Rivkin argued that a claim for alleged violation of a Judiciary Law § 475 charging lien is governed by the three-year statute of limitations for conversion of property, not the six-year period for equitable claims or for claims for which no period is provided. The Appellate Division held that the claim accrued when the settlement funds in escrow were allegedly converted.

This is a significant decision because this was an issue of first impression. No New York appellate court (and perhaps no prior trial court) has decided a charging lien's statute of limitations before, which means that until further notice or on distinguishable facts, it is the law in New York State that an action on a Judiciary Law § 475 charging lien is subject to a three-year statute of limitations.

Wicker Smith (Orlando, FL)



Wicker Smith obtains defense verdict for retail client

WICKER SMITH [Wicker Smith](#) Orlando Partner [Mike Tyson](#) and Associate [Oscar Draughn](#) obtained a defense verdict on behalf of a national retail department store in Volusia County, Florida. This case arose from an alleged slip and fall in the fragrance department of the store, where Plaintiff worked as an independent perfume vendor. Plaintiff's counsel contended that the slip and fall was caused by an accumulation of perfume on the floor because of the way perfume is marketed and sold in the fragrance department. Specifically, it was alleged perfume accumulated on the floor of the fragrance department as a result of it being sprayed into the air and on perfume strips for customers. Eyewitnesses testified that the floor was not slippery that day, all regular cleaning processes had been followed, and that Plaintiff

was not looking where she was going at the time of the incident, causing her to trip over her own feet. Additionally, there was no evidence presented that established that the firm's client had actual or constructive notice of the alleged dangerous condition.

As a result of the fall, Plaintiff sustained a fractured wrist and a fractured hip, which required surgery to repair, along with a recommendation for a future hip replacement and significant ongoing need for medical treatment to manage her injuries. Plaintiff's medical records pre-dating the incident showed a history of osteoporosis and an inconsistent use of the medications prescribed to treat the condition.

Reasonable efforts to settle the case prior to trial were not successful, and Plaintiff's counsel asked the jury for \$2.5 million at closing. The jury found no negligence on the part of Wicker Smith's client and returned a complete defense verdict.

Wicker Smith (Miami, FL)



Wicker Smith obtains defense verdict in medical malpractice case

WICKER SMITH In May 2026, [Viviana Varela](#) and [Mary Street](#), partners in [Wicker Smith](#)'s Miami office, obtained a defense verdict in a medical malpractice case in Miami-Dade County. They represented an OBGYN hospitalist in this case, which involved routine complications during delivery. Plaintiffs claimed that the newborn suffered hypoxia during delivery that resulted in permanent brain injury manifesting in speech delays and behavioral issues diagnosed as a toddler, and that had Wicker Smith's client performed a cesarean section these injuries would have been avoided. Plaintiffs' experts claimed the child was intellectually disabled and they presented a \$4 million life care plan assuming the child would never be able to work. Despite the record evidence that the child did not exhibit any signs of hypoxic injury at birth, did not require any NICU care, and that the mother and baby were discharged from the hospital on the standard timeframe, at the end of the three-week trial Plaintiffs' counsel asked the jury for \$10 million in damages, including compensation for the consortium claims of the parents. The jury found no negligence on the part of the doctor and returned a complete defense verdict.



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TRANSACTIONS



Laffey, Leitner & Goode LLC

Laffey, Leitner & Goode LLC (Milwaukee, WI)

Laffey, Leitner & Goode represented the Center for a Humane Economy (CHE) in the successful release of 1,500 beagles from a laboratory facility in Madison, Wisconsin

Laffey, Leitner & Goode (LLG) represented the Center for a Humane Economy (CHE) to help secure the release of 1,500 beagles from a laboratory facility in Dane County, Wisconsin. Ridglan Farms, a laboratory and contract testing facility, housed thousands of beagles. A recent plea agreement between Ridglan Farms and a special prosecutor appointed by a Dane County judge resulted in the facility's agreement to give up its dog seller's license as of July 1, 2026. Amid concerns that many of the dogs might be sold quickly, potentially into further research environments, CHE's rescue window was limited, and the dog's outcome uncertain.

LLG Partner *Joe Goode* represented CHE in negotiations throughout the process. It was not straightforward. There were setbacks and moments when progress stalled. In the end, 1,500 beagles are being released under the confidential agreement reached with Ridglan Farms.

Reflecting on the effort, Goode shared: "At Laffey, Leitner & Goode, we're fortunate to apply our expertise to cases that make a real difference. Representing the Center for a Humane Economy in this matter required weeks of complex negotiations, persistence and problem-solving to keep conversations moving even when progress wasn't certain. I'm proud to have helped secure this outcome. After 34 years in practice, it stands out as one of the most meaningful results of my career."

As Wayne Pacelle, CHE's president, shared: "Joe stayed with a difficult negotiation because he believed in the outcome. In the end, he got it done and made a real difference for the animals. Our tails are still wagging."

The outcome was made possible through collaboration with several organizations working to receive, care for and rehome the animals.



Poyner Spruill
ATTORNEYS AT LAW

Poyner Spruill LLP (Raleigh, NC)

Poyner Spruill represents SE&M in Everus Construction Group's first acquisition as a public company

Poyner Spruill LLP represented SE&M Constructors, Inc., SE&M of the Triangle, Inc., and SECO Rentals, LLC in Everus Construction Group's first strategic acquisition since becoming a stand-alone public company.

Poyner Spruill's multidisciplinary transaction team counseled SE&M during the acquisition process on matters involving corporate proceedings, tax strategy, environmental considerations, employment and employee benefits matters, real estate transactions, and intellectual property dealings.

Poyner Spruill regularly represents closely held businesses, family owned companies, and management teams in mergers and acquisitions, strategic transactions, and ownership transitions. Partners *Mike Slipsky* and *Chris Dwight* spearheaded the acquisition efforts, assisted by associates *Marissa Barbalato* and *Grayson Jones*. Poyner Spruill partners *Charlie Davis*, *Glenn Dunn*, *Steve Rowe*, *Jesse St. Cyr*, *Stephanie Sanders*, and *Eric Stevens* furthered the process by contributing their extensive knowledge in their respective fields of law.

SE&M provides mechanical, electrical, and plumbing services to customers across the pharmaceutical, industrial, and healthcare sectors. Everus cited SE&M's established presence in the Southeast, its mechanical services capabilities, and its focus on complex and specialized projects as key factors in the transaction.

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Doug Marshall
President
dmarshall@mi-pi.com



Adam Kabarec
VP Surveillance Operations
akabarec@mi-pi.com



Matt Mills
VP Business Development
mmills@mi-pi.com



Thom Kramer
Director Internet Presence &
Business Development
tkramer@mi-pi.com



Tim Karlstad
Vice-President investigations
tkarlstad@mi-pi.com



Jake Marshall
Business Development Manager
jmarshall@mi-pi.com



Shannon Thompson
Business Development Manager
sthompson@mi-pi.com



Kelley Collins
SIU Manager
kcollins@mi-pi.com



Nationwide Investigative Services

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USLAW NETWORK

2001. The Start of Something Better.

Mega-firms...big, impersonal bastions of legal tradition, encumbered by bureaucracy and often slow to react. The need for an alternative was obvious. A vision of a network of smaller, regionally based, independent firms with the capability to respond quickly, efficiently and economically to client needs from Atlantic City to Pacific Grove was born. In its infancy, it was little more than a possibility, discussed around a small table and dreamed about by a handful of visionaries. But the idea proved too good to leave on the drawing board. Instead, with the support of some of the country's brightest legal minds, USLAW NETWORK became a reality.

Fast forward to today.

The commitment remains the same as originally envisioned. To provide the highest quality legal representation and seamless cross-jurisdictional service to major corporations, insurance carriers, and to both large and small businesses alike, through a network of professional, innovative law firms dedicated to their client's legal success. Now as a diverse network with more than 6,000 attorneys from approximately 90 independent, full practice firms across the U.S., Canada, Latin America and Asia, and with affiliations with TELFA in Europe, USLAW NETWORK remains a responsive, agile legal alternative to the mega-firms.

Home Field Advantage.

USLAW NETWORK offers what it calls The Home Field Advantage which comes from knowing and understanding the venue in a way that allows a competitive advantage – a truism in both sports and business. Jurisdictional awareness is a key ingredient to successfully operating throughout the United States and abroad. Knowing the local rules, the judge, and the local business and legal environment provides our firms' clients this advantage. The strength and power of an international presence combined with the understanding of a respected local firm makes for a winning line-up.

A Legal Network for Purchasers of Legal Services.

USLAW NETWORK firms go way beyond providing quality legal services to their clients. Unlike other legal networks, USLAW is organized around client expectations, not around the member law firms. Clients receive ongoing educational and programming opportunities – onsite and virtual – and online resources, including webinars, jurisdictional

updates and *USLAW Magazine*. To ensure our goals are the same as the clients our member firms serve, our Client Leadership Council and Practice Group Client Advisors are directly involved in the development of our programs and services. This communication pipeline is vital to our success and allows us to better monitor and meet client needs and expectations.

USLAW IN EUROPE.

Just as legal issues seldom follow state borders, they often extend beyond U.S. boundaries as well. In 2007, USLAW established a relationship with the Trans-European Law Firms Alliance (TELFA), a network of more than 30 independent law firms representing more than 1,000 lawyers through Europe to further our service and reach.

How USLAW NETWORK Membership is Determined.

Firms are admitted to the NETWORK by invitation only and only after they are fully vetted through a rigorous review process. Many firms have been reviewed over the years, but only a small percentage were eventually invited to join. The search for quality member firms is a continuous and ongoing effort. Firms admitted must possess broad commercial legal capabilities and have substantial litigation and trial experience. In addition, USLAW NETWORK members must subscribe to a high level of service standards and are continuously evaluated to ensure these standards of quality and expertise are met.

USLAW in Review.

- All vetted firms with demonstrated, robust practices and specialties
- Organized around client expectations
- Efficient use of legal budgets, providing maximum return on legal services investments
- Seamless, cross-jurisdictional service
- Responsive and flexible
- Multitude of educational opportunities and online resources
- Team approach to legal services

The USLAW Success Story.

The reality of our success is simple: we succeed because our member firms' clients succeed. Our member firms provide high-quality legal results through the efficient use of legal budgets. We provide cross-jurisdictional services eliminating the time and expense of securing adequate representation in different regions. We provide trusted and experienced specialists quickly.

When a difficult legal matter emerges – whether it's in a single jurisdiction, nationwide or internationally – USLAW is there.

