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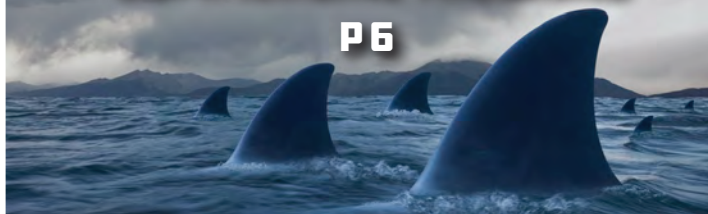
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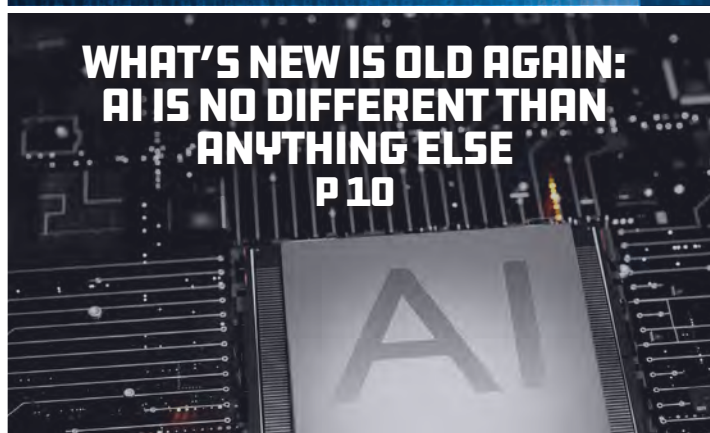
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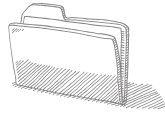


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## from the CHAIR'S DESK



As we begin 2026, we are proud to mark USLAW's 25th anniversary. What started in 2001 with six regionally based firms has grown into a global network of more than 80 member firms united by deep jurisdictional knowledge, legal excellence and an unwavering commitment to client service. Over the months ahead, we will reflect on key milestones and share perspectives on what's ahead for USLAW and the legal industry.

In this issue of *USLAW Magazine*, we highlight the members and firms making a meaningful impact—in their practices, their communities and across the industries they serve. Our contributors offer timely insights on critical issues shaping today's business landscape, from cybersecurity and M&A earn-outs to commercial trucking and the evolving role of AI.

Looking ahead, we invite you to join us in March as we celebrate the 20th anniversary of USLAW's Women's Connection, followed in April by a commemorative 25th anniversary special edition of *USLAW Magazine*. We welcome reflections and stories from members and the broader client community—past and present—as we honor this milestone together.

Thank you to everyone who has contributed to USLAW's success over the past 25 years. We look forward to the next chapter and to continuing to create meaningful opportunities for our members and their clients.

All the best,

**Jennifer D. Tricker**  
USLAW Chair  
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## MITIGATING MODERN THREATS

# *What the Latest Cybercriminal Gangs Teach Us About Cybersecurity*

Richard R. Marsh

Flaherty Sensabaugh Bonasso PLLC

Data insecurity remains a leading threat to businesses and government agencies, and cybercriminals' tactics continue to evolve. Increasingly, these threats come from organized groups based in the United States, Canada, the United Kingdom, and other Western nations, which are often composed of teenagers and young adults whose first language is English. These groups target major corporations and government entities through voice phishing and IT department takeovers. Although they have primarily targeted large corporations such as Caesars Entertainment, smaller companies must remain vigilant, as these methods have filtered down to less sophisticated attackers.

In July 2025, the FBI, the Cybersecurity and Infrastructure Security Agency (CISA), and governmental partners in Canada, Australia, and the United Kingdom issued a joint Cybersecurity Advisory regarding Scattered Spider, a Western cybercriminal group. This group focuses on gaining network access to companies in the telecommunications, retail, healthcare, and airline industries. Scattered Spider's fluid structure was demonstrated in its recent merger with ShinyHunters and Lapsus\$, two similar groups.

Although such groups primarily target large organizations, their methods are easily adapted for use against smaller busi-

nesses. Instructions and exploits shared on Telegram channels and dark web forums allow unaffiliated amateurs to replicate the same strategies locally.

The Cybersecurity Advisory outlines 14 categories of tactics and techniques ranging from reconnaissance and initial access to privilege escalation and data collection. For clarity, these can be summarized into three key phases: (1) Reconnaissance and Resource Development, (2) Methods of Attack, and (3) Takeover.

### RECONNAISSANCE AND RESOURCE DEVELOPMENT

Attacks begin with reconnaissance and resource development. Hackers scour company websites and LinkedIn profiles to identify both general employees and IT staff within the organization. They may also rely on leaked or purchased datasets containing personally identifiable information (PII), such as Social Security numbers, birthdates, and family details, to craft precise, targeted attacks. This data allows them to impersonate employees and exploit trust within the organization. Once sufficient intelligence is gathered, attackers move from planning to execution.

### METHODS OF ATTACK

Once reconnaissance is complete, attackers deploy phishing, smishing (text-

based phishing), or vishing (voice phishing) to gain credentials. Vishing, enhanced by AI-generated voice cloning, has proven particularly effective at impersonating trusted individuals. Attackers frequently pose as IT staff, persuading employees to install remote-access tools or share multi-factor authentication (MFA) codes.

Although MFA is a critical security measure, attackers have developed techniques to defeat it. One such method is "push bombing." In a push bombing attack, repeated MFA requests overwhelm the user, who eventually accepts one out of frustration—granting the attacker access. Once the request is confirmed, the attacker gains access via the user's credentials.

The groups are also adept at SIM swapping. Cell phones contain a SIM card, either physical or digital, that store the user's account and network information. In SIM swapping, the attacker convinces a mobile carrier to transfer a user's number to a new SIM card, enabling interception of MFA texts and calls.

These attacks rely on layered social engineering. Criminals often call multiple times to learn internal procedures before posing as legitimate IT personnel. Given the wealth of personal information available online, attackers can create credible stories that prompt users to disclose sensitive credentials—leading to system compromise.



## TAKEOVER

Once attackers gain a foothold in the organization's system, they may execute a full system takeover using a method known as "Living Off the Land." Rather than deploying malware, they use legitimate administrative tools within the network to collect data and expand control. Because these are legitimate system tools, traditional security software often overlooks the activity.

Attackers frequently create new privileged accounts and even fabricate online personas to reinforce their presence. In some cases, they monitor company communications, including emails, Slack messages, and Teams chats, to detect investigation efforts. They may even join internal calls or threads discussing the intrusion. With this knowledge, the attacker can avoid capture and continue to reside in the system.

## PROTECTION AND MITIGATION TECHNIQUES

The Cybersecurity Advisory emphasizes the importance of regular, automated data backups (ideally daily, but at least weekly) with offline storage and routine testing. Organizations should deploy phishing-resistant MFA, apply timely software patches, and enforce robust password policies. CISA currently recommends passwords be at least 16 characters long with a mix of upper/lowercase letters, numbers, and symbols.

Alternatively, users can opt for a passphrase of 5–7 unrelated words. When possible, a password manager should be utilized. Notably, recent guidance advises against frequent password changes, emphasizing strong initial password creation instead.

Access should be strictly controlled, with administrative privileges limited to essential personnel. Application controls can prevent unauthorized software installation, and remote access should be tightly monitored through logging and connection auditing. Users should secure their mobile accounts with carrier-level protections such as SIM locks or PIN codes to counter SIM-swapping attacks.

Because attackers often impersonate IT staff, organizations can implement their own internal codewords for users as an additional layer of identification. They can also require IT staff to contact the user in person or through the phone directory before resetting a password. Even these low-tech measures can prevent significant breaches.

End users are also a source of security. Organizations need to ensure proper user training regarding cybersecurity. The Cybersecurity Advisory specifically recommends diligent employee training against vishing and spear phishing, i.e., targeted phishing.

## CONCLUSION

Cybercrime costs the global economy billions of dollars a year. The internet is

full of well-organized cybercriminal groups along with an untold number of amateur hackers working on their own. In response, cybersecurity continues to evolve to defend against these attacks. Companies must implement strong cybersecurity procedures, such as backups and MFA. Moreover, they need to recognize that end users are important to overall security and ensure that the users are properly trained and understand the enormity of the situation. By using resources provided by the FBI, CISA, and others, organizations can strengthen their defenses and reduce the risk of falling victim to this ever-evolving wave of cyber threats.



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# M&A EARN-OUTS: THE DEVIL IS IN THE UNCERTAINTY

**Stella Lellos and Lindsay Brocki** Rivkin Radler LLP

Mergers and acquisitions (M&A) are inherently complex transactions that involve balancing the interests, expectations and risk tolerances of buyers and sellers. One mechanism frequently used to bridge differences in valuation and to manage uncertainty in deals is the earn-out provision. An earn-out allows part of the purchase price to be contingent on the future performance of the acquired business, effectively aligning incentives of the parties and deferring part of the financial commitment of the buyer. While earn-outs offer significant benefits, they also bring potential pitfalls in

terms of complexity, conflict, and administrative considerations. This article explores both the positives and negatives of earn-out provisions in M&A transactions, highlighting their strategic value and the challenges they present.

## **EARN-OUT PROVISIONS' UPSIDES**

One of the most compelling advantages of an earn-out provision is its ability to bridge valuation gaps between the buyer and the seller. When there is uncertainty about the future performance of the business, whether due to volatile market con-

ditions, an unproven product, or a lack of historical financial data, buyers and sellers often struggle to agree on a fair purchase price. An earn-out provides a compromise: The seller receives an initial payment up front and may earn additional payments if the business achieves certain performance targets post-closing. This structure enables deals to move forward that might otherwise stall over valuation disputes.

Earn-outs also help align the interests of both parties. Sellers, especially those who stay on with the company post-closing in a management role, are directly motivated to

drive the business toward the agreed-upon performance metrics. This alignment can foster a smoother transition and more committed post-sale management, leading to better results for the buyer and higher payouts for the seller. For the buyer, retaining a motivated seller can help preserve institutional knowledge, key customer relationships and operational continuity.

From the buyer's perspective, earn-outs help mitigate the risk of overpaying for a business whose future is uncertain. By deferring a portion of the purchase price until certain benchmarks are met, the buyer limits their initial exposure. If the acquired business underperforms, the buyer has already protected themselves by tying part of the payment to performance. This is particularly important in industries where future success depends heavily on innovation, regulatory approval or market expansion—areas prone to unpredictability.

For sellers, an earn-out structure offers the potential to maximize the overall sale proceeds if the business performs well after the transaction. Sellers who are confident in their business's growth prospects may be more willing to accept an earn-out, knowing they could ultimately receive more than the buyer's initial offer. This arrangement rewards sellers not only for the company's past performance but also for its post-sale trajectory, which they may still influence if they remain involved operationally.

Another benefit of earn-out provisions is that they can improve the buyer's cash flow management. By deferring a portion of the purchase price, buyers preserve cash that can be deployed for integration costs, growth investments, or working capital needs in the early stages of ownership. This delayed payment schedule can be especially beneficial for private equity firms or other buyers operating within tight capital structures.

Earn-outs are highly customizable. They can be structured around various performance metrics such as revenue, EBITDA, customer retention or other operational goals, depending on what makes most sense for the business and the parties involved. This flexibility enables earn-outs to be tailored to the unique dynamics of each transaction, increasing their utility across different industries and deal types.

### EARN-OUT PROVISIONS' DOWNSIDES

Despite their many advantages, earn-outs are not without significant drawbacks, particularly to sellers. Parties must carefully weigh these risks and challenges to ensure the earn-out serves its intended purpose and does not leave the party in a disadvantaged position.

On the front end, earn-out provisions are inherently complicated to structure. They require detailed negotiations around performance metrics, timeframes, calculation methods and payment schedules. This added complexity can lead to protracted negotiations, delay the closing of the transaction, and increase legal and advisory costs. Both parties need to consider a wide range of scenarios and plan for contingencies, which can bog down the deal-making process.