For more information, please contact Roger M. Yaffe, USLAW CEO, at (800) 231-9110 or roger@uslaw.org



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ALABAMA | BIRMINGHAM

Carr Allison
Charles F. Carr (251) 626-9340
ccarr@carrallison.com

ARKANSAS | LITTLE ROCK
Quattlebaum, Grooms & Tull PLLC
John E. Tull, III (501) 379-1705
jtull@qgtlaw.com

CALIFORNIA | LOS ANGELES
Murchison & Cumming LLP
Dan L. Longo (714) 953-2244
dlongo@murchisonlaw.com

CALIFORNIA | SAN DIEGO
Klinedinst PC
Frederick Heiser (949) 868-2606
fheiser@klinedinstlaw.com

CALIFORNIA | SAN FRANCISCO
Hanson Bridgett LLP
Merton A. Howard (415) 995-5033
mhoward@hansonbridgett.com

CALIFORNIA | SANTA BARBARA
Snyder Burnett Egerer, LLP
Sean R. Burnett (805) 683-7758
sburnett@sbelaw.com

CALIFORNIA | ROSEVILLE
Coleman, Chavez & Associates, LLP
- For Workers' Compensation Only
Richard Chavez (916) 787-2300
rchavez@cca-law.com

COLORADO | DENVER
White and Steele, P.C.
John C. Matthews (303) 824-4313
jmatthews@wsteele.com

CONNECTICUT | HARTFORD
Hinckley Allen
Noble F. Allen (860) 725-6237
nallen@hinckleyallen.com

DELAWARE | WILMINGTON
Cooch and Taylor P.A.
C. Scott Reese (302) 984-3811
sreese@coochtaylor.com

FLORIDA | CENTRAL FLORIDA
Wicker Smith
Richards H. Ford (407) 843-3939
rford@wickersmith.com

FLORIDA | SOUTH FLORIDA
Wicker Smith
Oscar Cabanas (305) 461-8710
ocabanas@wickersmith.com

FLORIDA | NORTHWEST FLORIDA
Carr Allison
Alison H. Sausaman (904) 328-6460
asausaman@carrallison.com

GEORGIA | ATLANTA
Bovis Kyle Burch & Medlin LLC
Kim M. Jackson (678) 338-3975
kjackson@boviskyle.com

HAWAII | HONOLULU
Goodsill Anderson Quinn & Stifel LLP
Edmund K. Saffery (808) 547-5736
esaffery@goodsill.com

IDAHO | BOISE
Duke Evett, PLLC
Keely E. Duke (208) 342-3310
ked@dukeevett.com

ILLINOIS | CHICAGO
Amundsen Davis LLC
Lew R.C. Bricker (312) 894-3224
lbricker@amundsendavislaw.com

INDIANA | INDIANAPOLIS
Amundsen Davis LLC
Edward Harcourt (317) 464-4156
eharcourt@amundsendavislaw.com

IOWA | CEDAR RAPIDS
Simmons Perrine PLLC
Kevin J. Visser (319) 366-7641
kvisser@sp.law

KANSAS/WESTERN MISSOURI | KANSAS CITY
Dysart Taylor
Amanda Pennington Ketchum (816) 714-3066
aketchum@dysarttaylor.com

LOUISIANA | NEW ORLEANS
Plauché Maselli Parkerson LLP
R. Heath Savant (225) 406-7303
hsavant@pmpllp.com

MARYLAND | BALTIMORE
Franklin & Prokopik, PC
Tamara B. Goorevitz (410) 230-3625
tgoorevitz@fandpnet.com

MINNESOTA | ST. PAUL
Larson • King, LLP
Mark A. Solheim (651) 312-6503
msolheim@larsonking.com

MISSISSIPPI | SOUTHERN MISSISSIPPI
Carr Allison
Nicole M. Holder (228) 678-1009
nholder@carrallison.com

MISSISSIPPI | RIDGELAND
Copeland, Cook, Taylor & Bush, P.A.
James R. Moore, Jr. (601) 427-1301
jmoore@cctb.com

MISSOURI | ST. LOUIS
Lashly & Baer, P.C.
Julie Z. Devine (314) 436-8329
jdevine@lashlybaer.com

MONTANA | GREAT FALLS
Davis, Hatley, Haffeman & Tighe, P.C.
Maxon R. Davis (406) 761-5243
max.davis@dhhtlaw.com

NEBRASKA | OMAHA
Baird Holm LLP
Jennifer D. Tricker (402) 636-8348
jtricker@bairdholm.com

NEVADA | LAS VEGAS
Thorndal Armstrong, PC
Michael C. Hetey (702) 366-0622
mch@thorndal.com

NEW JERSEY | ROSELAND
Connell Foley LLP
Kevin R. Gardner (973) 840-2415
kgardner@connellfoley.com

NEW MEXICO | ALBUQUERQUE
Modrall Sperleng
Jennifer G. Anderson (505) 848-1809
jennifer.anderson@modrall.com

NEW YORK | BUFFALO
Gerber Ciano Kelly Brady LLP
Daniel W. Gerber (646) 650-5155
dgerber@gerberciano.com

NEW YORK | CAPITAL DISTRICT
Rivkin Radler LLP
John F. Queenan (518) 641-7071
john.queenan@rivkin.com

NEW YORK | UNIONDALE
Rivkin Radler LLP
David S. Wilck (516) 357-3347
David.Wilck@rivkin.com

NEW YORK | WESTCHESTER
Black Marjeh & Sanford LLP
Lisa J. Black (914) 704-4402
lblack@bmslegal.com

NORTH CAROLINA | RALEIGH
Poyner Spruill LLP
Deborah E. Sperati (252) 972-7095
dsperati@poynerspruill.com

NORTH DAKOTA | FARGO
Larson • King, LLP
Jack E. Zuger (877) 373-5501
jzuger@larsonking.com

OHIO | CLEVELAND
Roetzel & Andress
Bradley A. Wright (330) 849-6629
bwright@ralaw.com

OKLAHOMA | OKLAHOMA CITY
Pierce Couch Hendrickson Baysinger & Green, L.L.P.
Mark E. Hardin (918) 583-8100
mhardin@piercecouch.com

OREGON | PORTLAND
Williams Kastner
Thomas A. Ped (503) 944-6988
tped@williamskastner.com

PENNSYLVANIA | PHILADELPHIA
Sweeney & Sheehan, P.C.
Robyn F. McGrath (215) 963-2485
robyn.mcgrath@sweeneyfirm.com

PENNSYLVANIA | PITTSBURGH
Pion, Nerone, Girman & Smith, P.C.
John T. Pion (412) 281-2288
jpion@pionlaw.com

RHODE ISLAND | PROVIDENCE
Adler Pollock & Sheehan P.C.
Richard R. Beretta, Jr. (401) 427-6228
rberetta@apslaw.com

SOUTH CAROLINA | COLUMBIA
Sweeny, Wingate & Barrow, P.A.
Mark S. Barrow (803) 256-2233
msb@swblaw.com

SOUTH DAKOTA | PIERRE
Riter Rogers, LLP
Lindsay L. Riter-Rapp (605) 224-5825
l.riter-rapp@riterlaw.com

TENNESSEE | MEMPHIS
Martin, Tate, Morrow & Marston, P.C.
Lee L. Piovarcy (901) 522-9000
lpiovarcy@martintate.com

TEXAS | DALLAS
Fee, Smith & Sharp, L.L.P.
Thomas W. Fee (972) 980-3259
tfee@feesmith.com

TEXAS | HOUSTON
MehaffyWeber
Barbara J. Barron (713) 655-1200
BarbaraBarron@mehaffyweber.com

UTAH | SALT LAKE CITY
Strong & Hanni, PC
Kristin A. VanOrman (801) 323-2020
kvanorman@strongandhanni.com

VIRGINIA | RICHMOND
Moran Reeves & Conn PC
C. Dewayne Lonas (804) 864-4820
dlonas@moranreevesconn.com

WASHINGTON | SEATTLE
Williams Kastner
Rodney L. Umberger (206) 628-2421
rumberger@williamskastner.com

WEST VIRGINIA | CHARLESTON
Flaherty Sensabaugh Bonasso PLLC
Peter T. DeMasters (304) 225-3058
pdemasters@flahertylegal.com

WISCONSIN | MILWAUKEE
Laffey, Leitner & Goode LLC
Jack Laffey (414) 881-3539
jlaffey@llgmkc.com

WYOMING | CASPER
Williams, Porter, Day and Neville PC
Scott E. Ortiz (307) 265-0700
sortiz@wpdn.net

USLAW INTERNATIONAL

ARGENTINA | BUENOS AIRES
Barreiro
Nicolás Jaca Otaño (54 11) 4814-1746
njaca@bodlegal.com

BRAZIL | SÃO PAULO
Mundie Advogados
Rodolpho Protasio (55 11) 3040-2923
rofp@mundie.com

CANADA | ALBERTA
CALGARY & EDMONTON
Parlee McLaws LLP
Connor Glynn (780) 423-8639
cglynn@parlee.com

CANADA | ONTARIO | OTTAWA
Kelly Santini
Lisa Langevin (613) 238-6321 ext 276
llangevin@kellysantini.com

CANADA | QUEBEC | MONTREAL
Therrien Couture Joli-Coeur
Douglas W. Clarke (450) 462-8555
douglas.clarke@groupetj.ca

CHINA | SHANGHAI
Duan & Duan
George Wang +8621 6219 1103
george@duanduan.com

MEXICO | MEXICO CITY
EC Rubio
René Mauricio Alva +52 55 5251 5023
ralva@ecrubio.com

TELFA
AUSTRIA
Oberhammer Rechtsanwältin GmbH
Christian Pindus +43 1 5033000
c.pindus@oberhammer.co.at

BALKANS
Vukovic & Partners
Dejan Vuković +381 63 240 350
vukovic@vp.rs

BELGIUM
Delsol Avocats
Sébastien Popijn +32 479 30 84 58
spopijn@delsolavocats.com

CYPRUS
Demetrios A. Demetriades LLC
Demetrios A. Demetriades +357 22 769 000
dadlaw@dadlaw.com.cy

CZECH REPUBLIC
Vyskocil, Krosiak & spol. Advokates and Patent Attorneys
Jiri Spousta +420 224 819 133
spousta@akvk.cz

DENMARK
Lund Elmer Sandager
Jacob Roesen +45 33 300 268
jro@les.dk

ENGLAND
Wedlake Bell
Edward Craft +44 20 7395 3099
ecraft@wedlakebell.com

ESTONIA
WIDEN
Urmas Ustav +372 50 48 341
urmas.ustav@widen.legal

FINLAND
Lexia Attorneys Ltd.
Peter Jaari +358 (0) 10 4244 210
peter.jaari@lexia.fi

FRANCE
Delsol Avocats
Emmanuel Kaepelin +33(0)4 72 10 20 30
ekaepelin@delsolavocats.com

GERMANY
Buse
René-Alexander Hirth +49 711 2249825
hirth@buse.de

GREECE
Corina Fassouli-Grafanaki & Associates Law Firm
Korina Fassouli +30 210 3628512
korina.grafanaki@lawofmf.gr

HUNGARY
Bihary Balassa & Partners Attorneys at Law
Agnes Balassa +36 1 391 44 91
agnes.balassa@biharybalassa.hu

IRELAND
Kane Tuohy
Sarah Reynolds +353 1 672 2233
sreynolds@kanetuohy.ie

ITALY
Ughi e Nunziante
Andrea Rescigno +39 02 762171
a.rescigno@unlaw.it

LATVIA
WIDEN
Janis Esenvalds +371 26 458 754
esenvalds@widen.legal

LITHUANIA
WIDEN
Lina Šikšniute +370 652 135 93
lina.vaitiekuniene@widen.legal

LUXEMBOURG
Tabery & Wauthier
Véronique Wauthier +352 251 51 51
vwauthier@tabery.eu

NETHERLANDS
Dirkzwager
Karen A. Verkerk +31 26 365 55 57
verkerk@dirkzwager.nl

NORWAY
Ræder Bing
Tom Eivind Haug +47 906 53 609
teha@raederbing.no

POLAND
GWW
Aldona Leszczyńska +48 22 212 00 00
warszawa@gww.pl

PORTUGAL
Carvalho, Matias & Associados
Antonio Alfaia +351 21 8855440
acarvalho@cmsa.pt

SLOVAKIA
Alianciaadvokátov
Gerta Šámelová +421 2 57101313
flassikova@aliancia.sk

SPAIN
Adarve Abogados SLP
Juan José García +34 91 591 30 60
juanjose.garcia@adarve.com

SWEDEN
HSA Söderqvist Advokatbyrå
Max Björkbo +46 8 407 88 00
max.bjorkbo@hsa.se

SWITZERLAND
MLL Legal Ltd.
Nadine von Büren-Maier +41 22 737 10 00
nadine.vonburen-maier@mll-legal.com

TURKEY
Baysal & Demir
Pelin Baysal +90 212 813 19 31
pelin@baysaldemir.com



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USLAW SOURCEBOOK

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USLAW is continually seeking to ensure that your legal outcomes are successful and seamless. We hope that these resources can assist you. Please don't hesitate to send us input on your experience with any of the USLAW client resources products or services listed as well as ideas for the future that would benefit you and your colleagues.



VIRTUAL OFFERINGS

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EDUCATION

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A TEAM OF EXPERTS

USLAW NETWORK undoubtedly has some of the most knowledgeable attorneys in the world, but did you know that we also have the most valuable corporate partners in the legal profession? Don't miss out on an opportunity to better your legal game plan by taking advantage of our corporate partners' expertise. This team of specialists focuses on forensic engineering, legal visualization services, record retrieval, structured settlements, legal technology insights & analysis, jury consulting, investigations, and forensic accounting.



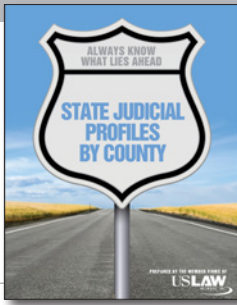
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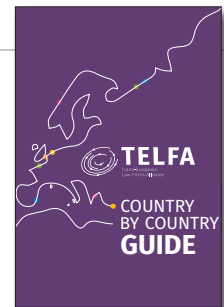


TELFA CORPORATE PRACTICE GROUP COUNTRY-BY-COUNTRY GUIDE

The Trans European Law Firms Alliance (TELFA) Corporate Practice Group Country-by-Country Guide provides legal decision-makers with relevant info for creating corporate structures in jurisdictions across Europe. The corporate structure guide is intended to:

- Provide an overview of the different corporate structures and requirements in the EU.
- Inform about directors' liabilities.
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To view and download the TELFA Country-by-Country Guide, visit the Client Toolkit section of uslaw.org.



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FAX
(205) 822-2057
WEB
www.carrallison.com



PRIMARY
Charles F. Carr
(205) 949-2925
ccarr@carrallison.com



ALTERNATE
Thomas L. Oliver, II
(205) 949-2942
toliver@carrallison.com



ALTERNATE
Thomas S. Thornton, III
(205) 949-2936
tthornton@carrallison.com

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Daphne, AL • PH (251) 626-9340 | Dothan, AL • PH (334) 712-6459 | Florence, AL • PH (256) 718-6040
Jacksonville, FL • PH (904) 328-6456 | Tallahassee, FL • PH (850) 222-2107 | Gulfport, MS • PH (228) 864-1060

AR QUATTLEBAUM, GROOMS & TULL PLLC

ADDRESS
111 Center St., Ste. 1900
Little Rock, AR 72201

PH
(501) 379-1700
FAX
(501) 379-1701
WEB
www.QGtlaw.com



PRIMARY
John E. Tull, III
(501) 379-1705
jtull@qgtlaw.com



ALTERNATE
Thomas G. Williams
(501) 379-1722
twilliams@qgtlaw.com



ALTERNATE
Michael N. Shannon
(501) 379-1716
mshannon@qgtlaw.com

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Additional Office: Springdale, AR • (479) 444-5200

CA MURCHISON & CUMMING, LLP

ADDRESS
801 South Grand Avenue
Ninth Floor
Los Angeles, CA 90017

PH
(213) 623-7400
FAX
(213) 623-6336
WEB
www.murchisonlaw.com



PRIMARY
Dan L. Longo
(714) 501-2838
dlongo@murchisonlaw.com



ALTERNATE
Richard C. Moreno
(213) 630-1085
rmoreno@murchisonlaw.com

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CA KLINEDINST PC

ADDRESS
501 West Broadway
Suite 1100
San Diego, CA 92101

PH
(619) 400-8000
FAX
(619) 238-8707
WEB
www.Klinedinstlaw.com



PRIMARY
Frederick M. Heiser
(949) 868-2606
fheiser@klinedinstlaw.com



ALTERNATE
Kurt U. Campbell
(619) 400-8000
kcampbell@klinedinstlaw.com

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CA HANSON BRIDGETT LLP

ADDRESS
425 Market Street
26th Floor
San Francisco, CA 94105

PH
(415) 777-3200
FAX
(415) 541-9366
WEB
www.hansonbridgett.com



PRIMARY
Mert A. Howard
(415) 995-5033
MHoward@hansonbridgett.com



ALTERNATE
Sandra Rappaport
(415) 995-5053
SRappaport@hansonbridgett.com



ALTERNATE
Jonathan S. Storper
(415) 995-5040
JStorper@hansonbridgett.com

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CA SNYDER BURNETT EGERER, LLP

ADDRESS
3757 State Street
Suite 2A
Santa Barbara, CA 93105

PH
(805) 692-2800
FAX
(805) 692-2801
WEB
www.sbelaw.com



PRIMARY
Sean R. Burnett
(805) 683-7758
sburnett@sbelaw.com



ALTERNATE
Ashley Dorris Egerer
(805) 683-7746
aegerer@sbelaw.com



ALTERNATE
Christopher M. Cotter
(805) 692-2800
ccotter@sbelaw.com

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CA

COLEMAN CHAVEZ & ASSOCIATES
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ADDRESS

 1731 E. Roseville Parkway
 Suite 200
 Roseville CA 95661

PH

(916) 787-2312

FAX

(916) 787-2301

WEB

www.cca-law.com



PRIMARY

Richard Chavez

(916) 607-3300
rchavez@cca-law.com

ALTERNATE

Jose Morales

(213) 395-9084
jmorales@cca-law.com

ALTERNATE

Noelle Sage

(714) 742-0782
nsage@cca-law.com

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CT

HINCKLEY ALLEN

ADDRESS

 20 Church Street, 18th Floor
 Hartford, CT 06103

PH

(860) 331-2610

FAX

(860) 278-3802

WEB

www.hinckleyallen.com



PRIMARY

Noble F. Allen

(860) 331-2610
nallen@hinckleyallen.com

ALTERNATE

William S. Fish, Jr.

(860) 331-2700
wfish@hinckleyallen.com

ALTERNATE

Lisa A. Zaccardelli

(860) 331-2764
lzaccardelli@hinckleyallen.com

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WHITE AND STEELE P.C.

ADDRESS

 600 17th Street
 Suite 600 N
 Denver CO 80202

PH

(303) 296-2828

FAX

(303) 296-3131

WEB

www.whiteandsteele.com



PRIMARY

John C. Matthews

(303) 824-4313
jmatthews@wsteele.com

ALTERNATE

Nick B. Klann

(303) 824-4322
nklann@wsteele.com

ALTERNATE

Matthew A. Ralston

(303) 824-4304
mralston@wsteele.com

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COOCH AND TAYLOR

ADDRESS

 1000 N. West Street
 Suite 1500
 Wilmington, DE 19899

PH

(302) 984-3800

FAX

(302) 984-3939

WEB

www.coochtaylor.com
www.delawarelitigator.com

PRIMARY

C. Scott Reese

(302) 984-3811
sreese@coochtaylor.com

ALTERNATE

Blake A. Bennett

(302) 984-3889
bbennett@coochtaylor.com

ALTERNATE

Grant Dick IV

(302) 984-3867
gdick@coochtaylor.com

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ADDRESS

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PH

(407) 317-2170

FAX

(407) 649-8118

WEB

www.wickersmith.com



PRIMARY

Richards H. Ford

(407) 317-2170
rford@wickersmith.com

ALTERNATE

Kurt M. Spengler

(407) 317-2186
kspengler@wickersmith.com

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FL

WICKER SMITH | SOUTH FLORIDA

ADDRESS

 2800 Ponce de Leon Blvd.
 Suite 800
 Coral Gables, FL 33134

PH

(305) 461-8718

FAX

(305) 441-1745

WEB

www.wickersmith.com



PRIMARY

Oscar J. Cabanas

(305) 461-8710
ocabanas@wickersmith.com

ALTERNATE

Constantine "Dean" Nickas

(305) 461-8703
cnickas@wickersmith.com

ALTERNATE

Jacob J. Liro

(305) 448-3939
jliro@wickersmith.com

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FL CARR ALLISON | NORTHWEST FLORIDA

ADDRESS
305 South Gadsden St.
Tallahassee, FL 32301

PH
(850) 518-6913
FAX
(850) 222-8475
WEB
www.carrallison.com



PRIMARY
Alison H. Sausaman
(904) 328-6460
asausaman@carrallison.com

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GA BOVIS KYLE BURCH & MEDLIN LLC

ADDRESS
200 Ashford Center North
Suite 500
Atlanta, GA 30338

PH
(770) 391-9100
FAX
(770) 668-0878
WEB
www.bovisky.com



PRIMARY
Kim M. Jackson
(678) 338-3975
kjackson@bovisky.com



ALTERNATE
Adam C. Grafton
(678) 338-3923
acg@bovisky.com



ALTERNATE
Christina L. Gulas
(678) 338-3982
clg@bovisky.com

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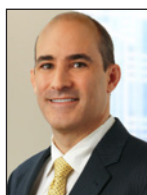
HI GOODSILL ANDERSON QUINN & STIFEL LLP

ADDRESS
First Hawaiian Center
Suite 1600
999 Bishop Street
Honolulu, HI 96813

PH
(808) 547-5600
FAX
(808) 547-5880
WEB
www.goodsill.com



PRIMARY
Edmund K. Saffery
(808) 547-5736
esaffery@goodsill.com



ALTERNATE
Johnathan C. Bolton
(808) 547-5854
jbolton@goodsill.com

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ID DUKE EVETT PLLC

ADDRESS
1087 W River Street
Suite 300
Boise, ID 83702

PH
(208) 342-3310
FAX
(208) 342-3299
WEB
www.dukeevett.com



PRIMARY
Keely E. Duke
(208) 342-3310
ked@dukeevett.com



ALTERNATE
Joshua S. Evett
(208) 342-3310
jse@dukeevett.com

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IL AMUNDSEN DAVIS LLC

ADDRESS
150 North Michigan Ave.
Suite 3300
Chicago, IL 60601

PH
(312) 894-3200
FAX
(312) 894-3210
WEB
www.amundsendavislaw.com



PRIMARY
Lew R.C. Bricker
(312) 894-3224
lbricker@amundsendavislaw.com



ALTERNATE
Julie A. Proscia
(630) 587-7911
jproscia@amundsendavislaw.com

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Additional Offices:

Crystal Lake, IL • PH (815) 337-4900 | Rockford, IL • PH (815) 987-0441 | St. Charles, IL • PH (630) 587-7910
Indianapolis, IN • PH (317) 464-4100

IN AMUNDSEN DAVIS LLC

ADDRESS
201 North Illinois Street
Suite 1400
Capital Center, South Tower
Indianapolis, IN 46204

PH
(317) 464-4100
FAX
(463) 422-6953
WEB
www.amundsendavislaw.com/contact-Indianapolis



PRIMARY
Edward C. Harcourt
(317) 464-4156
eharcourt@amundsendavislaw.com



ALTERNATE
Paul Mackowski
(317) 464-4110
pmackowski@amundsendavislaw.com



ALTERNATE
Joey K. Wright
(317) 464-4125
jwright@amundsendavislaw.com

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IA SIMMONS PERRINE PLC

ADDRESS
115 Third Street SE
Suite 1200
Cedar Rapids, IA 52401

PH
(319) 896-4059
FAX
(319) 366-1917
WEB
www.sp.law



PRIMARY
Kevin J. Visser
(319) 366-7641
kvisser@sp.law



ALTERNATE
Lynn W. Hartman
(319) 366-7641
lhartman@sp.law



ALTERNATE
Brian J. Fagan
(319) 366-7641
bfagan@sp.law

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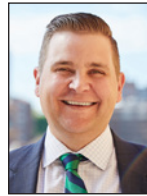
KS/MO DYSART TAYLOR

ADDRESS
700 West 47th Street
Suite 410
Kansas City, MO 64112

PH
(816) 931-2700
FAX
(816) 931-7377
WEB
www.dysarttaylor.com



PRIMARY
Amanda Pennington Ketchum
(816) 714-3066
aketchum@dysarttaylor.com



ALTERNATE
Michael Judy
(816) 714-3031
mjudy@dysarttaylor.com



ALTERNATE
John F. Wilcox, Jr.
(816) 714-3046
jwilcox@dysarttaylor.com

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LA PLAUCHÉ MASELLI PARKERSON LLP

ADDRESS
701 Poydras Street
Suite 3800
New Orleans, LA 70130

PH
(504) 582-1142
FAX
(504) 582-1142
WEB
www.pmpllp.com



PRIMARY
R. Heath Savant
(225) 406-7303
hsavant@pmpplp.com



ALTERNATE
Lauren Dietzen
(504) 586-5285
ldietzen@pmpplp.com



ALTERNATE
Mark E. Young
(504) 586-5291
myoung@pmpplp.com

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MD FRANKLIN & PROKOPIK P.C.