One of the most common issues with earn-outs is the potential for disputes over whether performance targets were met. Even when both parties act in good faith, disagreements can arise over how metrics are calculated, which accounting standards are applied, or whether certain external events (e.g., economic downturns or industry disruptions) should impact the outcome. Vague or poorly drafted earn-out terms can lead to litigation or strained relationships between buyer and seller.

In some cases, the buyer may be incentivized to manipulate the performance of a business in a way that prevents earn-out payments from being triggered. For example, a buyer could delay investments, alter operational practices, or change accounting methods in a way that reduces reported earnings or revenue. While such action may not necessarily be illegal or directly violate the purchase agreement, it can undermine the spirit of the earn-out agreement and leave sellers feeling cheated. Parties should consider these potential pitfalls when drafting the purchase agreement, particularly the earn-out provision.

Although earn-outs are designed to align interests, they can also create post-closing tensions. For instance, the buyer may want to focus on long-term strategic initiatives or cost-cutting measures, while the seller (now an employee or advisor) may prioritize short-term performance to maximize their earn-out payout. These conflicting goals can lead to disputes, reduced collaboration and challenges in day-to-day decision-making.

Earn-outs involve a significant administrative burden, especially if they are tied to complex metrics or span multiple years. Buyers must implement systems to track performance accurately, produce regular reports and sometimes engage third-party auditors to validate results. This ongoing oversight can be time-consuming and costly, particularly for smaller companies without a robust financial infrastructure.

Finally, earn-outs can introduce tax and legal complexities. Depending on how the earn-out is structured, payments may be treated as purchase price or as compensa-

tion, each with different tax consequences for both buyer and seller. Additionally, if disputes arise, the legal costs of resolving them can be substantial, regardless of whether the purchase agreement contains an arbitration provision. Sellers should also be aware of the impact of earn-outs on capital gains treatment and any withholding requirements.

### CONCLUSION

Earn-out provisions in M&A transactions are helpful tools for balancing the interests of buyers and sellers, especially in cases where future business performance is uncertain. They offer numerous benefits: helping bridge valuation gaps, aligning post-closing interests, reducing buyer risk, and providing sellers with upside potential. When thoughtfully designed, they can facilitate deals that might not otherwise be possible and set the stage for a more collaborative transition period.

However, the benefits of earn-outs must be weighed against their considerable drawbacks. Structuring an effective earn-out requires careful negotiation, clear and enforceable performance metrics and ongoing administrative diligence. There is also the risk of disputes, misaligned incentives and financial manipulation. For these reasons, earn-outs are best used in situations where the parties have a high level of trust, transparency and collaboration, and where both sides are willing to invest the time and resources needed to manage the arrangement properly.

Ultimately, whether an earn-out is appropriate depends on the specifics of the deal, the nature of the business and the goals of the parties involved. For buyers and sellers alike, understanding the advantages and risks of earn-outs is essential to crafting agreements that are fair, flexible, and financially sound.



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# NAVIGATING SHARK-INFESTED WATERS

## *Mitigating Tow and Storage Exposure in Commercial Trucking*

Elizabeth Judy    Dysart Taylor

On the shoulder of the interstate in the aftermath of a trucking accident, a state trooper glanced up from his notepad, sighed, and went back to writing. “Sharks in the water,” he muttered, nodding toward a bright purple tow truck idling in an empty lot just off the highway. Within minutes, another five operators had started circling the scene. The well-worn nature of the trooper’s comment underscored the persistent and worsening issue of predatory towing practices in the commercial transportation industry.

Industry data support this impression: in its November 2023 report, *Causes and Countermeasures of Predatory Towing*, the American Transportation Research Institute (ATRI) estimated that more than 80% of commercial fleets have been subject to predatory towing practices and exorbitant invoices in recent years. Data from the National Insurance Crime Bureau also reflects this trend, with predatory towing claims nearly doubling from the beginning of 2022 through the end of 2024.

Given these facts, the trooper’s analogy

is apt. While most commercial transportation players safely navigate the vast waters of America’s roadways, many fail to appreciate the dangers lurking just out of sight. Many commercial motor carriers (CMCs) underestimate the threat of predatory towing and recovery (T&R) companies. These T&R companies lie in wait, ready to strike the moment they sense blood in the water. What first appears as a routine tow can, in the resulting feeding frenzy, devolve into a financial and logistical nightmare, particularly for small fleets or owner-operators. Captive CMCs are vulnerable to being pulled under by inflated invoices, climbing fees, and cumbersome liens. The result is not a single expensive invoice, but ripple effects across the supply chain: delayed deliveries, lost contracts, higher insurance costs, and legal battles that drain time and capital from operations.

When a simple T&R situation can quickly become expensive and time-consuming, CMCs and insurance carriers need to understand and plan for these attacks. Piloting companies through such choppy

waters may be complicated by delays in communication or poor coordination, particularly given the moving pieces at play. Unscrupulous T&R operators thrive most when CMCs and adjusters are caught unprepared. However, with proper planning, effective policies, and knowledge of the dangers, CMCs and their insurers can effectively mitigate the risks posed by these bad actors.

### **PLANNING FOR THE WORST: PROCEDURES, TRAINING AND POLICYMAKING**

Having a plan in place for a T&R situation will give a CMC its best chance of smooth sailing. Accordingly, companies should update their accident response procedures and training to include T&R situations. Pre-establishing trusted relationships with reputable T&R providers can minimize exposure to abusive practices. The legal landscape governing towing remains a patchwork of state, county, city, and municipal rules, making it essential for carriers to stay up to date on available protections,

especially on frequently traveled routes.

When examining and selecting towing and recovery coverage, CMCs should consider the potential cost of heavy-duty recoveries: the size, weight, and complexity of tractors, trailers, and cargo increase legitimate base costs, yet these same factors also create opportunities for excessive charges. In fact, the ATRI's November 2023 study reported that from 2021 to 2023, pretax T&R bills for commercial motor vehicles "ranged from \$250 for a simple heavy-duty towaway to \$110,000 for a complex recovery and clean-up after a severe hazmat crash." Significantly, while the median bill in this dataset was around \$5,000, ATRI's analysis found the mean pretax total bill was closer to \$12,000.

To address these risks, carriers should refine their response and coverage strategies while also advocating for stronger regulatory protections against predatory towing practices nationwide. While some states have passed laws and regulations to set maximum rates for T&R in some circumstances, the vast majority of states offer few to no protections at all.

### RAPID RESPONSE

When a towing or recovery incident occurs, CMCs should immediately contact their insurance provider(s), which often have established relationships or recommendations for reputable towing and recovery companies. These parties should determine whether the tow was voluntary or involuntary, since this can influence whether protections are available for the vehicle owner. Next, all sources of coverage that may apply to the incident (including those held by the tractor owner, trailer owner, and any cargo owners) must be quickly identified to ensure proper coordination and reimbursement.

Every aspect of the T&R response should be carefully documented. Drivers and company representatives should be warned against signing any consent forms or other similar agreements without fully understanding the terms, as dishonest tow operators may use such documents to justify inflated charges or restrict the owner's rights to the vehicles and/or cargo. Photo documentation at the recovery site is also critical: drivers or other representatives should be trained to capture images of the vehicles, cargo, accident site, towing equipment, fluid spills, cleanup efforts, and visible damage. These steps preserve evidence, support insurance claims, and provide leverage in disputing excessive or improper towing bills.

### MULTIPLE INSURERS, MOUNTING COSTS AND VEHICLE RETENTION RISKS

Commercial trucking claims often involve multiple insurance carriers and adjusters, each with distinct interests, coverage limits, and procedural requirements. For example, the carrier's physical damage insurer may require a vehicle inspection before authorizing release, while the cargo insurer might demand a separate inspection or removal of perishable freight. Meanwhile, the liability insurer may delay any action until fault is determined. Each insurer may assign its own adjuster, resulting in increased storage fees while inspections are coordinated and payment responsibilities clarified. These complications are not just frustrating – they can rapidly add hundreds or thousands of dollars to a T&R bill.

The stakes for carriers are high: prolonged downtime means lost revenue, potential cargo delays, and mounting costs extending far beyond the tow bill itself. If payment is not made within a prescribed period (typically 30 to 90 days, depending on the jurisdiction), the T&R company can initiate a lien sale or a title transfer through the relevant state authorities. After providing statutory notice to the registered owner(s) and lienholder(s), the tow yard can legally auction off the tractor, trailer, or both. While proceeds exceeding the amount owed should, in theory, be returned to the vehicle owner, this rarely happens in practice with accrued fees.

### CHALLENGE THE INVOICE: AUDIT, NEGOTIATE, BUILD LEVERAGE

When a towing or recovery invoice arrives, carriers should treat it as a document requiring careful scrutiny, not an automatic bill to be paid. Ensure the invoice is fully itemized, showing labor, equipment, mileage, storage, and administrative fees. Request supporting documentation and compare the invoiced rates to local and regional norms or, if applicable, state maximums. The ATRI's 2023 study includes valuable resources for evaluating excessive labor and equipment rates.

Documentation is essential for both insurance and potential legal action. A CMC or its insurer should promptly deliver a written preservation letter demanding that the towing yard not sell, alter, or repair the vehicle or its cargo. The CMC may also request its attorney or adjuster to contact the storage yard, post a bond if necessary, and preserve any relevant subrogation rights. Payment should be made only after thorough vetting, or, in some cases, under protest or by posting a bond to halt ongoing

charges while the dispute is resolved.

Regulatory pressure may also be effective where available. Filing complaints with the state attorney general, the department of transportation, consumer protection authorities, or local towing regulators may yield rapid results in jurisdictions that impose fines or penalties on violators.

If the T&R company continues to refuse to cooperate or release the vehicle, the CMC should continue to leverage its legal and regulatory remedies. A written demand letter should clearly identify any unlawful holds, cite relevant statutes, and set a short deadline for resolution before legal action is filed. Filing an immediate replevin action or motion for injunctive action can be one of the most potent tools to force negotiation, as it interrupts storage expenses and exposes the yard to liability for wrongful retention or sale. Depending on the jurisdiction, CMCs may pursue various legal claims for conversion, unjust enrichment, or unfair trade practices. If the yard proceeds with an unlawful sale of the vehicle, the owner may seek injunctions, recover the proceeds, and pursue further damages, especially where T&R companies fail to comply with statutory notice requirements.

Insurers must be recruited as allies, as they may also provide another layer of leverage by posting bonds, paying under protest, or withholding payment pending an audit. Frequently, a well-drafted demand for itemization, coupled with the threat of small-claims or statutory litigation, will encourage a recalcitrant T&R company to move toward resolution. Finally, while public exposure should be used carefully, it can be influential when a T&R yard's business depends on municipal contracts or reputation.

In short, combating an inflated or unlawful tow bill requires immediate, organized action. By auditing invoices, preserving evidence, asserting legal rights, and leveraging insurance and regulatory tools, carriers can shift the balance of power, prevent mounting losses, and help curb the broader problem of predatory towing in the commercial trucking industry.



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# HUMANIZING THE LOGO

## *Transforming Corporate Testimony into Credibility*

**Juliana Manrique, M.A. and Jessica Kansky, Ph.D.**

Verdict Insight Partners

In today's courtroom, few uphill battles are steeper than earning a jury's trust when your client is a corporate logo. Jurors walk in with deep-seated skepticism, shaped by headlines about corporate scandals, greed, and faceless institutions. They expect slick messaging and corporate jargon. They brace for evasion and rehearsed answers. They assume that any narrative from a corporate defendant is carefully engineered to obscure rather than reveal. For defense lawyers, this reality means one thing above all: storytelling is no longer a luxury but rather a necessity. Beyond that, not just any story will do.

Anti-corporate biases and societal narratives play a key role in influencing jury perceptions, making the corporate representative's performance pivotal to a company's success in the courtroom. A re-

cent survey of 352 jury-eligible individuals across seven metropolitan areas<sup>1</sup> provides rare statistical insight into the perceptions that shape how these stories land in jurors' minds, challenging advocates to rethink their strategy at the intersection of fact, empathy, and credibility.