ADDRESS
2 North Charles Street,
Suite 600
Baltimore, MD 21201

PH
(410) 752-8700
FAX
(410) 752-6868
WEB
www.fandpnet.com



PRIMARY
Tamara B. Goorevitz
(410) 230-3625
tgoorevitz@fandpnet.com



ALTERNATE
Albert B. Randall, Jr.
(410) 230-3622
arandall@fandpnet.com



ALTERNATE
Stephen J. Marshall
(410) 230-3612
smarshall@fandpnet.com

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MN LARSON-KING, LLP

ADDRESS
30 East Seventh Street
Suite 2800
St. Paul, MN 55101

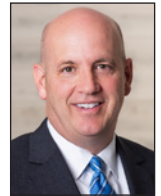
PH
(651) 312-6500
FAX
(651) 312-6618
WEB
www.larsonking.com



PRIMARY
Mark A. Solheim
(651) 312-6503
msolheim@larsonking.com



ALTERNATE
David M. Wilk
(651) 312-6521
dwilk@larsonking.com



ALTERNATE
Shawn M. Raiter
(651) 312-6518
sraiter@larsonking.com

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ADDRESS
1319 26th Avenue
Gulfport, MS 39501

PH
(228) 678-1005
FAX
(228) 864-9160
WEB
www.carrallison.com



PRIMARY
Nicole M. Holder
(228) 864-1060
nholder@carrallison.com

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MS COPELAND, COOK, TAYLOR AND BUSH, P.A.

ADDRESS
600 Concourse, Suite 200
1076 Highland Colony Pkwy.
Ridgeland, MS 39157

PH
(601) 856-7200
FAX
(601) 856-7626
WEB
www.copelandcook.com



PRIMARY
James R. Moore, Jr.
(601) 427-1301
jmoore@cctb.com



ALTERNATE
R. Eric Toney
(601) 427-1302
etoney@cctb.com



ALTERNATE
J. Ryan Perkins
(601) 427-1365
rperkins@cctb.com

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ADDRESS
714 Locust Street
St. Louis, MO 63101

PH
(314) 621-2939
FAX
(314) 621-6844
WEB
www.lashlybaer.com



PRIMARY
Julie Z. Devine
(314) 436-8329
jdevine@lashlybaer.com



ALTERNATE
Patrick E. Foppe
(314) 436-8312
pfoppe@lashlybaer.com



ALTERNATE
Kevin L. Fritz
(314) 436-8309
klfritz@lashlybaer.com

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MT DAVIS, HATLEY, HAFFEMAN & TIGHE, P.C.

ADDRESS
The Milwaukee Station
Third Floor
101 River Drive North
Great Falls, MT 59401

PH
(406) 761-5243
FAX
(406) 761-4126
WEB
www.dhhtlaw.com



PRIMARY
Maxon R. Davis
(406) 761-5243
max.davis@dhhtlaw.com



ALTERNATE
Paul R. Haffeman
(406) 761-5243
paul.haffeman@dhhtlaw.com



ALTERNATE
Stephanie Hollar
(406) 761-5243
steph.hollar@dhhtlaw.com

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NE BAIRD HOLM LLP

ADDRESS
1700 Farnam Street
Suite 1500
Omaha, NE 68102

PH
(402) 344-0500
FAX
(402) 344-0588
WEB
www.bairdholm.com



PRIMARY
Jennifer D. Tricker
(402) 636-8348
jtricker@bairdholm.com



ALTERNATE
J. Scott Searl
(402) 636-8265
ssearl@bairdholm.com



ALTERNATE
Christopher R. Hedican
(402) 636-8311
chedican@bairdholm.com

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600 S. Las Vegas Blvd.
Suite 400
Las Vegas, NV 89101

PH
(702) 366-0622
FAX
(702) 366-0327
WEB
www.thorndal.com



PRIMARY
Michael C. Hetey
(702) 366-0622
mch@thorndal.com



ALTERNATE
Katherine F. Parks
(775) 786-2882
kfp@thorndal.com



ALTERNATE
Meghan M. Goodwin
(702) 366-0622
mmg@thorndal.com

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NJ CONNELL FOLEY LLP

ADDRESS
56 Livingston Avenue
Roseland, NJ 07068

PH
(973) 535-0500
FAX
(973) 535-9217
WEB
www.connellfoley.com



PRIMARY
Kevin R. Gardner
(973) 840-2415
kgardner@connellfoley.com



ALTERNATE
John D. Cromie
(973) 840-2425
jcromie@connellfoley.com



ALTERNATE
Karen P. Randall
(973) 840-2423
krandall@connellfoley.com

MEMBER SINCE 2005 A leading full-service regional law firm headquartered in New Jersey, Connell Foley LLP has more than 140 attorneys across seven offices. We take a hands-on approach to provide outstanding legal services while maintaining a firm culture predicated on service and teamwork. Our clients range from Fortune 500 corporations, to government entities, middle market and start-up businesses, and entrepreneurs. With experience in the various industries in which our clients operate, we offer innovative and cost-effective solutions. Connell Foley is recognized as a leader in numerous areas of law, including: banking and finance, bankruptcy and restructuring, commercial litigation, construction, corporate law, cybersecurity, environmental, immigration, insurance, labor and employment, product liability, professional liability, real estate, zoning and land use, transportation, trusts and estates, and white collar criminal defense.

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NM MODRALL SPERLING**ADDRESS**

500 Fourth Street N.W.
Suite 1000
Albuquerque, NM 87102

PH

(505) 848-1800

FAX

(505) 848-9710

WEB

www.modrall.com

**PRIMARY**

Jennifer G. Anderson
(505) 848-1809
jennifer.anderson@modrall.com

**ALTERNATE**

Megan T. Muirhead
(505) 848-1888
megan.muirhead@modrall.com

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NY GERBER CIANO KELLY BRADY LLP | BUFFALO**ADDRESS**

599 Delaware Avenue
Suite 100
Buffalo, NY 14202

PH

(716) 313-2080

WEB

www.gerberciano.com

**PRIMARY**

Daniel Gerber
(646) 650-5155
dgerber@gerberciano.com

**ALTERNATE**

John Jablonski
(716) 313-2082
jjablonski@gerberciano.com

**ALTERNATE**

Brian R. Biggie
(716) 313-2195
bbiggie@gerberciano.com

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66 South Pearl Street
Floor 11
Albany, NY 12207

PH

(518) 462-3000

FAX

(518) 462-4199

WEB

www.rivkinradler.com

**PRIMARY**

John F. Queenan
(518) 641-7071
john.queenan@rivkin.com

**ALTERNATE**

Joseph Pidel
(518) 641-7084
joseph.pidel@rivkin.com

**ALTERNATE**

Benjamin Wisner
(845) 554-1820
benjamin.wisner@rivkin.com

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NY RIVKIN RADLER LLP | LONG ISLAND**ADDRESS**

926 RXR Plaza
Uniondale, NY 11556-0926

PH

(516) 357-3000

FAX

(516) 357-3333

WEB

www.rivkinradler.com

**PRIMARY**

David S. Wilck
(516) 357-3347
david.wilck@rivkin.com

**ALTERNATE**

Jacqueline Bushwack
(516) 357-3239
jacqueline.bushwack@rivkin.com

**ALTERNATE**

Stella Lellos
(516) 357-3373
stella.lellos@rivkin.com

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NY BLACK MARJIEH & SANFORD LLP**ADDRESS**

100 Clearbrook Road
Elmsford, NY 10523

PH

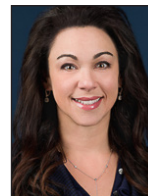
(914) 704-4400

FAX

(914) 704-4450

WEB

www.bmslegal.com

**PRIMARY**

Lisa J. Black
(914) 704-4402
lblack@bmslegal.com

**ALTERNATE**

Dana K. Marjeh
(914) 704-4403
dkmarjeh@bmslegal.com

**ALTERNATE**

Sheryl A. Sanford
(914) 704-4404
ssanford@bmslegal.com

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NC POYNER SPRUILL LLP**ADDRESS**

301 Fayetteville St.
Ste. 1900
P.O. Box 1801 (27602)
Raleigh, NC 27601

PH

(919) 783-6400

FAX

(919) 783-1075

WEB

www.poynerspruill.com

**PRIMARY**

Deborah E. Sperati
(252) 972-7095
dsperati@poynerspruill.com

**ALTERNATE**

Sarah DiFranco
(704) 342-5330
sdf franco@poynerspruill.com

**ALTERNATE**

Matthew C. Bouchard
(919) 783-2887
mbouchard@poynerspruill.com

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ND LARSON • KING, LLP

ADDRESS
10 Roberts Street North
Fargo, ND 58102

PH
(877) 373-5501
FAX
(651) 312-6618
WEB
www.larsonking.com



PRIMARY
Jack E. Zuger
(701) 400-1423
jzuger@larsonking.com



ALTERNATE
Nicholas A. Rauch
(651) 312-6509
nrauch@larsonking.com

MEMBER SINCE 2024 As a nationally recognized firm with an enviable track record of success, Larson • King delivers high quality legal services through a nimble and cost-effective team, without strict or overpriced fee structures. Our firm is capable of efficiently managing dispersed litigation resources and our attorneys provide seamless integration and rapid response times. Larson • King partners work directly with clients, and are closely involved with all aspects of a dispute. Whether it is finding the right expert testimony in a construction case, or retaining local counsel in a remote jurisdiction, Larson • King attorneys hand-select the right team to achieve client objectives. With these resources, Larson • King stands ready to take a case to the highest court – there are times when this fact alone can deter the opposition.

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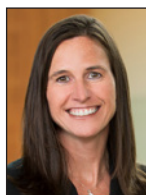
OH ROETZEL & ANDRESS

ADDRESS
1375 East Ninth Street
One Cleveland Center
10th Floor
Cleveland, OH 44114

PH
(216) 623-0150
FAX
(216) 623-0134
WEB
www.ralaw.com



PRIMARY
Bradley A. Wright
(330) 849-6629
bwright@ralaw.com



ALTERNATE
Moira H. Pietrowski
(330) 849-6761
MPietrowski@ralaw.com



ALTERNATE
Chris Cotter
(330) 819-1127
ccotter@ralaw.com

MEMBER SINCE 2003 Founded in 1876, Roetzel & Andress is a leading full-service law firm headquartered in Ohio. The firm provides comprehensive legal services to publicly traded and privately held companies, financial services participants, professional and governmental organizations, as well as private investors, industry executives and individuals. With over 160 lawyers in 12 offices, including five regional offices in Ohio, Roetzel & Andress collaborates seamlessly across industries and disciplines to provide sophisticated transactional, employment and litigation guidance to clients across the public and private sectors.

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OK PIERCE COUCH HENDRICKSON BAYSINGER & GREEN, L.L.P.

ADDRESS
1109 North Francis
Pierce Memorial Building
Oklahoma City, OK 73106

PH
(405) 235-1611
FAX
(405) 235-2904
WEB
www.piercecouch.com



PRIMARY
Mark E. Hardin
(918) 583-8100
mhardin@piercecouch.com



ALTERNATE
Hailey M. Hopper
(405) 552-5259
hhopper@piercecouch.com



ALTERNATE
Jessica L. Dark
(405) 552-5215
jdark@piercecouch.com

MEMBER SINCE 2002 Pierce Couch Hendrickson Baysinger & Green, L.L.P. was founded in 1923 and is the largest litigation defense firm in the state of Oklahoma. The Firm has offices in Oklahoma City and Tulsa and is engaged in the representation of clients in all 77 Oklahoma Counties and all three federal district courts. Our attorneys have expertise in the areas listed below and prides itself in developing strategies for the defense of its clients, delivering advice and counsel to deal with claims ranging from the defensible to the catastrophic. Our attorneys have tried hundreds of cases to jury verdict and have mediated and/or arbitrated thousands of disputes. We attribute the success and longevity of our firm to our steadfast philosophy of combining the best in cost-efficient legal services with client-tailored strategies.

Additional Office: Tulsa, OK • PH (918) 583-8100

OR WILLIAMS KASTNER

ADDRESS
805 SW Broadway
Suite 2440
Portland, OR 97205

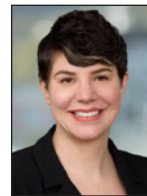
PH
(503) 228-7967
FAX
(503) 222-7261
WEB
www.williamskastner.com



PRIMARY
Thomas A. Ped
(503) 944-6988
tped@williamskastner.com



ALTERNATE
Heidi L. Mandt
(503) 228-7967
hmandt@williamskastner.com



ALTERNATE
Megan Ferris
(503) 546-1425
mferris@williamskastner.com

MEMBER SINCE 2002 Williams Kastner has been providing legal and business advice to a broad mix of clients since our Seattle office opened in 1929. With more than 65 lawyers in Washington and Oregon, the firm combines the resources and experience to offer national and regional capabilities with the client service and sensibility a local firm can provide. The firm culture is characterized by hard work, high-performance teamwork, diversity and partnerships with our clients and the local community. Our commitment to our clients is reflected through our quality legal work, personalized approach to servicing our clients and the integrity and pride we devote towards the practice of law.

Additional Office: Seattle, WA • PH (206) 628-6600

PA SWEENEY & SHEEHAN, P.C.

ADDRESS
1515 Market Street
Suite 1900
Philadelphia, PA 19102

PH
(215) 563-9811
FAX
(215) 557-0999
WEB
www.sweeneyfirm.com



PRIMARY
Robyn F. McGrath
(215) 963-2485
robyn.mcgrath@
sweeneyfirm.com



ALTERNATE
Frank Gattuso
(856) 671-6407
frank.gattuso@
sweeneyfirm.com



ALTERNATE
Louis J. Vogel
(215) 963-2477
louis.vogel@
sweeneyfirm.com

MEMBER SINCE 2003 Founded in 1971, Sweeney & Sheehan is a litigation firm of experienced and dedicated trial attorneys and other professionals working in partnership with our clients to meet their changing and increasingly sophisticated particular needs. With client satisfaction our primary goal, we are committed to delivering superior legal services and pursuing excellence in all aspects of our practice.

Our success is achieved without compromising the ideals which define the best in our profession: integrity, loyalty and expertise. We constantly enhance our firm to meet the expectations of our clients. Committed to these principles, we have a reputation as skillful and effective litigators in a broad range of practice areas, providing the talent and experience of larger firms while maintaining flexibility to deliver personalized, cost-effective quality service.

PA PION, NERONE, GIRMAN & SMITH, P.C.

ADDRESS
1500 One Gateway Center
420 Ft. Duquesne Blvd.
Pittsburgh, PA 15222

PH
(412) 281-2288
FAX
(412) 281-3388
WEB
www.pionlaw.com



PRIMARY
John T. Pion
(412) 667-6200
jpion@pionlaw.com



ALTERNATE
Michael F. Nerone
(412) 667-6234
mnerone@pionlaw.com



ALTERNATE
Timothy R. Smith
(412) 667-6212
tsmith@pionlaw.com

MEMBER SINCE 2011 Pion, Nerone, Girman & Smith, P.C. is a civil litigation firm with offices in Pittsburgh and Harrisburg.

Our practice areas include transportation, railroad, asbestos, premises liability, products liability, family law, estate, Medicare Set-Aside, workers' compensation, and general liability. In addition to trial representation, catastrophic response and business consulting, the firm has an appellate and complex research group. The Partners of the firm have more than 150 years of collective experience.

Most of our lawyers and staff were born and raised in Pennsylvania and we are proud to be part of the distinguished Pittsburgh and Harrisburg legal communities. The emergency response telephone number (412-600-0217) is answered by a lawyer 24/7 and allows us to provide high quality service to our clients. We urge our clients to utilize this number should the need arise.

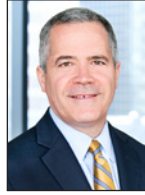
RI ADLER POLLOCK & SHEEHAN P.C.

ADDRESS
100 Westminster Street
16th Floor
Providence, RI 02903

PH
(401) 274-7200
FAX
(401) 751-0604
WEB
www.apslaw.com



PRIMARY
Richard R. Beretta, Jr.
(401) 427-6228
rberetta@apslaw.com



ALTERNATE
Robert P. Brooks
(401) 274-7200
rbrooks@apslaw.com



ALTERNATE
Elizabeth M. Noonan
(401) 274-7200
bnoonan@apslaw.com

MEMBER SINCE 2008 Since 1960, Adler Pollock & Sheehan P.C. has delivered client-focused business law services designed to achieve cost-effective solutions for today's complex challenges. Based in Providence, the firm is a full-service regional law firm featuring a sophisticated corporate practice and a nationally renowned litigation practice. The firm successfully combines the depth and breadth of expertise of a large law firm with the advantages of responsive and direct personal service by partners found in smaller firms.

We are proud of our demonstrated record of achievement, which is sustained by a genuine and deep-rooted commitment to the ideals of the legal profession. The core of the AP&S approach is our focus on the client, which is evident in the personal high-level attention each client receives.

Additional Office: Newport, RI • PH (401) 847-1919

SC SWEENEY, WINGATE & BARROW, P.A.

ADDRESS
1515 Lady Street
Columbia, SC 29201
PO Box 12129 (29211)

PH
(803) 256-2233
FAX
(803) 256-9177
WEB
www.swblaw.com



PRIMARY
Mark S. Barrow
(803) 256-2233
msb@swblaw.com



ALTERNATE
Kenneth B. Wingate
(803) 256-2233
kbw@swblaw.com



ALTERNATE
Christy E. Mahon
(803) 256-2233
cem@swblaw.com

MEMBER SINCE 2002 Sweeney, Wingate & Barrow, P.A. is a litigation and consulting law firm serving the needs of individuals, businesses and insurance companies throughout South Carolina. We are committed to a philosophy of excellence, integrity, and service.

Cooperation, selflessness, and diligence are essential to providing high-quality service to every client. At Sweeney, Wingate and Barrow, we are committed to providing excellent representation to our clients in helping achieve their legal goals. Our relationships with our clients are honest, open, and fair.

Our practice covers many legal issues in two distinct areas. As a business and tort litigation defense firm, we provide defense representation to corporations and individuals in trucking litigation, construction defect litigation, product liability cases, medical malpractice cases, and insurance coverage matters, including opinion letters and defense of accident claims, professional liability, construction defect, and product liability defense.

The other section of our practice includes the transactions and litigation situations that arise in connection with business planning, estate planning, probate administration, and probate litigation. We handle contract drafting, incorporations, startups, trusts, probate matters, and countless other business needs for our clients.

Additional Office: Hartsville, SC • PH (843) 878-0390

SD RITER ROGERS, LLP

ADDRESS
Professional &
Executive Building
319 South Coteau Street
Pierre, SD 57501

PH
(605) 224-5825
FAX
(605) 224-7102
WEB
www.riterlaw.com



PRIMARY
Lindsey Riter-Rapp
l.riter-rapp@riterlaw.com



ALTERNATE
Jason Rumpca
j.rumpca@riterlaw.com



ALTERNATE
Ellie J. Bailey
e.bailey@riterlaw.com

MEMBER SINCE 2004 The original predecessor firm of Riter Rogers, LLP commenced the practice of law in Pierre, South Dakota over 100 years ago.

The firm has a wide and varied practice, particularly in central South Dakota, but also maintains a statewide litigation practice, regularly appears before State boards and commissions, and serves as legislative counsel for numerous associations and cooperatives.

Firm members have spent considerable time representing insurance companies in defense of casualty suits, products liability claims and similar matters.

The firm handles substantial regulatory law matters, and also does much work relating to banking, contracts, real estate, title work and probate and estate planning.

All members of the firm are active in professional activities and civic and fraternal organizations.

TN MARTIN, TATE, MORROW & MARSTON, P.C.

ADDRESS
6410 Poplar Avenue
Suite 1000
Memphis, TN 38119

PH
(901) 522-9000
FAX
(901) 527-3746
WEB
www.martintate.com



PRIMARY
Lee L. Piovarcy
(901) 522-9000
lpiovarcy@martintate.com



ALTERNATE
Earl W. Houston, II
(901) 522-9000
ehouston@martintate.com



ALTERNATE
Shea Sisk Wellford
(901) 522-9000
swellford@martintate.com

MEMBER SINCE 2002 Martin Tate was endowed by its founder, Judge John D. Martin, Sr., over 100 years ago, with a solid tradition of service to clients, the profession and the Memphis Community. Because of its long-term commitment to the Memphis community, Martin Tate projects a unique perspective in delivering legal services for Memphis businesses and national clients. The firm combines quality legal services with innovative legal thinking to create practical solutions that provide clients a competitive edge. The firm's areas of significant practice are business and commercial transactions; litigation in state and federal courts; trusts and estates; and commercial real estate. The firm's attorneys counsel clients in M&As, banking, IPOs, partnership matters, PILOT transactions, bankruptcy reorganizations and creditor's rights. Attorneys regularly deal with matters involving contracts, transportation law, insurance, products liability, and employment rights. Attorneys in the real estate section are involved in transactions regarding construction, development, leasing and operation of shopping centers, office buildings, industrial plants, and warehouse distribution centers. The firm is involved in financing techniques for real estate syndications, issuance of tax-exempt bonds, and equity participations.