Juror perceptions of corporate witnesses reveal a persistent undercurrent of skepticism, setting the stage well before any testimony is delivered. They bring elevated expectations for expertise and preparedness in the corporate witness chair. When asked if "designated witnesses for corporations should be expected to know all of the ins and outs," a striking majority (57%) strongly or somewhat agreed. Just under 14% disagreed, with a scant 3% of jurors who strongly disagreed with the statement. The signal is clear: jurors expect mastery, rather

than mere foundational knowledge, as the baseline for corporate representatives.

These elevated standards not only shape the way jurors assess a witness's competency but may also color their initial impressions regarding honesty and trustworthiness. When mock jurors were asked about the trustworthiness of individuals testifying on behalf of corporations, 12% expressed outright doubt in these representatives. More striking, however, is that 35% remained uncertain, reflecting that a significant portion of the jury pool starts from a place of hesitation and questioning. While overt distrust is not the majority position, this level of skepticism cannot be ignored; it signals an uphill battle for any corporate defense seeking to establish credibility from the outset.

Jurors do not simply evaluate the con-

tent of what is said; they scrutinize *how* it is said, including the mannerisms and nonverbal behaviors of the representative as they are saying it. The data is clear: suspicions of dishonesty can be triggered by nonverbal cues that are actually symptoms of nervousness. When asked whether “a witness who fidgets and shifts around a lot is probably lying,” 25% agreed (3% strongly, 22% somewhat), while 34% were unsure and 41% disagreed. The same trend occurs with eye contact: 30% of jurors equate a lack of eye contact with deception, and another 27% are unsure.

Verbal responses also matter. A full quarter of jurors (25%) believe that if a witness says, “I don’t recall,” they are probably lying, with 35% remaining unsure. After all, how often does one use that phrase in everyday life? For that reason, it is best to suggest that witnesses use the more colloquial “I don’t remember.”

When a witness provides a non-binary answer—anything other than a straightforward “yes” or “no” when specifically backed into dichotomous questioning—over 28% see it as evasive, while another third (34%) are unsure. Such statistics underscore that small cues in delivery and mannerisms can have a disproportionate influence on perceived credibility.

Yet, amid this skepticism, the corporate representative is not without opportunity. The survey data should not merely inspire caution but fuel a sense of purposeful preparation. When 57% of jurors expect mastery, not mere competence, companies must select witnesses who possess both technical command and the humility to admit complexity where it exists. When over a quarter of jurors equate fidgeting, averted eyes, or non-binary answers with deception, the importance of clear, calm, and authentic communication cannot be overstated.

After trials, consultants at Verdict Insight Partners frequently conduct post-trial interviews involving direct calls to jurors to inquire about their impression and feedback on arguments, attorneys, and witnesses. A common takeaway is that the most effective witnesses are those who embody a cooperative, nonconfrontational demeanor. Jurors appreciate it when witnesses remain polite under pressure and avoid defensiveness or combative exchanges. Communication skills are equally vital: jurors respond best to individuals who are comfortable speaking in public, can convey complex information with clarity and em-

pathy, and are always considerate of their audience’s perspective. Confidence is crucial, but it must be paired with composure and humility—a witness who remains calm under challenge and never lapses into arrogance. Notably, post-trial interviews with jurors consistently reveal that it is the witness’s general competence, compassion, and sincerity—not any specific words—that are most memorable. While rigorous preparation of key facts and policies is essential, priority must also include shaping positive impressions, as these linger long after testimony concludes.

Effective nonverbal communication can be just as influential as words in shaping juror perceptions of a corporate representative. Sustained eye contact conveys both engagement and attentiveness, signaling to jurors that the witness is fully present and invested in the proceedings. Maintaining good posture is equally significant, as it projects openness and confidence, making the representative appear both approachable and self-assured. Attention to hand placement is important: resting hands calmly rather than fidgeting minimizes distraction and reinforces composure. The representative’s emotional affect should align with the context of the testimony. For instance, showing appropriate seriousness or empathy when the subject matter calls for it, rather than remaining expressionless or appearing incongruously detached. Similarly, repetitive or distracting mannerisms such as tapping, shifting, or nervous gestures should be consciously avoided to maintain credibility and reduce the risk of jurors misinterpreting nervousness as lying.

Practice is a crucial part of preparing any witness, particularly when it comes to nonverbal behavior. A few rehearsal sessions can help representatives eliminate distracting habits such as fidgeting, hedging, humming, stalling for time, looking down, or engaging in other distractive behaviors. All of these mannerisms can be interpreted as signs of nervousness or evasiveness, potentially undermining credibility before a single word is spoken. It’s especially helpful for a third party to provide feedback to the witness during preparation in order to maintain rapport between attorneys and witnesses. By practicing repeatedly and with a trained communications consultant, witnesses and their teams become familiar with an individual’s natural communication style and can work to minimize behaviors that may raise red flags for jurors. Moreover,

rehearsal helps to dispel some of the initial anxiety and emotional tension, allowing the witness to appear more composed and authentic on the stand.

A single incident highlights the stakes: during one trial, a witness, deep in thought, unconsciously covered his mouth with a hand while pausing. Later, a juror remarked that it looked as if the witness was “trying to hold in the truth,” even though the witness was simply thinking. This is just one example of many that underscores just how critical it is to coach representatives on all facets of their presentation, as jurors may misinterpret innocent gestures in ways that have serious consequences for corporate credibility.

As a result, we advocate a strategic pivot: don’t simply prepare your witness with facts. Prepare them as the narrative voice for a company striving, like the witnesses themselves, to be understood and believed. A well-prepared corporate witness can serve as a face to an otherwise dehumanized corporation. They are the vessel for sharing the company story in a way that can resonate with jurors on a personal level. Every moment on the stand is an opportunity to turn corporate skepticism into individualized trust. Victory may hinge not on the strength of legal argument alone, but on the ability to meld knowledge with empathy, and fact with story. In the end, the path forward is clear. In an era where every corporate misstep can become a headline and every representative is a *de facto* ambassador, only mastery, relatability, and sincerity will suffice. Trust is neither assumed nor conferred; it is painstakingly built, one answer, one gesture, and one meaningful story at a time.



*With nearly a decade of dedicated trial consulting experience, Juliana Manrique of [Verdict Insight Partners](#) refines trial strategies through mock jury research, nuanced data analysis, and guidance in jury selection.*



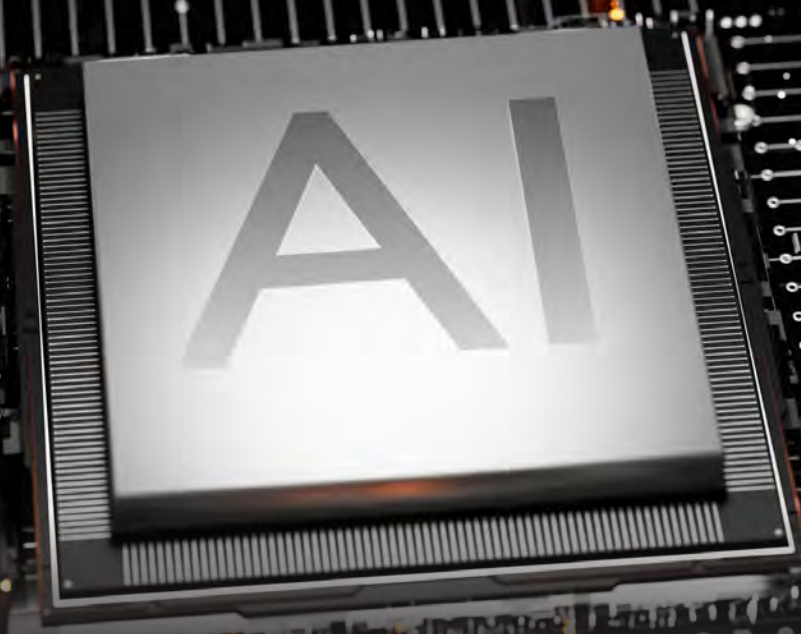
*[Verdict Insight Partners](#) Director of Jury Consulting Jessica Kansky, Ph.D., leverages over 15 years of expertise in psychology and statistics to analyze jurors’ reactions to case themes and predict juror behavior at trial. She provides mock trial facilitation and jury selection assistance with an emphasis on developing juror profiles to effectively guide counsel through jury selection.*

<sup>1</sup> Baltimore, Chicago, Los Angeles, Santa Barbara, San Francisco, Myrtle Beach, and Newark, New Jersey.



# WHAT'S NEW IS OLD AGAIN

*AI Is No Different Than Anything Else*



Ken Perry Amundsen Davis

Most agree that the next five to ten years will drastically change the way professionals do business. With the rise of artificial intelligence (AI), they will be searching for the proper means and methods to incorporate these tools into the everyday work they perform for clients. Questions continue to emerge about how, where, and

to what extent such new technology should be integrated, as well as how ethical and legal standards might need to adapt. While there is no doubt that new questions will arise and nuance will be needed to incorporate AI into professional work, it is equally true that most “old” professional standards and ethical guidelines will remain relevant.

In other words, existing standards will still provide valuable direction as professionals begin using AI in their work.

## **AI LIMITATIONS: FLAWS AND CONCERNS**

Across professions, it's clear that as regulators begin to address AI, they are largely

applying existing regulations to this new technology.

For example, the Illinois Supreme Court recently applied existing rules and ethical obligations when analyzing the use of AI for Illinois lawyers. It created no “new” framework for the technology. Instead, lawyers are asked to offer training and develop internal policies on proper AI use and supervise staff and younger professionals when they use AI. Legal professionals are obligated to manage and supervise the output to ensure accuracy and compliance of work product regardless of whether they do the actual work themselves.

AI users—including professionals—are constantly reminded that data outputs may be flawed. Professionals are ultimately responsible for confirming the accuracy of the information produced by AI and coming to conclusions and making decisions on their own. Considerations for professionals to take into account include understanding the source and circumstances surrounding the data. For example, bias and discrimination are known drawbacks of using AI. In addition, output from AI can be expensive. Most importantly, however, is that AI results may be inaccurate or incorrect. Professionals should therefore use their best judgment to determine whether output is reliable, complies with professional obligations, and properly meets the client’s needs. Professionals can most effectively use information or data obtained through AI by understanding this limitation.

Another consideration for AI use as a professional is the client’s perspective. Some clients may be apprehensive about the prospect and flat out refuse its application, no matter how positive the potential outcome might be. So, best practices dictate that clients should be regularly apprised of the use of AI in their matters, which allows for transparency and ethical use. Again, across professions, the guidelines remain the same: Keep the client regularly informed of the work and processes used. AI should be treated no differently.

Another concern with AI use is the potential input of the client’s and/or professional’s data or information into the AI system. This can and does raise privacy, security, and intellectual property concerns. However, disclosing this type of information to AI should be viewed and treated like any other disclosure: with proper communication and consent of the client and as many safeguards in place as possible. Similarly, cybersecurity risks and considerations resulting from AI should be treated with the same processes and diligence as any other technology-related issue.

Lastly, there are concerns that nonpro-

fessionals may rely on AI to address issues that have traditionally been within the purview of a licensed professional. While this is a valid issue, it is no different than other forms of unauthorized practice of a regulated profession, such as the unauthorized practice of law. Professionals must continue to monitor their unlicensed colleagues to ensure no ethical issues arise, just as they did prior to the introduction of AI in the workplace.

Like any type of technology, if a professional utilizes AI in their work, a clear, detailed policy should be in place that outlines the scope of its use. This is beneficial for clients as well as employees, minimizes risk, and creates expectations that everyone understands.

### **SPECIFIC PROFESSIONS ARE NO DIFFERENT**

The above outlined some broad considerations regarding professionals using AI. Its impact on specific professions further supports the idea that AI can, in many cases, be treated like any other new emerging issue in any given field.