Additional Office: Nashville, TN • PH (615) 627-0668

TX FEE, SMITH & SHARP LLP

ADDRESS
13155 Noel Road
Suite 1000
Dallas, TX 75240

PH
(972) 934-9100
FAX
(972) 934-9200
WEB
www.feesmith.com



PRIMARY
Thomas W. Fee
(972) 980-3259
tfee@feesmith.com



ALTERNATE
Jennifer M. Lee
(972) 980-3264
jlee@feesmith.com



ALTERNATE
Daniel M. Karp
(972) 980-3293
dkarp@feesmith.com

MEMBER SINCE 2005 Fee, Smith & Sharp, LLP an AV rated firm based in Dallas, Texas, was founded to service the litigation needs of the firm's individual, corporate and insurance clients. The partners' combined experience as lead counsel in well over 200 civil jury trials allows the firm to deliver an aggressive, team-oriented approach on behalf of their valued clients. The partnership is supported by a team of talented, experienced, and professional associate attorneys and legal staff who understand the importance of delivering efficient, quality legal services. The attorneys at Fee, Smith & Sharp, LLP are actively involved in representing clients throughout Texas in a variety of commercial, property and casualty cases at the state, federal and appellate levels.

Additional Offices:
Austin, TX • PH (512) 479-8400 | San Antonio, TX • PH (210) 824-0009

TX MEHAFFY WEBER PC

ADDRESS
One Allen Center
500 Dallas, Suite 2800
Houston, Texas 77002

PH
(713) 655-1200
FAX
(713) 655-0222
WEB
www.mehaffyweber.com



PRIMARY
Barbara J. Barron
(832) 526-9728
BarbaraBarron@
mehaffyweber.com



ALTERNATE
Bernabe G. Sandoval, III
(713) 210-8906
TreySandoval@
mehaffyweber.com



ALTERNATE
Michele Y. Smith
(409) 951-7736
MicheleSmith@
mehaffyweber.com

MEMBER SINCE 2019 MehaffyWeber was founded in 1946 as a litigation firm. As our clients' needs expanded, we evolved into a broad-based law firm, still with a strong litigation emphasis. We tailor our approaches to best suit the client's individual needs. We are proud to have a long record of winning cases in tough jurisdictions, but we know that not all cases need to be tried. We use legal motions and other means to achieve positive results pre-trial, and when appropriate, we work hand in hand with our clients to secure advantageous settlements. Today, we continue to believe that hard work, ethical and innovative approaches are core values that result in success for the firm and our clients.

UT STRONG & HANNI

ADDRESS
102 South 200 East,
Suite 800
Salt Lake City, UT 84111

PH
(801) 532-7080
FAX
(801) 596-1508
WEB

www.strongandhanni.com



PRIMARY
Kristin A. VanOrman
(801) 323-2020
kvanorman@strongandhanni.com



ALTERNATE
Peter H. Christensen
(801) 323-2008
pchristensen@strongandhanni.com



ALTERNATE
Ryan P. Atkinson
(801) 323-2195
ratkinson@strongandhanni.com

MEMBER SINCE 2005 Strong & Hanni, one of Utah's most respected and experienced law firms, demonstrates exceptional legal ability and superior quality. For more than one hundred years, the firm has provided effective, efficient, and ethical legal representation to individuals, small businesses, and large corporate clients. The firm's attorneys have received awards and commendations from many national and state legal organizations. The firm's practice groups allow attorneys to focus their in-depth knowledge in specific areas of the law. The firm's organization fosters interaction with attorneys across the firm's practice groups insuring that even the most complex legal matter is handled in the most effective and efficient manner. The firm's commitment to up to date technology and case management tools allows matters to be handled with client communication and document security in mind. The firm's trial attorneys have received commendations and recognition from local, state, and national organizations. Our business is protecting your business.

Additional Office: Sandy, UT • PH (801) 532-7078

VA MORAN REEVES & CONN PC

ADDRESS
1211 E. Cary Street
Richmond, VA 23219

PH
(804) 421-6250
FAX
(804) 421-6251
WEB

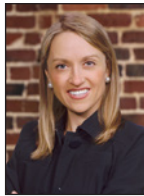
www.moranreevesconn.com



PRIMARY
C. Dewayne Lonas
(804) 864-4820
clonas@moranreevesconn.com



ALTERNATE
Ashley W. Winsky
(804) 864-4806
awinsky@moranreevesconn.com



ALTERNATE
Taylor D. Brewer
(804) 864-4805
tbrewer@moranreevesconn.com

MEMBER SINCE 2022 For more than 25 years, Moran Reeves & Conn PC has been delivering high-caliber litigation and legal counsel to its clients. Supported by a team of experienced attorneys and legal professionals, we are committed to delivering exceptional client service, enhanced by the use of technology and a collaborative work culture. Our litigation team is trusted by leading organizations to defend complex matters, including product liability, toxic torts and environmental claims, transportation claims, commercial and construction disputes, premises claims, and general liability defense. Our award-winning healthcare team is recognized for its depth of experience in medical professional liability, healthcare litigation, and employment-related disputes. Clients rely on us not only for strong trial advocacy but also for our strategic use of arbitration and mediation to achieve efficient, practical resolutions when appropriate. With a focus on responsiveness, precision, and results, Moran Reeves & Conn helps clients navigate high-stakes challenges with confidence.

WA WILLIAMS KASTNER

ADDRESS
Two Union Square
601 Union Street
Suite 4000
Seattle, WA 98101-2380

PH
(206) 628-6600
FAX
(206) 628-6611
WEB

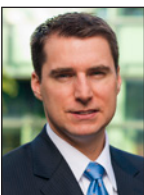
www.williamskastner.com



PRIMARY
Rodney L. Umberger
(206) 628-2421
rumberger@williamskastner.com



ALTERNATE
Sheryl J. Willert
(206) 628-2408
swillert@williamskastner.com



ALTERNATE
Eliot M. Harris
(206) 233-2977
eharris@williamskastner.com

MEMBER SINCE 2002 Williams Kastner has been providing legal and business advice to a broad mix of clients since our Seattle office opened in 1929. With more than 65 lawyers in Washington and Oregon, the firm combines the resources and experience to offer national and regional capabilities with the client service and sensibility a local firm can provide. The firm culture is characterized by hard work, high-performance teamwork, diversity and partnerships with our clients and the local community. Our commitment to our clients is reflected through our quality legal work, personalized approach to servicing our clients and the integrity and pride we devote towards the practice of law.

Additional Office: Portland, OR • PH (503) 228-7967

WV FLAHERTY SENSABAUGH BONASSO PLLC

ADDRESS
200 Capitol Street
Charleston, WV 25301

PH
(304) 345-0200
FAX
(304) 345-0260
WEB

www.flahertylegal.com



PRIMARY
Peter T. DeMasters
(304) 225-3058
pdemasters@flahertylegal.com



ALTERNATE
J. Tyler Dinsmore
(304) 347-4234
tdinsmore@flahertylegal.com



ALTERNATE
Bryan N. Price
(304) 347-4236
bprice@flahertylegal.com

MEMBER SINCE 2015 Flaherty Sensabaugh Bonasso PLLC serves local, national and international clients in the areas of litigation and transactional law. Founded in 1991, today more than 50 attorneys provide quality counsel to turn clients' obstacles into opportunities.

At Flaherty, we are deeply committed to partnering with our clients to obtain optimum results. Throughout our history, our prime consideration has been our client's interests, with a key consideration of the costs associated with litigation.

While avoiding litigation may be desired, when necessary, our attorneys stand prepared to bring their considerable experience to the courtroom. We are experienced in trying matters ranging from simple negligence to complex, multi-party matters involving catastrophic damages.

Additional Offices:

Clarksburg, WV • PH (304) 624-5687 | Morgantown, WV • PH (304) 598-0788 | Wheeling, WV • PH (304) 230-6600

WI LAFFEY, LEITNER & GOODE LLC

ADDRESS
325 E. Chicago Street,
Suite 200
Milwaukee, WI 53202

PH
(414) 312-7003
FAX
(414) 755-7089
WEB

www.llgmke.com



PRIMARY
Jack J. Laffey
(414) 881-3539
jlaffey@llgmke.com



ALTERNATE
Joseph S. Goode
(414) 312-7181
jgoode@llgmke.com



ALTERNATE
Mark M. Leitner
(414) 312-7108
mleitner@llgmke.com

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We want the hardest problems you can throw at us. There is nothing we love more than diving deep into complex litigation and disputes. We will solve your problems, no matter how large or how small. This team thrives under pressure, so pile it on. Our team of battle-tested attorneys brings an unmatched drive and determination to every client. We don't rest on our laurels. We innovate and create new solutions to produce winning results. We bring order and symmetry to chaos and complexity. We love what we do.

Lots of firms talk about being responsive; we live it. Our commitment to serving our clients fundamentally shapes how we view and practice law.

We are human beings. While we thrive under incredible challenges and difficult circumstances, we also care deeply about the people we work with and represent. Being authentic also means that we recognize our clients are people too. We understand them, and we know them.

WY WILLIAMS, PORTER, DAY & NEVILLE, P.C.

ADDRESS
159 North Wolcott
Suite 400
Casper, WY 82601

PH
(307) 265-0700
FAX
(307) 266-2306
WEB

www.wpdn.net



PRIMARY
Scott E. Ortiz
(307) 265-0700
sortiz@wpdn.net



ALTERNATE
Erica R. Day
(307) 265-0700
eday@wpdn.net

MEMBER SINCE 2006 Williams, Porter, Day & Neville, P.C. (WPDN) has deep roots in Wyoming, running back over 70 years. WPDN is the pinnacle of representation in Wyoming and has been involved in Wyoming's most seminal legal decisions, across many practice areas, in state and Federal courts. WPDN represents clients from international, national, and state-based insurance providers, publicly-traded to privately-held natural resource companies, national and local trucking operations, local and state governmental entities, ranches, banks and other business entities. With its high standards and integrity, WPDN offers clients a vast knowledge and understanding of the ways of Wyoming and provides the highest quality representation within its practice. WPDN attorneys and staff work as a team to ensure fairness, productive working atmosphere and high-quality representation.

ARGENTINA | BARREIRO**ADDRESS**

Av. Córdoba 1309 3° A
Ciudad de Buenos Aires
C1055AAD Argentina

PH

+54 11 4814 1746

WEB

www.bodlegal.com

MEMBER SINCE 2019 BARREIRO is a law firm based in Buenos Aires, Argentina. We advise our clients on all business matters including M&A, Banking & Finance, Employment & Labor, Dispute Resolution, Regulatory and Tax. We also have special teams focused on infrastructure and construction, corporate and foreign investments, technology, energy and natural resources. As a boutique firm, we have a high involvement at partner and senior associate level, which allows us to work efficiently and to provide an outstanding level of service to our clients

**PRIMARY**

Nicolas Jaca Otano
+54 11 4814 1746
njaca@bodlegal.com

**ALTERNATE**

Gonzalo Oliva-Beltrán
+54 11 4814-1746
goliva@bodlegal.com

**ALTERNATE**

Ricardo Barreiro Deymonnaz
+54 11 4814-1746
rbarreiro@bodlegal.com

BRAZIL | MUNDIE ADVOGADOS**ADDRESS**

Av. Brig. Faria Lima, 3400
CJ. 151 15.º andar
04538-132 São Paulo,
SP, Brazil

PH

(55 11) 3040-2900

WEB

www.mundie.com.br

MEMBER SINCE 2012 Mundie e Advogados was established with the goal of providing high quality legal services to international and domestic clients. The firm is a full service law firm, with a young and dynamic profile, and it is renowned for its professionalism and its modern and pragmatic approach to the practice of law.

Since its inception, in 1996, the firm has been involved in several landmark transactions that helped shape the current Brazilian economic environment and has become a leading provider of legal services in several of its areas of practice, especially in corporate transactions, mergers & acquisitions, finance, tax, litigation, arbitration, governmental contracts and administrative law, regulated markets and antitrust.

Clients of the firm benefit from its knowledge and experience in all areas of corporate life and our commitment to excellence. The firm's work philosophy, combined with the integration among its offices, practice groups and lawyers, put the firm in a privileged position to assist its clients with the highest quality in legal services.

Additional Offices: Brasília • PH (55) 61 3321 2105 | Rio de Janeiro - RJ • PH (55) 21 2517 5000

**PRIMARY**

Rodolpho Protasio
(55 11) 3040-2923
rofp@mundie.com.br

**ALTERNATE**

Eduardo Zobaran
(55 11) 3040-2923
emz@mundie.com.br

**ALTERNATE**

Cesar Augusto Rodrigues
(55 11) 3040-2855
ccr@mundie.com.br

CANADA | PARLEE MCLAWS | ALBERTA**ADDRESS**

1700 Enbridge Centre
10175 101 Street NW
Edmonton, AB T5J 0H3

PH

(780) 423-2870

FAX

(780) 423-2870

WEB

www.parlee.com

MEMBER SINCE 2025 Parlee McLaws LLP has been part of Alberta's story for more than 140 years. Founded in 1883, we have grown alongside the province, advising businesses, families, and institutions through every stage of their development. Our history reflects consistency, resilience, and trust.

Clients choose us for clear advice and practical solutions, delivered with the sound judgment that comes from experience. They stay with us because we are approachable, steady, and invested in long-term relationships. Many have worked with us for decades, a testament to the confidence they place in our counsel.

Rooted in Alberta and connected across Canada and beyond, we understand the industries that drive the province and the challenges that shape them. Whether in transactions, disputes, or regulatory matters, our advice is grounded, disciplined, and effective.

Parlee is home to one of Western Canada's leading Intellectual Property groups, and our lawyers bring deep expertise across a broad range of sectors. We advise on business and corporate matters, technology and IP issues, complex disputes, and specialized industries, including energy, municipal, and life sciences.

Integrity, professionalism, and respect guide everything we do. With a focus on innovation, strong client partnerships, and regional expertise, the firm serves as a trusted advisor and forward-looking legal partner.

For more information about Parlee McLaws, visit parlee.com.

**PRIMARY**

Connor Glynn
(780) 423-8639
cglynn@parlee.com

**ALTERNATE**

Kyle T. H. Smith
(780) 294-4565
kylesmith@parlee.com

CANADA | KELLY SANTINI LLP | OTTAWA**ADDRESS**

160 Elgin Street
Suite 2401
Ottawa, Ontario K2P 2P7

PH

(613) 238-6321

FAX

(613) 233-4553

WEB

www.kellysantini.com

MEMBER SINCE 2011 Kelly Santini LLP is based in the nation's capital of Ottawa and is ideally placed to advise businesses looking to establish or grow their Canadian operations. We act for many Toronto-based financial institutions and insurers and represent clients throughout the province of Ontario. We also regularly advise on procurement matters with the Canadian Federal Government and interface with regulatory bodies at both national and provincial levels on our clients' behalf. Our Business Group handles cross border transactional files throughout the US.

Our insurance defence team is amongst the largest in the region and is recognized in the Lexpert Legal Directory for Canada as a 'leading litigation firm in eastern Ontario' in the area of commercial insurance. The group regularly acts for leading insurers on insurance defence and subrogation.

Additional Office: Ottawa, Ontario • PH (613) 238-6321

**PRIMARY**

Lisa Langevin
(613) 238-6321 ext 276
llangevin@kellysantini.com

**ALTERNATE**

Kelly Sample
(613) 238-6321, ext 227
ksample@kellysantini.com

**ALTERNATE**

J. P. Zubec
(613) 238-6321
jpzubec@kellysantini.com

CANADA | THERRIEN COUTURE JOLI-COEUR L.L.P. | QUEBEC**ADDRESS**

1100 Blvd. René-Lévesque
West, Suite 2000
Montreal, Quebec H3B 4N4

PH

(514) 871-2800 /
(855) 633-6326

FAX

(514) 871-3933

WEB

www.groupepcj.ca

MEMBER SINCE 2013 Therrien Couture Joli-Coeur LLP is a team of more than 350 people including a multidisciplinary team of experienced professionals that consist of lawyers, notaries, tax specialists, trademark agents and human resources specialists working together to create a stimulating, collegial work environment in which to serve their clients with an approach to the law that is simple, dynamic and rigorous.

From our original focus on agri-business, the firm has grown and branched out both in terms of its size and expertise. While we have maintained our industry leadership with respect to our historical roots, we handle a wide range of matters for our clients. Our most significant ingredient for success however continues to be the professionals of our firm who commit themselves every day to serving our clients.

Additional Offices:

Brossard, QC • PH (450) 462-8555 | Laval, QC • PH (450) 682-5514 | Quebec City, QC • PH (418) 681-7007
Saint-Hyacinthe, QC • PH (450) 773-6326 | Sherbrooke, QC • PH (819) 791-3326

**PRIMARY**

Douglas W. Clarke
(514) 871-2800
douglas.clarke@groupepcj.ca

**ALTERNATE**

Eric Lazure
(450) 462-8555
eric.lazure@groupepcj.ca

**ALTERNATE**

Yannick Crack
(819) 791-3326
yannick.crack@groupepcj.ca

CHINA | DUAN&DUAN**ADDRESS**

Floor 47, Maxdo Center,
8 Xing Yi Road
200336, Shanghai, China

PH

(008621) 6219 1103,
ext. 7122

FAX

(008621) 6275 2273

WEB

www.duanduan.com

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**PRIMARY**

George Wang
(008621) 3223 0722
george@duanduan.com

MEXICO | EC RUBIO**ADDRESS**

Ejército Nacional 7695-C
32663 Ciudad Juárez,
Chihuahua
México

PH

+52 656 227 6100

FAX

+52 55 5596-9853

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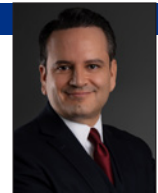
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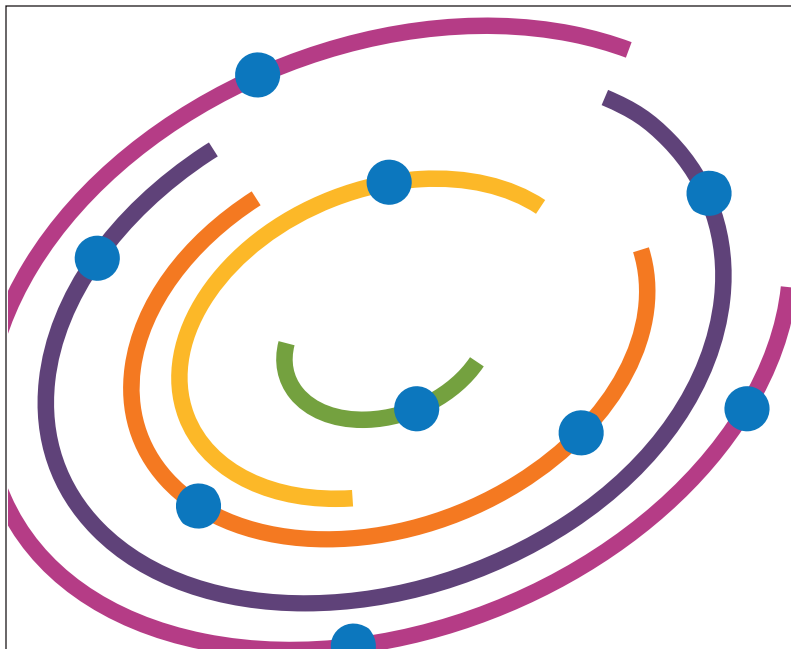
René Mauricio Alva
+1 (915) 217-5673
rene.alva@ecrubio.com

**ALTERNATE**

Javier Ogarrío
+52 (55) 5251-5023
javier.ogarrío@ecrubio.com

**ALTERNATE**

Fernando Holguin
+52 (656) 227-6123
fernando.holguin@ecrubio.com



TELFA

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**DENMARK | COPENHAGEN
LUND ELMER SANDAGER**

Kalvebod Brygge 39-41 • DK-1560 Copenhagen V • (+45 33 300 200 • Fax: +45 33 300 299 • Web: www.les.dk



PRIMARY
Jacob Roesen
(+45 33 300 268)
jro@les.dk



ALTERNATE
Sebastian Rungby
(+45 33 300 255)
sru@les.dk

**ENGLAND | LONDON
WEDLAKE BELL LLP**

71 Queen Victoria Street • London EC4V 4AY • +44(0)20 7395 3000 • Fax: +44(0)20 7395 3100
Web: www.wedlakebell.com



PRIMARY
Edward Craft
+44 20 7395 3099
ecraft@wedlakebell.com

**AUSTRIA | VIENNA
OBERHAMMER RECHTSANWÄLTE GMBH**

Karlsplatz 3/1, A-1010 Vienna • +43 1 503300
Dragonerstraße 67, A-4600 Wels • +43 7242 309050 100
www.oberhammer.co.at • info@oberhammer.co.at



PRIMARY
Christian Pindeus
+43 1 5033000
c.pindeus@oberhammer.co.at



ALTERNATE
Ewald Oberhammer
+43 1 5033000
e.oberhammer@oberhammer.co.at

**BELGIUM | BRUSSELS
DELSOL AVOCATS**

Avenue Louise 480, 1050 Brussels
+32 479 30 84 58 • delsol-lawyers.com/
Additional Offices: Paris and Lyon, France



PRIMARY
Sebastien Poppijn
(+32) 479 30 84 58
spoppijn@delsolavocats.com

**CYPRUS
DEMETRIOS A. DEMETRIADES LLC.**

Three Thasos Street • Nicosia, 1087 • Cyprus
PHONE: +357 22 769 000 • FAX +35722 769 004
Web: www.dadlaw.com.cy



PRIMARY
Demetrios A. Demetriades
+357 22769000
ddemetriades@dadlaw.com.cy



ALTERNATE
Harris D. Demetriades
+357 22769000
hdemetriades@dadlaw.com.cy



ALTERNATE
Natasa Flourentzou
+357 22769000
nflourentzou@dadlaw.com.cy

**CZECH REPUBLIC | PRAGUE
VYSKOCIL, KROSLAK & PARTNERS, ADVOCATES**

Vorsilska 10 • 110 00 Prague 1 • Czech Republic • +420 224 819 141 • Fax: +420 224 816 366 • Web: www.akvk.cz



PRIMARY
Jiri Spousta
(00 420) 224 819 133
spousta@akvk.cz



ALTERNATE
Michaela Fuchsova
(00 420) 224 819 106
fuchsova@akvk.cz

**ESTONIA
WIDEN**

Konstitucijas ave. 7 • LT-09308 Vilnius • Lithuania • +370 5 248 76 70 • Web: www.widen.legal
Additional Offices: Latvia Lithuania



PRIMARY
Urmas Ustav
+372 6400 250
urmas.ustav@widen.legal



ALTERNATE
Marge Manniko
+372 510 4475
marge.manniko@widen.legal

**FINLAND | HELSINKI
LEXIA ATTORNEYS LTD.**

Lönnrotinkatu 11 • FI-00120 Helsinki, Finland • +358 104 244 200 • Fax: +358 104 244 21 • Web: www.lexia.fi



PRIMARY
Peter Jaari
+358 10 4244200
peter.jaari@lexia.fi

FRANCE | PARIS & LYON
DELSOL AVOCATS

4 bis, rue du Colonel Moll • PARIS 75017 France • +33(0) 153706969 • 11, quai André Lassagne • LYON 69001 France • +33(0) 472102030 • Web: www.delsolavocats.com • contact@delsolavocats.com