For example, design professionals deal with protected information, such as copyrighted designs. These rights must be carefully considered and protected, just as they were before the introduction of AI. Yet AI creates new concerns and raises new questions, such as whether protected designs should be used in conjunction with AI. Clear-cut answers do not exist, but the professional should make an informed decision on how to balance intellectual property rights with the use of emerging technologies. Design professionals can also be aided by having AI perform calculations. Just like any other assistive device, however, professionals should use caution and remain responsible for verifying the accuracy of the final work product.

Accountants and other financial professionals can likewise benefit from AI to perform their roles more efficiently. For instance, AI can analyze information for regulatory compliance as well as professional or government standards. As discussed above, care and caution should be used when inputting such source information into AI, and the output should be reviewed and verified. Once again, we see old standards applying to new technology.

Real estate professionals are another group for whom AI use carries specific implications. Realtors and those involved in property management, for example, might benefit greatly from using AI in targeted marketing efforts. In doing so, however, they risk confidential information and AI bias in the output they receive.

Nevertheless, these outputs are at their core no different than any other avenue used for marketing and lead generation. The real estate professional must ensure accuracy, legal compliance, and ethical compliance.

Property managers can leverage AI to help manage tenant communications, risk assessments, and even energy efficiency. As with other non-AI methods of handling these tasks and analyses, the same safeguards, risks, and responsibilities apply. AI can be an effective tool to streamline tenant interactions and resolve issues, but it cannot operate without oversight. Communications must be checked and verified to ensure there are no issues, such as discrimination, unintended bias, or problematic actions. In this context, AI can be viewed as a junior employee at the company: They can do a bulk of the work, but the final product must still be carefully reviewed by senior management before it goes out the door.

AI can even play a role for professionals before they have entered their respective fields. Research has shown that it can assist in preparing for a licensing exam by anticipating questions, helping with study guides, and collating information. These tools can simplify the preparation process. However, while it may be a helpful study tool, the student still needs to study and digest the information to succeed.

### **KEY TAKEAWAY: TRUST BUT VERIFY**

Although technology might change the way professionals do business, their core responsibilities and obligations—professional, legal, and ethical—remain largely the same. AI introduces new risks, particularly when it comes to protecting confidential client information, but it does not alter the underlying duty to safeguard sensitive information. In an era of increasing AI use, the principle of “trust but verify” remains as important as ever.



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A photograph of a person in blue jeans and a dark jacket walking past a yellow 'CAUTION WET FLOOR' sign. The sign is on a wet floor, and the person is holding a yellow object. In the background, another person in an orange dress is walking. The scene is indoors, possibly a store or a public space.

# *From Reactive to Proactive* **HOW AI CAN ASSIST IN RETAIL & HOSPITALITY RISK MANAGEMENT**

Frank Gattuso and Chase Ulisse Sweeney & Sheehan, P.C.

Artificial intelligence is not only transforming the way in which retail and hospitality businesses manage their daily operations, but also the ways in which these industries can manage the risk associated with opening their doors to the public. With proper identification, through the use of AI, retail and hospitality businesses can change their approach from reacting to dangers known to trigger lawsuits to proactively guarding against these threats. But what effect will AI have on litigation in the retail space? Will technology affect traditional evaluations and considerations concerning liability? We will explore what AI tools there are in retail and hospitality and the potential effect they will have in evaluating such claims and litigation.

## **AI APPLICATIONS IN RETAIL AND HOSPITALITY**

Trends in innovative technology typically favor early adopters. Organizations in the retail and hospitality space have seen this come to fruition when leveraging artificial intelligence in areas such as predictive analytics, hazard identification, anomaly detection through behavioral analysis, and proactive maintenance and environmen-

tal monitoring. Simply put, AI allows the user to see the litigation inducing hazard before an incident occurs and provides an opportunity to prevent a claim from ever arising. One way in which predictive analytics can be utilized to accomplish this goal is by analyzing past historical incident data such as accident reports, maintenance logs, foot traffic, and environmental conditions. In doing so, Artificial intelligence could provide warnings of specific and applicable threats such as flagging the pool area during rainy days prompting hotel staff to increase checks or deploy mats when data suggests most slip and falls occur during this time. From a retail perspective, last year's Christmas display which caused Grandma to trip (get run over) on Santa's reindeer would be an incident of the past as artificial intelligence would recognize the hazardous layout and instruct against such construction.

Retail and hospitality organizations have also employed AI-driven computer vision to detect real-time hazards before invitees are exposed to them. AI-enabled CCTV cameras can spot dangers such as spills, unattended luggage, and obstructed exits and radio to staff automatically to remove the

threat. They can even recognize threats that aren't as apparent such as unstable or overstocked shelving and overcrowded store locations that cannot handle the density threshold. AI-driven computer vision truly can serve as the eye in the sky to see what human-employees might not recognize as a risk.

Predictive maintenance and environmental monitoring are additional areas in which artificial intelligence has been employed to maintain the safety of a business' premises as well as its products. In hotels, elevators with AI-connected devices can monitor the lift, detect unusual vibrations and automatically schedule maintenance before a breakdown ever occurs, saving a potential victim from becoming stuck or injured. Food retailers have utilized these devices in a similar capacity by affixing this product to its kitchen equipment, like its refrigerators, to monitor the equipment for early signs of failure and prevent food spoilage or leakages.

Artificial intelligence can also be utilized to assess threats that walk through a business' door. This is accomplished by AI systems that monitor typical patterns of behavior and flagging anomalies, indicating a

risk. For example, AI has the capability to recognize a guest loitering near restricted areas or a staff member entering unauthorized locations and point out the potential indicator of a security risk. It can also recognize aisle avoidances circumstantiality indicating a risk or notice a surge of patrons to exits to alert an organization of a developing emergency.

### IS ARTIFICIAL INTELLIGENCE AN EFFECTIVE TOOL?

Reported data from organizations, such as retail and hospitality businesses, that have implemented artificial intelligence into their everyday practices have yielded strong results in reducing the likelihood of incidents at the owner's property and in turn, diminishing ensuing litigation. Insurance firms closely monitoring the AI boom and its implementation have estimated that predictive risk models reduce incidents at a 15-30% rate by improving hazard awareness and preemptive action. IBM's Maximo, which acts as a tool that anticipates equipment failure and service outages, is said to reduce equipment related incidents by 30-40%.

While there are countless examples of singular AI tools vastly reducing litigation-inducing incidents, their effectiveness is multiplicative, not additive, when integrated into a comprehensive safety strategy with multiple complimentary AI systems. In fact, studies have shown that businesses saw a reduction of 40-60% of incidents in the first 12-24 months following the implementation of multiple AI systems. Retail and hospitality businesses, such as big box stores and hotels, have seen up to 40% reduction in slip or trip-and-fall incidents when their AI cameras or computer vision was paired with an automated alert system. Another major hotel brand has also joined in on the technological fun, employing AI tools for predictive maintenance and sentiment analysis. A Deloitte study found that some hotels with these systems were able to reduce maintenance costs by 25-30%, unplanned outages by 70-75%, and extend asset lifespan by 20-30%. AI-powered tools can also enhance customer experience through sentiment analysis providing real-time feedback from guest reviews and social media. It has resulted in a reduction in guest complaints by approximately 15% and increased satisfaction ratings by around 12%.

### LEGAL AND ETHICAL CONSIDERATIONS: DOES AI RAISE THE STANDARD OF CARE?

"Standard of Care" is a legal term referring to the degree of care that a prudent and reasonable person would exercise under the

applicable situation. As such, the standard of care is not a hard and fast rule. Instead, it serves as a sliding scale or continuum based on the facts of the alleged incident and the precautions taken by the business inviter. Relevant for consideration, the standard of care does not equal optimal care, and businesses are not tasked with defending against all conditions that could cause harm, but only those that are foreseeable.

So how does the implementation of artificial intelligence affect this standard? Although AI's role in business is still in its infancy stages, the probable assumption should be that courts will assess its impact on businesses and increase those businesses' responsibility, ultimately finding organizations liable for incidents where it previously did not. This is because AI tools, such as those previously discussed, enhance a business's ability to foresee and mitigate risks before they occur. If a retail and hospitality business adopts AI tools and fails to effectively use them or act on its insight, a court may see this as falling short of prudence. Moreover the existence of AI systems can be seen as an enhanced risk management tool, holding an organization to a higher standard of care, and evidencing the business as a negligent party if an accident occurs that the court deems foreseeable as a result of having such technology. Consequently, the future evaluation could change from the reasonable person standard to a reasonable person with the assistance of AI standard.

In addition, AI implementation can also introduce a higher burden of responsibility. AI users now must ensure that its systems are continuously maintained and functioning properly and nonperformance of such duties can lead to greater liability if an accident arises which would have been preventable with the tool. These systems also increase transparency allowing for a failure to act to become more easily identified. A Plaintiff complaining of a defective shelving unit could now receive in discovery a log of all the times AI tools alerted management of required maintenance. In all, the decision to implement artificial intelligence is one that has proven to enhance the everyday functioning of retail and hospitality businesses but could also place a greater emphasis on an organization's failure to eradicate litigation inducing hazards due to its improper use or untimely maintenance of the AI tool.

From an ethical perspective, employing artificial intelligence could carry its own complications. As discussed previously, predictive data would be an important component in preventing accidents but when

does the tool cross the line? One area of the law that may be implicated are surveillance laws as AI-powered cameras could overstep legal boundaries and cross into an invasion of privacy. Another prevalent ethical consideration is its impact on a business' workforce. As mentioned previously, employee engagement is critical in maximizing the effectiveness of artificial intelligence, however, employees who see the tool less as an asset and more as a threat may be less likely to immerse themselves in the tool and utilize its efficiencies.

### CONCLUSION

Artificial intelligence is not the way of the future; it's the way of the present. Retail and hospitality businesses all over the country have implemented AI tools in their organizations and the results speak for themselves. Businesses, with the assistance of AI, have increased their identification of hazards, protected against maintenance costs and equipment failure, and have increased their asset lifespan considerably. On their own, AI tools have made an impact, when integrated into a complementary system employing multiple AI tools the effect is boundless – especially in reducing litigation. However, buyers beware. As technology shifts and improves, courts will expect the same out of the businesses that utilize them. The previous Standard of Care will be eclipsed by a standard requiring the user of AI tools to effectively deploy them or maintain them, and anything less than adhering to a Standard of Care with the use of AI could evidence retail and hospitality businesses as a negligent party.



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# THE NEW POWER EQUATION

## *Small Modular Reactors and the Real Estate Law of America's Next Energy Frontier*

J. Cliff McKinney Quattlebaum, Grooms & Tull PLLC

### WHEN ARTIFICIAL INTELLIGENCE MEETS REAL ESTATE REALITY

Over the past two years, I have become increasingly fascinated by artificial intelligence and its inevitable role in every corner of our economy, including the real estate industry. A close look at artificial intelligence quickly reveals that one of its most significant challenges is energy consumption. Data centers powering AI may consume up to 12% of total U.S. electricity by 2028.<sup>1</sup> Some estimates suggest that power demand for AI data centers could grow from 4 gigawatts in 2024 to 123 gigawatts by 2035, representing a thirtyfold increase.<sup>2</sup>

So where will this power come from? Some will come from traditional fossil fuel power plants and additional renewable plants, such as solar and wind farms. However, the reality is that these will not be enough to meet AI's needs. Utilities and developers are turning to small modular nuclear reactors ("SMRs") for reliable, clean power. SMR projects will require knowledgeable developers to bring them to reality.

### WHY THE NEXT ENERGY REVOLUTION WILL BE A REAL ESTATE STORY

Traditional nuclear facilities were megaprojects located far from cities, often surrounded by vast exclusion zones. SMRs, by contrast, are designed for distributed deployment. They are much smaller units that

can be installed on industrial sites, brownfields, or near high-demand users, such as data centers or manufacturing plants. A traditional nuclear power plant needs more than 640 acres to operate, while an SMR needs less than 40 acres. A full-scale SMR can generate nearly 925 MWh of electricity, and it would take nearly 2,850 acres of solar fields to generate an equivalent amount of electricity. SMRs operate continuously regardless of weather, unlike solar fields, which are limited to daylight hours. Companies like Google have announced plans to develop SMRs to power their AI growth, with Google projecting that its first SMR will come online in 2030.

While there are obvious regulatory issues involving SMRs, including federal approvals, SMRs will also implicate many complex real estate issues. Site selection, zoning, covenants, and long-term land stewardship will define success or failure.

Developers evaluating SMR sites will face familiar but magnified challenges:

- Is the proposed parcel zoned or eligible for rezoning to accommodate a reactor?
- How will setback, buffer, and access requirements be satisfied within the site boundaries?
- Who will bear long-term obligations for decommissioning and environmental stewardship?

The physical siting of reactors will rest on the same fundamentals that govern any large-scale development: control of land, compatibility of use, and community acceptance.

### SITE SELECTION AND CONTROL

The initial question in any SMR project is deceptively simple: where can it go?

Most local zoning codes do not reference nuclear facilities. Even broadly defined "utility" or "industrial" use categories may not contemplate energy generation using fissile material. That means developers and their counsel will need to navigate special use permits, conditional approvals, or custom zoning overlays. Each path requires a public process, often with political and emotional overtones. Local governments may find themselves ruling on a type of land use application they have never seen before.

From a transactional perspective, the purchase agreement must account for this uncertainty. Standard inspection periods and closing timelines are inadequate when entitlements could take months or years. Developers should ensure they have sufficient control of the property through a long-term option or contingent closing structure before incurring major permitting expenditures. Land control should also anticipate multi-parcel assemblies, easement corridors, and access rights for

construction, maintenance, and operation.

Although SMRs have a small footprint, their infrastructure requirements are substantial. Projects require transmission connections, access roads, cooling water supply, and emergency egress routes. Each of these may cross multiple parcels and jurisdictions. The easement and right-of-way work for such projects will resemble that of a utility corridor. Negotiating permanent and temporary easements, along with associated maintenance, indemnity, and restoration obligations, could require significant lead time. Additionally, many SMRs will be co-located with energy-intensive users, including data centers and manufacturing plants. These arrangements will raise novel questions regarding shared facilities and reciprocal easements.

### INDUSTRIAL SITE REDEVELOPMENT

Some of the most promising SMR sites will be retired fossil fuel power plants or industrial facilities that already possess transmission capacity, transportation access, and are zoned for heavy industry. These sites could dramatically shorten development timelines, but they may also carry legacy environmental issues that need to be addressed. However, these legacy environmental issues might make the public less concerned about the environmental impact of placing an SMR in one of these locations. Counsel representing either sellers or developers must scrutinize existing environmental covenants and consent orders, as well as potential CERCLA or state cleanup obligations, and disclosure and indemnity provisions that allocate liability.

Even where zoning allows industrial or energy use, compatibility questions will remain. How close can an SMR safely be to residential areas, schools, or commercial centers? The answer will depend on local land-use decisions as well as federal regulations. Cities and counties will likely establish setback distances, landscape buffers, and design standards similar to those used for large industrial or data-center projects. Lawyers can assist by drafting zoning amendments or development agreements that strike a balance between flexibility for the developer and clear safety and aesthetic standards for the community.

### DECOMMISSIONING, LONG-TERM STEWARDSHIP, AND TRANSFERABILITY

An SMR may operate for half a century or more, long outlasting the entities that financed or built it. That longevity creates unique real estate concerns. Unlike many industrial projects, nuclear facilities will remain under regulatory oversight even after operations cease. Ground leases, restrictive covenants, and recorded instruments must address:

- Decommissioning obligations and financial assurance.
- Site restoration standards.
- Transfer of operational responsibility to successors.

### COMMUNITY ENGAGEMENT AND PERCEPTION MANAGEMENT

Perhaps the most complex aspect of SMR development will not be technical but social. Even with decades of safe operation at existing nuclear plants, the term "nuclear" evokes strong reactions. Local acceptance will depend on early, transparent, and legally structured engagement. Early engagement to dispel rumors and answer questions will be critical to project success. Developers can play a constructive role through community benefit agreements and public communication frameworks that establish trust. Such agreements may include:

- Local infrastructure improvements.
- Workforce development initiatives.
- Environmental monitoring transparency.
- Community reinvestments.

### FINANCING, TITLE, AND TRANSACTIONAL IMPLICATIONS

From a transactional perspective, SMR projects resemble mixed-use developments combined with infrastructure finance. Title insurers, lenders, and investors will scrutinize:

- Use restrictions in recorded instruments.
- Easements and rights-of-way.
- Potential stigma effects on neighboring properties.

Because nuclear projects involve heightened safety standards, some lenders may require enhanced indemnities or escrow arrangements to cover decommissioning and environmental obligations.

In multi-parcel projects, cross-default and cross-access provisions between reactor, data center, and utility parcels may be vital. Developers can anticipate these requirements in early term sheets rather than treating them as closing obstacles.

### PREPARING FOR WHAT COMES NEXT

Developers can begin preparing for SMR projects now by:

1. Reviewing local zoning codes for how they define "power generation" and identifying whether nuclear energy is addressed or excluded.
2. Developing model easement and covenant language that accounts for long-term access, security, and decommissioning.
3. Building relationships with local planning commissions and state energy offices, which will be the first points of contact when projects emerge.
4. Educating clients and communities about how modular reactors differ from legacy nuclear plants in both scale and safety.

The first successful projects will likely be those that integrate land use planning, community relations, and environmental diligence from the outset. In this process, real estate counsel will not merely be facilitators but strategic partners.

### CONCLUSION: POWERING INNOVATION FROM THE GROUND UP

SMRs have the potential to reshape America's energy landscape and meet the enormous power demands of an AI-driven economy. Their success will depend not only on technology and regulation, but on practical issues: where these projects can be built, how communities respond, and how land is managed for decades to come. The siting of SMRs will require collaboration among developers, policymakers, investors, and local communities, with real estate professionals playing a central role. The future of clean, reliable energy will be grounded as much in smart land use and transparent planning as in science and engineering. Getting that balance right will determine how quickly and responsibly the next generation of energy comes online.



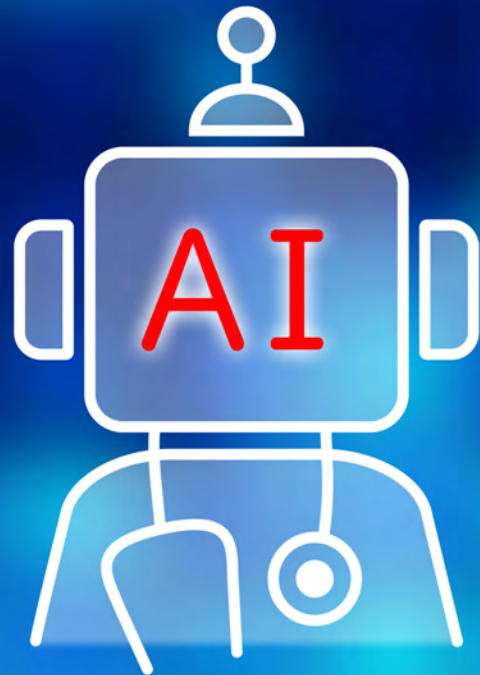
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<sup>1</sup> [DOE Releases New Report Evaluating Increase in Electricity Demand from Data Centers](#) | Department of Energy.

<sup>2</sup> [AI infrastructure gaps](#) | Deloitte Insights



# *The New Frontier* **AI AND HEALTH CARE LIABILITY**



**John Floyd, Jr., Ryan A. Hestbeck and Amanda Ritucci** Wicker Smith

In July 2025, a physician characterized as an “expert diagnostician” entered a conference room at Harvard to present his findings in a clinicopathological conference to dozens of students, physicians, and researchers. The expert recounted the patient’s relevant signs and symptoms and explained his reasoning with care. Ultimately, this diagnostician reached an accurate diagnosis.

The expert diagnostician had six weeks to prepare.

Up against the expert was a new AI model named CaBot, which was named in honor of Richard Cabot, the physician who invented these conferences. CaBot presented its findings through a humanized voice to the conference and reached the same accurate diagnosis as the expert diagnostician.

It took CaBot only six minutes.

The future of health care is inextricably linked to AI. In 2024, investors pumped an estimated \$11 billion into AI’s use in health care in the United States. Hospitals and providers have already implemented AI to assist with clinical decision-making and diagnosis to assist with patient care. For the most part, these models use millions of data sets to analyze a patient’s data to provide insights to providers. AI’s involvement in

health care extends beyond diagnosis. The medical industry is testing AI programs in connection with electronic medical record systems, patient scheduling, billing, scribing, and task automation.

While the goal of AI in medicine is to provide better patient care and reduce the cost of medicine, there are significant areas of concern that should be considered. From the time an AI vendor is engaged to provide services up to the inevitable question of AI’s role in patient care in malpractice, AI will be a critical factor. Understanding these risks should be at the forefront of the minds of everyone involved in health care law.

This article examines a few of the many applications and issues that are all but certain to arise in health care liability with the use of AI. These areas include data gathering, diagnostics, risk mitigation, and litigation. Additionally, certain jurisdictions are implementing new laws regulating the use of AI, creating additional areas of potential liability.

## **HIPAA AND DATA SECURITY**

The effectiveness of AI largely depends on the collection and use of large amounts of data, including protected health information (“PHI”) governed by HIPAA. Whether re-

cording conversations between providers and patients or assimilating data from electronic medical records, PHI must be protected in accordance with federal and state laws.

An example is AI-driven dictation software that listens to patient-physician conversations and transcribes the conversations into a note for the physician to then review and finalize. While this automation tool can reduce the number of hours a provider spends documenting, it creates areas of significant liability. First, in many jurisdictions, a patient must consent to the use of recording. Second, providers must be trained to engage and disengage the recording when moving from patient to patient, or risk inadvertently including PHI in the wrong patient’s record. Third, over-reliance on this technology without reviewing the final record could lead to incorrect or incoherent chart entries.

During these patient interactions, AI gathers PHI to expand its database. Of course, this PHI is the same data from which AI models gather information to provide services. Health care organizations already experience the highest reported cost and occurrence of data breaches. AI creates a new avenue for these breaches. It

is important for entities to investigate and understand their vendors' security practices and integrate those practices within their facility operations, and to ensure contractual obligations such as indemnification provisions are in place as appropriate..

Covered entities utilizing AI should also be proactive in preventing unethical AI behavior. Colorado recently passed a law, which takes effect in 2026, implementing a duty on AI models to avoid discriminatory practices against certain races or people with disabilities. As AI continues to gain more and more traction, other states are likely to follow suit to ensure consistency and dependability in AI platforms, including those applied within health care.

## DIAGNOSTICS AND CLINICAL DECISION MAKING

One particular area of medicine ripe for AI integration is radiology. One such usage is the Nvidia SuperPOD being utilized by the Mayo Clinic to diagnose pancreatic cancer at earlier stages. Through a compilation of thousands of pancreatic cancer patients' CT scans throughout the progression of the disease, the Mayo Clinic was able to train the AI model to detect early subtle markers for pancreatic cancer, greatly increasing efficacy in early detection and diagnosis. In fact, with the use of AI, providers at Mayo were able to diagnose pancreatic cancers on average 438 days earlier than without AI use. This is significant as pancreatic cancer is the eleventh most common form of cancer and is the third deadliest. Without the use of AI, 50% of patients were diagnosed at stage 4, providing an only 13% chance of 5-year survival, yet earlier detection increases this survival rate to 44%. For comparison, experienced radiologists such as Dr. Matthew Callstrom, director of AI strategy at Mayo Clinic, are about 50% accurate in detecting early pancreatic cancer on CT scans, whereas through the use of its AI technology, Mayo was able to increase the success rate in identifying pancreatic cancer to 97%.