PRIMARY
Emmanuel Kaepelin
(+33) 472102007
ekaepelin@delsolavocats.com

GERMANY | MUNICH
BUSE

Bavarieng 14, Munich 80336, Germany Tel. +49 89 2880300 • Fax +49 89 288030100 Web: www.buse.de
Additional Offices: Berlin, Düsseldorf, Hamburg, Munich, Stuttgart, Sydney, Brussels, London, Paris, Milan, New York, Zurich



PRIMARY
René-Alexander Hirth
+49 711 2249825
hirth@buse.de



ALTERNATE
Jasper Hagenberg
(+49) 30 327942 38
hagenberg@buse.de



ALTERNATE
Dr. Dagmar Waldzus
(+49) 40 41999 215
waldzus@buse.de

GREECE | ATHENS
CORINA FASSOULI-GRAFANAKI & ASSOCIATES

Panepistimiou 16 • Athens 10672 Greece • +30 210-3628512
• Fax: +30 210-3640342 • Web: www.cfgalaw.com
Additional Offices: New York City



PRIMARY
Korina Fassouli-Grafanaki
(+30) 210-3628512
korina.grafanaki@lawofmf.gr



ALTERNATE
Anastasia Aravani
(+30) 210-3628512
anastasia.aravani@lawofmf.gr



ALTERNATE
Theodora Vafeiadou
(+30) 210-3628512
nora.vafeiadou@lawofmf.gr

HUNGARY | BUDAPEST
BIHARY BALASSA & PARTNERS

Zugligeti út 3 • Budapest 1121 Hungary • +36 1 391 44 91 •
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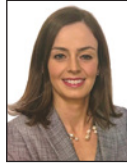
PRIMARY
Ágnes Dr. Balassa
0036) 391-44-91
agnes.balassa@biharybalassa.hu



ALTERNATE
Tibor Dr. Bihary
(0036) 391-44-91
tibor.bihary@biharybalassa.hu

IRELAND | DUBLIN
KANE TUOHY LLP SOLICITORS

Hambleden House, 19-26 Pembroke Street Lower, Dublin 2
Ireland • +353 1 6722233 • Fax: +353 1 6786033
Web: www.kanetuohy.ie



PRIMARY
Sarah Reynolds
+353 1 672 2233
sreynolds@kanetuohy.ie

ITALY | MILAN
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Main offices: Piazza Pio XI 1 – 20123 +39 0245381201
(no fax); Rome – Via Venti Settembre 98/G – 00187;
unlaw.it

Additional Office: 37122 Verona via Locatelli no. 3



PRIMARY
Andrea Rescigno
+39 02 762171
a.rescigno@unlaw.it



ALTERNATE
Alessandro Pappalardo
+39 02 762171
a.pappalardo@unlaw.it

LATVIA
WIDEN

Kr. Valdemara 33-1 • Riga, LV-1010 Latvia
Phone: +371 6728068 • Web: www.widen.legal
Additional Offices: Estonia • Lithuania



PRIMARY
Jānis Ešenvalds
+371 26458754
janis.esenvalds@widen.legal



ALTERNATE
Liene Pommere
+37129325015
liene.pommere@widen.legal

LITHUANIA
WIDEN

Konstitucijos ave. 7 • LT-09308 Vilnius • Lithuania
+370 5 248 76 70 • Web: www.widen.legal
Additional Offices: Estonia • Latvia



PRIMARY
Lina Siksniete-
Vaitiekuniene
+370 5 248 76 70
lina.vaitiekuniene@widen.legal



ALTERNATE
Aušra Brazauskiene
+370 6876 5171
ausra.brazauskiene@widen.legal

LUXEMBOURG | LUXEMBOURG
TABERY & WAUTHIER

BP 619 • Luxembourg L-2016 • Grand-Duchy of Luxembourg
10 rue Pierre d'Aspelt • Luxembourg L-1142 • +352 25 15
15-1 • Fax: +352 45 94 61 • Web: www.tabery.eu



PRIMARY
Véronique Wauthier
(00352) 251 51 51
avocats@tabery.eu



ALTERNATE
Didier Schönberger
(00352) 251 51 51
avocats@tabery.eu

NETHERLANDS | ARNHEM
DIRKZWAGER

Postbus 111 • 6800 AC Arnhem • The Netherlands • Velperweg 1
6824 BZ Arnhem • The Netherlands • +31 88 24 24 100
Fax: +31 88 24 24 111 • Web: www.dirkzwager.nl

Additional Office: Nijmegen



PRIMARY
Karen A. Verkerk
+31 26 365 55 57
verkerk@dirkzwager.nl



ALTERNATE
Tom Vandeginste
+31 (0) 26 353 83 44
vandeginste@dirkzwager.nl



ALTERNATE
Joost Becker
+31 (0) 26 353 83 77
becker@dirkzwager.nl

NORWAY | OSLO
RÆDER BING

Dronning Eufemias gate 11 • 0191 Oslo, Norway
Telephone: +47 23 27 27 00 • Web: www.raederbing.no



PRIMARY
Tom Eivind Haug
+47 906 53 609
teha@raederbing.no

POLAND | WARSAW
GWW

Ksiazeca 4, 00-489 Warsaw, Poland • +48 22 212 00 00
Fax: +48 22 212 00 01 • Web: www.gww.pl
Additional Offices: Wrocław • Poznań • Rzeszów • Łódź



PRIMARY
Aldona Leszczynska-Mikulska
+48 22 212 00 00
Aldona.leszczynska-mikulska@gww.pl

**PORTUGAL | LISBOA
CARVALHO MATIAS & ASSOCIADOS**

Rua Júlio de Andrade, 2 • Lisboa 1150-206 Portugal
+351 21 8855440 • Fax: +351 21 8855459
Web: www.cmasa.pt



PRIMARY
António A. Carvalho
(+351) 21 8855448
acarvalho@cmasa.pt



ALTERNATE
Rita Matias
(+351) 21 8855447
rmatias@cmasa.pt

**SERBIA AND WESTERN BALKANS
VUKOVIC & PARTNERS**

Teodora Drajzera 34 • 11000 Belgrade • Serbia
+381.11.2642.257 • website: vp.rs



PRIMARY
Dejan Vukovic
(+381) 63 240 350
vukovic@vp.rs



PRIMARY
Predrag Miladinovic
(+381) 65 433 03 00
predrag.miladinovic@vp.rs

**SLOVAKIA | BRATISLAVA
ALIANCIAADVOKÁTOV**

VĚkova 8/A • Bratislava 811 05 Slovakia • +421 2 57101313
• Fax: +421 2 52453071 • Web: www.aliancia.sk



PRIMARY
Gerta Sámellová
Flássiková
+421 903 717431
flassikova@aliancia.sk



ALTERNATE
Jan Voloch
+421 903 297294
voloch@aliancia.sk

**SPAIN | MADRID
ADARVE ABOGADOS SLP**

Calle Guzmán el Bueno • 133, Edif. Germania • 4ª planta-28003
Madrid, Spain • +0034 91 591 30 60 • Fax: +003491 444
53 65 • info@adarve.com • Web: www.adarve.com
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Compostela • Seville • Valencia



PRIMARY
Juan José García
(0034) 91 591 30 60
Juanjose.garcia@adarve.com



ALTERNATE
Belén Berlanga
(0034) 91 591 30 60
belen.berlanga@adarve.com

**SWEDEN | STOCKHOLM
HSA SÖDERQVIST ADVOKATBYRÅ**

Kungsgatan 36, PO Box 7836 • SE-103 98 Stockholm
Sweden • (+46) 8 407 88 00 • Fax: +46 8 407 88 01
Web: www.hsa.se



PRIMARY
Max Björkbom
(+46) 8 407 88 00
max.bjorkbom@hsa.se

**SWITZERLAND | GENEVA AND ZURICH
MLL**

65 rue du Rhône | PO Box 3199 • Geneva 1211 •
Switzerland • +00 41 58 552 01 00
Web: www.mll-legal.com

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PRIMARY
Nadine von Büren-Maier
(00 41) 58 552 01 50
nadine.vonburen-maier@mll-legal.com



ALTERNATE
Wolfgang Müller
(00 41) 58 552 05 70
wolfgang.muller@mll-legal.com



ALTERNATE
Guy-Philippe Rubeli
(00 41) 58 552 00 90
guy.philippe.rubeli@mll-legal.com

**TURKEY
BAYSAL & DEMIR**

Akat Mahallesi Güldeste Sokak No:1
34335 Besiktas Istanbul Turkey
info@baysaldemir.com • +90 212 813 19 31
Website: baysaldemir.com



PRIMARY
Pelin Baysal
+90 212 813 19 31
pelin@baysaldemir.com

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 Columbus, OH 43229
 Phone: (800) 782-6851
 Fax: (614) 885-8014

Chris Torrens

Vice President
 6956 Aviation Boulevard, Suite A
 Glen Burnie, MD 21061
 Phone: (410) 766-2390
 Email: ctorrens@SEAlimited.com

Ami Dwyer, Esq.

General Counsel
 6956 Aviation Boulevard, Suite A
 Glen Burnie, MD 21061
 Phone: (410) 766-2390
 Email: adwyer@SEAlimited.com

Dick Basom

Manager, Regional Business Development
 7001 Buffalo Parkway
 Columbus, Ohio 43229
 Phone: (614) 888-4160
 Email: rbasom@SEAlimited.com

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Michael Funk
Director of Business Development
Phone: (610) 848-4302
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Jeff Bygrave
Account Executive
Phone: (610) 848-4350
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Settlement Specialist
Email: ivaltchanova@teamarcadia.com

Your USLAW structured settlements consultants are:
Jim Beatty
Alpharetta, GA • jbeatty@teamarcadia.com
John McCulloch
Grayslake, IL • jmcculloch@teamarcadia.com
Kerri Poe
Nashville, TN and Los Angeles, CA
kpoe@teamarcadia.com
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Pittsburgh, PA • ivaltchanova@teamarcadia.com

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Yasmin Green
Global Account Manager
Email: yasmin@legaltechnologyhub.com

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401 Devon Ave.
Park Ridge, IL 60068
Phone: (855) 350-6474 (MIPI)

Doug Marshall

President
Email: dmarshall@mi-pi.com

Adam M. Kabarec

Vice President
Email: akabarec@mi-pi.com

Matt Mills

Vice President of Business Development
Email: mmills@mi-pi.com

Thom Kramer

Director of Business Development
and Marketing
Email: tkramer@mi-pi.com

Jake Marshall

Business Development Manager
Email: jmarshall@mi-pi.com

Shannon Thompson

Business Development Manager
Email: sthompson@mi-pi.com

Kelley Collins

SIU Manager
Email: kcollins@mi-pi.com

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11600 Sunrise Valley Drive, Suite 450
Reston, VA 20191
Phone: (703) 796-2200
Fax: (703) 796-0729

David Elmore, CPA, CVA, MAFF

11600 Sunrise Valley Drive, Suite 450
Reston, VA 20191
Phone: (703) 796-2200
Fax: (703) 796-0729
Email: delmore@mdd.com

Kevin Flaherty, CPA, CVA

10 High Street, Suite 1000
Boston, MA 02110
Phone: (617) 426-1551
Fax: (617) 830-9197
Email: kflaherty@mdd.com

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Christina Marinakis, J.D., Psy.D.

CEO
Phone: (443) 742-6130
christina.marinakis@verdictinsight.com

Jessica Kansky, Ph.D.

Director of Jury Consulting
Phone: (570) 817-2573
jessica.kansky@verdictinsight.com

Juliana Manrique, M.A.

Jury Consultant
Phone: (718) 813-6020
juliana.manrique@verdictinsight.com

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