Of course, such technology does not come without its pitfalls. The AI model can give false positives or negatives, and it cannot be relied upon without appropriate checks by trained clinicians and specialists. Its use requires education and training to be utilized properly. Success of such models requires integration into the clinical workflow with minimal disruption.

Postproduction monitoring with radiological systems such as PACS is critical to ensure the continued use of the AI model remains accurate and impartial over time. As with all AI usage, maintaining data security and HIPAA compliance is essential.

## LITIGATION CONSIDERATIONS

Health care, and malpractice lawsuits in particular, cannot escape the AI movement. All providers' actions or inactions will be measured against the effectiveness and expediency of the examples outlined above. It is not hard to imagine plaintiff lawyers deposing providers about clinical decision-making in a case and utilizing an AI chatbot to demonstrate how precisely the provider was either wrong in reaching a diagnosis or negligent in failing to utilize AI technology.

For example, an emergency physician in a malpractice suit reaches an incorrect diagnosis and discharges a patient, resulting in that patient's death. The hospital utilizes AI technology to create a differential diagnosis, but the physician rejected the AI diagnosis in favor of reliance on her training and experience. At her deposition, she is questioned extensively on why she disregarded AI's diagnosis. How could you, especially when there are tens of millions of data points that AI utilizes to reach the (correct) diagnosis? The converse of this example could be beneficial if the physician relied on AI, along with her own independent analysis, but turned out to be incorrect in the diagnosis.

But how does any of this make its way into evidence at trial? Most courts would likely view AI as simply evidence that should be presented through expert testimony. Federal Rules of Evidence 702 and its state equivalents govern the admissibility of expert evidence. AI technology would clearly satisfy the rule's requirements of utilizing sufficient data and methods of applying that data to a particular patient. But who would testify in a manner that would present the evidence to a jury? It is unlikely that a physician knows the subject matter well enough. Perhaps a software engineer? An information technology expert? Or someone designated by the AI vendor? In some instances, might the AI vendor be a co-defendant in the litigation itself, due to an alleged faulty algorithm or other operational deficiency? To what extent will the AI vendor be able or willing to disclose the intricacies of the AI algorithm, which they

may insist is proprietary and a trade secret?

Risk mitigation starts with the hospital or clinic's contract with the AI vendor. Indemnity provisions should be specific and fashioned by someone with industry knowledge. The contract should also require the vendor to participate in good faith with discovery efforts and be transparent with data that is utilized. Vendors should also be required to stay up to date on legal and regulatory requirements of the use of AI in health care just as product manufacturers are often required to do in similar contracts. This is important as at least six states have passed laws on the use of AI in health care.

## CONCLUSION

This article only scratches the surface on AI's involvement in health care liability. In the very near future, AI will be omnipotent in health care litigation. Hospitals, clinics, and providers will need to adapt to the rapidly evolving capabilities of AI and respond to the developing statutory and regulatory landscape that is attempting to keep up with AI. Health care lawyers will need to develop the subject-matter knowledge to present AI in a manner that is legally sound and persuasive to factfinders, while also counseling effectively on risk mitigation. This is the new frontier.



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<sup>1</sup> Khullar, Dhruv. "If A.I. Can Diagnose Patients, What Are Doctors For?" The New Yorker, September 22, 2025. <https://www.newyorker.com/magazine/2025/09/29/if-ai-can-diagnose-patients-what-are-doctors-for>.



# THE EU AI ACT

## *New Challenges for HR in Europe*

Jan Tibor Lelley BUSE

Artificial intelligence (AI) is no longer confined to data scientists and tech labs. In European workplaces, algorithms are increasingly shaping hiring, promotions, performance evaluations, and even day-to-day management. With the EU Artificial Intelligence Act (AI Act) entering into force on August 1, 2024, in phased implementation starting from February 2025, human resource (HR) leaders across the globe - particularly in U.S. and international companies with European operations - must grapple with one of the most ambitious regulatory frameworks in the world. The AI Act applies to any company operating in the EU market, regardless of where it is headquartered.

The AI Act does not simply target tech providers. It reaches every company doing business in the EU that uses AI systems, including HR tools. Much like the EU's General Data Protection Regulation (GDPR), which transformed global data protection practices, the AI Act will reshape how businesses manage workforce technol-

ogy, employee relations, and compliance.

From mandatory training to the involvement of employee representatives and the risk of fines up to € 35 million or 7% of global turnover, the AI Act demands that HR becomes a central player in compliance. For a Fortune 500 company, the fines could mean billions, plus investigations by national authorities or the EU regulators. This article explains what HR leaders of international businesses need to know to navigate the AI Act.

### **WHY HR CANNOT IGNORE THE AI ACT**

For many companies, AI has already become part of the HR ecosystem. Tools are being deployed for: (i) recruitment: resume-screening algorithms, video interview analysis, predictive hiring software; (ii) employee management: productivity monitoring, scheduling, and workforce optimization tools; (iii) performance evaluation: AI-driven assessments, gamified performance metrics, and automated feedback systems; (iv) learning & development: personalized training paths and adaptive

e-learning. Under the AI Act, many of these tools fall into the "high-risk" category because they directly affect fundamental rights, such as equal treatment, privacy, and workplace safety. That classification brings stringent obligations, including transparency, documentation, and human oversight. For HR leaders, this means AI is no longer a "black box" managed by IT or procurement. It becomes a core compliance responsibility.

### **MANDATORY AI LITERACY AND TRAINING**

One of the most significant - and often overlooked - requirements is AI literacy training. The AI Act explicitly requires companies to ensure that all employees using AI systems understand the technology, its limits, and potential harms. For HR, this entails:

- Rolling out training programs for recruiters, HR staff, managers, and any employee interacting with AI tools.

- Providing education to works councils and employee representatives, who must be meaningfully informed and consulted about new AI systems.
- Ongoing updates: training cannot be a one-time effort but must evolve as AI systems are updated or replaced.

This is a cultural as much as a compliance challenge. Businesses will need to design training that is not overly technical but equips employees to use AI responsibly and to spot potential risks such as bias or misuse.

### EMPLOYEE REPRESENTATIVE INVOLVEMENT

Europe's tradition of social partnership means that the rollout of AI systems is not a unilateral management decision. Works councils, trade unions, and other employee representatives will play a decisive role. The AI Act interacts with existing EU and national labor laws that require information, consultation, and in some cases negotiation before deploying new technologies. For HR leaders, this means:

- Early engagement with employee representatives is critical. Introducing AI tools without consultation risks legal challenges and reputational fallout.
- Documentation: companies must demonstrate not only that AI tools comply with the AI Act but also that employee representatives were involved in the process.
- Transparency obligations: employees must be informed when they are subject to AI-driven decisions or monitoring, and they must know the basis for such assessments.

This marks a significant cultural shift for international businesses used to faster, top-down decision-making. In Europe, AI compliance will be as much about social dialogue as about technology. In countries like Germany, this extends to co-determination rights, where councils can negotiate AI implementation if it monitors behavior. Best practice is often to map EU subsidiaries' representation structures early and integrate them into AI rollout plans. This not only ensures compliance but builds buy-in, reducing resistance and enhancing AI adoption. From an international HR viewpoint, this means adapting centralized policies to local consultation processes. A multinational retailer using AI for shift scheduling might need French works council approval to ensure there is no undue monitoring. Failure to engage could halt deployments or trigger disputes.

### COMPLIANCE RISKS AND SANCTIONS

The AI Act comes with teeth. As mentioned above, non-compliance can lead to fines of up to € 35 million or 7% of global revenue - figures designed to ensure even the largest multinationals pay attention. For HR departments, the biggest risks include: using prohibited AI systems (e.g. emotion recognition in the workplace, subliminal techniques, or untargeted biometric categorization); failing to classify HR tools correctly; mislabeling a high-risk system as "low-risk"; lack of documentation: HR leaders must ensure technical documentation, risk assessments, and training records are available for regulators; procurement risks: liability may extend to using third-party vendors whose tools are not compliant. The sanctions regime means HR must take ownership of AI compliance. Vendor oversight is no longer optional; responsibility ultimately sits with the employer.

### PRACTICAL STEPS FOR HR LEADERS

To prepare for compliance, international companies should act now. The steps we recommend are:

#### Conduct an AI HR Audit

- Identify all AI systems currently in use within HR and management.
- Classify them by risk level under the AI Act.

#### Establish Cross-Functional AI Governance

- Create a compliance team involving HR, legal, IT, data protection, and employee representatives.
- Assign clear responsibilities for oversight and reporting.

#### Build Training Programs

- Develop mandatory AI literacy training tailored to HR users.
- Keep training practical—focusing on ethical use, bias awareness, and escalation procedures.

#### Engage Employee Representatives Early

- Share impact assessments and technical documentation.
- Use consultation as an opportunity to build trust and avoid conflict.

#### Update Policies and Contracts

- Revise HR policies to reflect AI transparency requirements.
- Ensure vendor contracts include AI Act compliance clauses, requiring technical documentation and audit rights.

### INTERNATIONAL CHALLENGES & STRATEGIC OPPORTUNITY

For U.S. and international businesses, compliance is complicated by the patchwork of global AI regulations. While the EU AI Act is the most advanced, other jurisdictions are moving quickly, including California,

Canada, and the UK, among them.

This creates three specific challenges for HR leaders:

1. **Consistency vs. Localization:** Should companies create one global AI policy or adapt separately for each jurisdiction?

2. **Vendor Management:** Many HR tools are purchased from U.S. or global vendors. Businesses must demand EU-compliant features and documentation, even if the vendor is not EU-based.

3. **Cultural Differences:** U.S. businesses may be less accustomed to strong employee representation rights. HR teams must be trained in European consultation practices to avoid labor disputes.

While the AI Act raises compliance costs, it also presents an opportunity. By adopting a responsible AI strategy, companies can enhance employer branding by demonstrating commitment to fairness and transparency. Another step is to reduce the risks of bias and discrimination claims. Next comes building stronger employee trust, particularly in a labor market where digital surveillance and algorithmic management are increasingly controversial. Such measures will help employers to position themselves ahead of competitors in adapting to a new regulatory environment. In short, the AI Act is not just a compliance burden but also a chance for HR to lead in building ethical, human-centered workplaces.

### CONCLUSION

The EU AI Act is a landmark regulation with global reach. For HR leaders in U.S. and international businesses, it demands more than legal awareness; it requires strategic transformation of HR practices. Training employees, engaging with works councils, monitoring vendors, and embedding transparency will be essential to avoid massive fines and reputational damage. Just as the EU's GDPR reshaped global data governance, the AI Act will reshape workforce governance. For HR, the challenge is clear: move early, act decisively, and position compliance not only as a legal requirement but as a cornerstone of responsible leadership in the AI era.



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# *Building a Future-Ready Legal Workforce in the AI Era:* **THE SKILLS TECHNOLOGY CAN'T REPLACE**

Nabiha Khwaja Legaltech Hub

For legal departments, claims teams, and corporate risk leaders, keeping pace with today's technology shifts often feels like jumping into a vehicle already in motion: the landscape changes quickly, the ground rarely stays still, and just as the team finds its rhythm, the terrain shifts again.

Most leaders are familiar with this dynamic: rising uncertainty, the pressure to adapt quickly without losing balance, and the quiet question running beneath every transformation initiative—*What will change next, and how will we prepare for it?*

For legal and claims professionals, the stakes are even higher. AI-generated citations that don't exist, automated claims scoring with potential bias exposure, and AI-drafted documents that miss jurisdiction-specific requirements all introduce real legal, regulatory, and reputational risk. Each new platform offers efficiency—but also new obligations.

Yet amid all this change, one constant remains: the anchor of organizational performance—human skills such as judgment, creativity, adaptability, and trust that stabilize teams and keep them effective.

Organizations that nurture these evergreen skills do more than withstand the turns ahead; they navigate them with confidence. Their workforce is equipped for today's technologies and prepared to adapt as new ones emerge.

## **WHY EVERGREEN SKILLS MATTER MORE THAN EVER**

For years, being "future-ready" in legal and claims environments meant adopting new matter management systems, eDiscovery tools, or litigation platforms—and retraining staff to keep up. But the pace of change now outstrips the pace of training;

by the time professionals become fluent in one platform, the technology has already advanced.

Upskilling the workforce every time a vendor updates its platform is neither realistic nor cost-effective.

Instead, an organization's most enduring competitive strength is its human-driven skill base—its ability to absorb change, interpret complexity, and use technology with discernment.

## **FIVE EVERGREEN SKILLS EVERY WORKFORCE NEEDS**

AI is gaining ground across legal, claims, and risk functions, yet each new tool creates obligations that technology cannot fulfill. Human capability remains essential for accuracy, defensibility, and compliance. Today's demands center on core human capabilities, not simply tech-savviness.

- **Defensibility of AI-assisted legal work:** Filings, summaries, and claims decisions must remain defensible—even when AI contributes.
- **Regulatory and ethical obligations:** Professionals remain accountable for accuracy, bias prevention, and data protection.
- **Claims and litigation risk mitigation:** Human oversight reduces errors that can lead to disputes, sanctions, or reputational harm.

With this framework in mind, here are some evergreen skills that will prepare today's workforce for tomorrow's challenges.

### **1. Digital Adaptability**

As new tools emerge every year, employees must be comfortable learning continuously, adjusting quickly, and understanding how technology fits into their work.

Employees who are strong in digital adaptability:

- Use new platforms without hesitation.
- Understand the limits and capabilities of AI.
- Navigate evolving tools confidently.
- Strengthen their skills through continuous learning.
- Maintain stable performance despite platform updates.
- Possess high levels of curiosity and a desire to stay on top of new advancements.

Examples include adjusting to AI-assisted drafting tools, revised matter-management workflows, or new research interfaces.

Claims handlers may also need to adapt to new triage algorithms, while litigators respond to changing eDiscovery review platforms or AI-driven document summaries.

Digital adaptability strengthens when leaders reward curiosity and normalize learning as everyday behavior—not a one-off exercise or a box to check.

### **2. Critical Thinking & Human Judgment**

AI can summarize documents, analyze data, and propose solutions, but it cannot reliably identify nuanced risks, interpret cultural or organizational context, or determine alignment with an organization's values, strategy, or risk appetite. This is why human judgment remains indispensable—from validating legal summaries to ensuring accuracy before filing, advising clients, or making claims decisions.

Before relying on any AI output, critical thinkers pause and ask themselves:

- Does this output make sense?
- What assumptions might be wrong?
- Does this align with our goals, ethics, and risk posture?
- What context is missing?

### 3. Creativity & Original Thinking

AI draws on established patterns, while humans conceive what comes next—and that forward-looking creativity is the ability to envision new possibilities, challenge assumptions, and identify solutions no algorithm can.

This creative capacity appears in the way people:

- Reframe problems in ways AI cannot.
- See opportunities that sit beyond what the data demonstrates.
- Design new products or experiences.

As AI takes on routine drafting and research, legal professionals can allocate time to creative, higher-value work—such as re-designing intake workflows, restructuring knowledge-management systems, or developing new litigation playbooks.

### 4. Problem Solving

Modern organizational challenges are rarely confined to a single department. They arise at the intersection of people, processes, and technology—an area AI can assist, but cannot independently navigate, and where human problem solving is essential in addressing issues such as:

- A claims file stops progressing because an AI tool flags conflicting policy data — and teams need to investigate underlying documentation and coordinate with underwriting.
- A contract review system produces inconsistent results due to poor inputs — and teams address the problem by improving data quality.
- Clients or employees face delays from outdated HR or legal steps — and teams resolve these issues through coordinated, cross-department efforts.

Problem solving is a skill that strengthens workplaces operating under constant change, especially when employees must interpret issues that span systems, processes, and risks.

### 5. Responsible AI Use

As AI is woven deeper into day-to-day work across the organization, responsible AI use emerges as a critical human skill: applying technology with discretion, awareness, and sound judgment.

*Fortune* recently reported about two Deloitte engagements—one with Australia and another with Canada—where government reports included fabricated research and misattributed citations. Reviewers traced the errors to unverified AI outputs—a clear reminder that AI-generated content can appear polished, but without human judgment and oversight, it can be fundamentally flawed.

In the legal sector, this aligns with duties of competence and supervision, and with growing regulatory scrutiny over how AI shapes claims decisions and legal advice. Responsible AI users know how to:

- Protect confidential, sensitive, and privileged information, and ensure AI use complies with regulatory and professional obligations.
- Recognize when AI may introduce bias into hiring, claims, legal analysis, or performance decisions.
- Understand the limitations of models and avoid over-reliance.
- Verify outputs before action is taken.
- Raise issues promptly when outputs appear incomplete or inconsistent.
- Use AI in ways that align with organizational policy and values.

In this context, responsibility transforms from philosophy to practice—it becomes a skill. Organizations that practice this discipline reduce errors, mitigate bias, and strengthen risk management—an increasingly critical need as AI adoption accelerates.

## HOW ORGANIZATIONS CAN BUILD AN ALWAYS-READY WORKFORCE

Cultivating these capabilities doesn't hinge on large budgets or sophisticated programs but on a few focused actions executed regularly.

### 1. Institutionalize continuous learning and practical AI literacy

Organizations develop skills more effectively through regular, practical learning than through periodic, intensive training. Practical learning methods—micro-learning, peer exchange, and AI literacy centered on responsible use—prove easier to sustain and more effective than technical deep dives or one-off workshops.

### 2. Implement sandbox environments for safe testing

Safe testing environments empower the workforce to experiment freely, deepen their practical knowledge, and ultimately strengthen their competence—leading to more successful implementation and adoption of technology.

### 3. Model adaptability at the leadership level

An adaptable workforce starts with adaptable leaders. When leaders demonstrate openness and a willingness to learn, they set the tone for a culture where learning and flexibility becomes the norm.

### 4. Build teams around resourceful talent

Teams composed of curious, communicative problem solvers thrive long term. Their mindset supports quick adaptation to new tools and keeps the team effective as priorities shift without losing momentum.

### 5. Foster cross-functional collaboration

When legal, HR, finance, IT, and business units work together, they gain insight into system and process interdependencies—enabling more cohesive and aligned operations.

## THE ROI OF STAYING HUMAN IN AN AI-DRIVEN ERA

A McKinsey analysis found that organizations that invest in human skill development see measurable operational and strategic improvements.

Engagement strengthens as employees feel more confident navigating new workflows, and operational risk decreases when people know how to question, validate, and responsibly apply AI outputs. Together, these gains translate into tangible returns—fewer implementation setbacks, more effective use of new tools, and reduced risk exposure—demonstrating that strengthening human capability is a direct contributor to organizational performance.

## A FUTURE-READY WORKFORCE IS A HUMAN-LED WORKFORCE

Technology will continue to evolve and reshape how we work, but human skills will remain the steady foundation that carries us forward.

In legal and claims settings—where accuracy, compliance, and sound judgment are non-negotiable—human oversight remains the essential safeguard as AI becomes more embedded in daily work.

Each new advancement prompts the same question: What can humans make of this? The organizations that will lead the next decade are those that amplify human strengths—not as a counterweight to AI, but as the element that gives it purpose.



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# Crash Science Meets the Courtroom: Robotics and Reconstruction in Action

Meredith Bartholomew S-E-A, Ltd.

A pickup truck is driving in a residential area and swerves to avoid a collision with a bicycle, striking an oncoming vehicle. Data has been downloaded from the vehicles involved, and accident reconstruction experts have performed an on-site inspection, but the client wants to know: *Could the driver of the pickup see the oncoming vehicle when deciding to swerve? Would an Advanced Driver Assistance System (ADAS) have prevented the accident?* By combining innovative testing tools, such as driving robots, with a skilled and dedicated engineering team, S-E-A performs repeatable, safe, and data-driven analyses to help answer questions to uncover additional insights relevant to a case.

Driving robots enable the precise, repeatable testing required for recreating incidents for litigative matters. By controlling the speed and path of a vehicle, accidents can be recreated without requiring a human driver, making it safe to test scenarios and demonstrate what happened. With the repeatability of a robotic controller, S-E-A can dictate the variables of interest, such as path or speed, while determining what happened based on enabling or disabling other systems. Similarly, a steering robot provides the ability to record and follow paths of any shape or size, to replicate a specific steering wheel angular velocity (simulating a quick turn versus a slow turn), and to perform standardized tests. This type of capability has enabled us to drive vehicles into other vehicles, all-

rain vehicles into sticks embedded into the ground, and to test vehicles to their limits with hours of continuous automated steering – all with path following within an inch. By applying gas and brake inputs, vehicle speed control can be performed to follow a specific speed profile or apply a brake input at some time after an alert. To support accident reconstruction work, we've performed tests at iterative speeds using the brake and throttle robot and by matching damage, have been able to help determine the likely speed prior to impact.

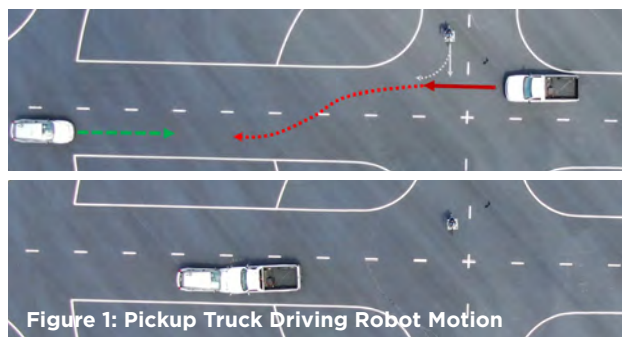


Figure 1: Pickup Truck Driving Robot Motion

Most accidents are not traditional straight line or perpendicular line (T-bone) vehicle travel paths – with our driving robots, we can safely and easily reproduce any accident scenario, whether traditional or unique. Let's say that you want to recreate an accident where one or more vehicles are traveling along a changing path (a right/left turn, a sideswipe during parking, or a quick lane change prior to a collision). S-E-A has recreated each of those scenarios

with passenger vehicles, soft target cars, and semi-tractor trailers, at a variety of speeds and for many different clients.

To recreate the accident described involving the pickup truck and bicycle, S-E-A installed driving robots in both vehicles used in the crash scenario. Each was programmed to perform a specific driving path (shown in *Figure 1*) and at a specific speed that investigators determined matched the exact accident scenario. S-E-A then also used the STRIDE robotic platform to carry a bicyclist target into the path of the vehicle.

This provided a visual stimulus to show what the driver of the pickup truck could see and when the driver could first see it. This test was performed with exemplar vehicles, and the crash evidence, skid marks, Event Data Recorder (EDR) data, and other information were compared to those collected from the accident scene and vehicles involved. The test was then repeated with a soft target car to allow for many variations in conditions without causing damage to the pickup truck exemplar. See *Figure 1*.

With all of the critical data, our imaging sciences team was then able to create an accurate animation of the incident. Points of View (POV) were created for the driver of the opposing vehicle, overhead views, and similar, as shown in *Figures 2 and 3 on the following page*.

Similar tests have been performed with an onboard ADAS system to avoid or miti-

gate the collision, with vehicle conditions changing (different vehicles, alert settings, speeds, etc.), or with additional inputs or stimuli. In the pickup truck and bicyclist example, the analysis focused on whether an ADAS system would have braked to avoid the bicyclist, eliminated the need for driver steering, or issued an earlier warning. A study was done using the same inputs and several different vehicles to evaluate whether a sample size of comparable vehicles equipped with an Automatic Emergency Braking system for bicyclists would have responded.

Our driving robots have also been used to support case testing by instigating a tractor-trailer rollover. In this case, S-E-A was tasked with performing a steering maneuver at speed to get the trailer to rollover, as trailer rollovers typically precede tractor rollovers. To do this testing safely without risking the driver, we installed our driving robot systems in the tractor. After instrumenting both the tractor and the trailer with systems to record speed, position, accelerations, angles, and roll rates, the driving robots were used to perform a fishhook-type steering maneuver to instigate the unmanned rollover event. In this case, a wireless network and redundant safety systems allowed the testing to be monitored from a safe distance away, and speed gates and other checks in the software ensured that if conditions were not optimal to complete the test (e.g., speed was lower than tolerance), the maneuver would not be instigated. For tests limited to a single execution due to potential vehicle damage, this method is commonly employed to help ensure a successful result.

We have also used our driving robots to perform litigative support testing on off-road vehicle products – placing driving robots in vehicles and inducing rollovers or trip-overs to replicate damage and confirm the conditions preceding an incident. Off-road testing with driving robots involves tightly controlling steering input and speed control to follow a path and maintain speed over bumpy and uneven terrain. Vehicles with traditional controls (like a recreational off-road vehicle) can use the standard S-E-A driving robots, but vehicles like an all-terrain vehicle (ATV) or a zero-turn lawnmower require specialized actuators. An example of a tripped rollover of an ATV with a test dummy mounted is demonstrated in *Figure 4*.

Recreating vehicle accidents often involves the use of an anthropomorphic test device (ATD), also known as a test dummy. An ATD can be used to study occupant motion during a crash event, represent the human weight component of a vehicle

Figure 2: POV of the opposing vehicle



Figure 3: Overhead view of scenario

system, and assess potential injury exposure via instrumentation in the head, neck, chest, and other areas. When test scenarios are safe enough to involve live volunteers in accident recreation, motion capture and other sensors can be used to study the accelerations and motions experienced by the occupant. Between creating accurate animations of human movement while climbing into a semi-tractor, capturing a human

subject's response to automatic emergency vehicle braking, and providing input to biomechanical simulation software, S-E-A's motion capture capabilities are useful across a range of imaging and biomechanical applications, and these marry well with the use of driving robots.

Driving robots can also be used in conjunction with other equipment. For example, S-E-A regularly uses driving robots to control vehicle inputs while using the STRIDE robotic platform to bring a pedestrian target into the vehicle path. This is part of vehicle ADAS testing on automatic emergency braking, rear cross-traffic, or pedestrian systems. Gradual lane deviation can be generated with the steering robot to simulate a driver drifting out of a lane to test lane departure warning or lane keeping systems, while the distance between the vehicle and the lane lines is accurately measured. Time-synchronized data can be recorded with low-latency tools such as cameras and microphones to provide a timeline of vehicle alerts and warnings over the duration of a test.

Real-world vehicle testing and corresponding visuals leave an impact on juries and the opposing side that cannot be understated. With drone and in-vehicle video, crash tests provide insight into occupant dynamics and vehicle damage in a way that takes traditional simulation and reconstruction to a new level. Instrumentation in vehicles and ATDs captures accelerations, forces, and speeds to provide a clear idea of the components of a vehicular event. The multidisciplinary approach means that experts from human factors, vehicle accident reconstruction, biomechanics, and imaging sciences combine to analyze reaction time and occupant injury data, create demonstratives for trials, and create thorough and complete reports and visuals. From pedestrian impacts to tractor rollovers, and from zero-turn mower accidents to multi-vehicle collisions, a range of repeatable, accurate, and safe testing methods can be employed to bring greater insight and clarity to any case.



Figure 4: Rollover of Unmanned ATV with Test Dummy



*Meredith Bartholomew is a senior research engineer at [S-E-A](#). In this role, she performs vehicle testing for clients such as original equipment manufacturers, government agencies, and forensic clients. Her background and experience include more than 10 peer-reviewed published works with a focus on vehicle testing in the ADAS space. Meredith has both a bachelor's and a master's degree in mechanical engineering from The Ohio State University.*

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### **Black Marjeh & Sanford LLP supports Feeding Westchester**

The Black Marjeh & Sanford LLP (BM&S) team donated their time and effort to support [Feeding Westchester](#), a nonprofit organization dedicated to helping food-insecure residents across Westchester County. The BM&S team packed 380 bags of fresh produce for families in need. These produce bags will be distributed throughout the county as part of Feeding Westchester's ongoing mission to ensure that households have access to nutritious food.

"Our partnership with Feeding Westchester is one of the most meaningful things we do each year," said BM&S Founding Partner [Lisa Black](#). "Packing produce may seem like a small act, but together these efforts help nourish families and remind us of the power of collective goodwill. We're grateful for the opportunity to serve and to support our neighbors across Westchester."



### **Franklin & Prokopik's**

(F&P) Baltimore Principals [Albert B. Randall Jr.](#), [Tamara Goorevitz](#), [Angela Garcia Kozlowski](#), and [Heather Rice](#) represented F&P at The Daily Record's Empowering Women Event in Baltimore, Maryland. The firm was recognized for its commitment to supporting and advancing women in Maryland.



**FRANKLIN  
PROKOPIK &**

In September, Franklin & Prokopik Baltimore volunteers sorted donations and packed backpacks to help the "Blue Ribbon Project," an organization dedicated to supporting victims of child abuse and youth in foster care.



help families in Concord and surrounding areas enjoy a nourishing Thanksgiving meal.



### **HansonBridgett**

Attorneys and staff from [Hanson Bridgett's](#) Sacramento office volunteered with Sacramento Food Bank & Family Services in September to sort food for distribution to families in their community. And in November, Hanson Bridgett's Walnut Creek office participated in the Monument Crisis Center's annual Thanksgiving Drive, donating food items and money to

In September, [Hanson Bridgett's](#) Women's Impact Network organized a donation drive for personal hygiene items for GLIDE's Women's Center. The firm also supported volunteer shifts at the Center to package and sort the donated items.



### **Hinckley Allen marks National Teen Driver Safety Week with launch of teen driving book co-authored by partner Tim Hollister**

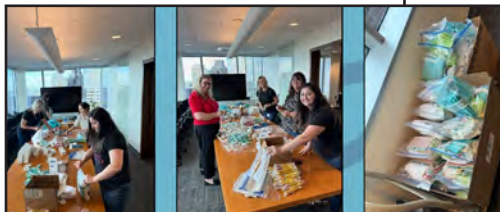
[Hinckley Allen](#) hosted a book launch celebration for the release of the third edition of *Not So Fast: Parenting Your Teen Through the Dangers of Driving*, an acclaimed, research-based guide for parents, co-authored by Partner [Timothy S. Hollister](#) and highway safety expert Pam Shadel Fischer of the Governors Highway Safety Association. It also includes a foreword by Dr. William Van Tassel, AAA's National Manager of Driver Training Programs, whose expertise offers a national perspective on the challenges facing young drivers today.

"This book was written for every parent who's ever handed their teen the car keys and felt that moment of fear," said Tim Hollister, co-author and Partner at Hinckley Allen, based in Hartford, Connecticut. "Not So Fast turns that fear into guidance, clear, evidence-based steps that can save lives."

Hollister turned tragedy into public service after his 17-year-old son, Reid, died in a 2006 car crash. Appointed by then Connecticut Governor Jodi Rell to a task force on teen driver laws, Hollister helped transform Connecticut's laws from among the most lenient to some of the strictest in the nation, leading to a sharp decline in teen crashes and fatalities.

Pictured: Tim Hollister, partner at Hinckley Allen, Mary Maguire of AAA Northeast and Pam Shadel Fischer of the Governors Highway Safety Association.

**HINCKLEY  
ALLEN**





The joint USLAW NETWORK/S-E-A Live Better initiative was in full swing across the 2025 schedule of events. Attendees enjoyed numerous Live Better initiatives, including a CPR training and a Charleston Waterfront Power Walk. Live Better focuses on the mind, heart and health and promotes a culture of health and well-being.

**Live Better**  
MIND. HEART. HEALTH.



**Simmons Perrine PLC** participated in Mercy Hospital's Especially for You® Race Against Breast Cancer in Cedar Rapids, Iowa. The Race supports free mammograms & breast care services to individuals in need.



**Simmons Perrine PLC** participated in Chief Justice Mark Cady Day of Public Service by assembling care packages and serving a warm meal to residents and caretakers of the American Cancer Society Hope Lodge in Iowa City, Iowa.

EST. 1996  
**Simmons Perrine**  
ATTORNEYS & COUNSELORS

### Rivkin Radler sponsors LGBT Network Annual Workplace Summit.

Arielle Herlihy, Ann Burkowsky and Tracey McIntyre represented **Rivkin Radler** as sponsors of the LGBT Network 2025 Workplace Summit, which brings together workplace professionals for a day of education and networking focused on creating safer and more inclusive workplaces.



**Rivkin Radler** military veterans support Paws of War. **Rivkin Radler** military veterans Anthony Frangella (Army), Joseph Suchan (Coast Guard) and **Frank Valverde** (Army), and their families, raised money for Paws of War in recognition of Veterans Day.



**Hardy honored at Amistad LIBBA Luncheon.** **Rivkin Radler** partner **Tamika Hardy** (pictured in the front row) was an honoree at the Amistad Long Island Black Bar Association (LIBBA) for her leadership and accomplishments in the legal profession.

**Rivkin Radler** makes strides against breast cancer. Rivkinites, family and friends joined together for the Making Strides Against Breast Cancer Walk on Sunday, October 19, at Jones Beach.



**LIHBA honors Valverde and welcomes Maldonado.** **Rivkin Radler** partner **Frank Valverde** (holding plaque) received the Long Island Hispanic Bar Association (LIHBA) Legacy Leadership Award. Rivkin Radler associate **Edwin Maldonado** (pictured 7th from left) was also sworn into the LIHBA Board.



**Han volunteers pro bono services to KALAGNY.** On October 18, **Rivkin Radler** partner **Lawrence Han** (pictured below, 6th from left) helped organize and participated in the Korean American Lawyers Association of Greater New York's (KALAGNY) In-Person Pro Bono Clinic Day.

**RIVKIN RADLER**  
ATTORNEYS AT LAW



# 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.



Constantine G. Nickas, Wicker Smith (Miami, FL); Keely E. Duke, Duke Evett, PLLC (Boise, ID); Anne M. Umberger, Nordstrom, Inc. (Seattle, WA); Rodney L. Umberger, Williams Kastner (Seattle, WA)



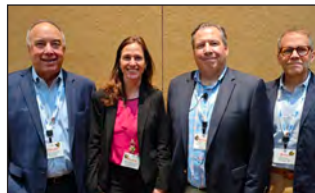
Steffany Cunningham, National Express Corporation (Flossmoor, IL); Christina M. Hesse, Duke Evett, PLLC (Boise, ID); Hailey M. Hopper, Pierce Couch Hendrickson Baysinger & Green, L.L.P. (Oklahoma City, OK)



Stephen J. Marshall, Franklin & Prokopik, P.C. (Baltimore, MD); Monique Ferraro, The Hartford Steam Boiler (New York, NY); Daniel W. Gerber, Gerber Ciano Kelly Brady LLP (Buffalo, NY); Karen P. Randall, Connell Foley LLP (Roseland, NJ)



Christopher E. Cotter, Roetzel & Andress (Cleveland, OH); Mark E. Hardin, Pierce Couch Hendrickson Baysinger & Green, L.L.P. (Oklahoma City, OK); R. Heath Savant, Plauché Maselli Parkerson LLP (New Orleans, LA); Thomas D. DeMatteo, ABC Bus Companies, Inc. (Faribault, MN)



Oscar J. Cabanas, Wicker Smith (Miami, FL); Moira H. Pietrowski, Roetzel & Andress (Cleveland, OH); Brian R. Biggie, Gerber Ciano Kelly Brady LLP (Buffalo, NY); Eric Cotton, The NRP Group (Cleveland, OH)



Gregory M. Schulman, Thorndal Armstrong, PC (Las Vegas, NV); J. Tyler Dinsmore, Flaherty Sensabaugh Bonasso PLLC (Charleston, WV); Jessica Kansky, Ph.D., Verdict Insight Partners (Charleston, SC); Patrick E. Foppe, Lashly & Baer, P.C. (St. Louis, MO)



The Honorable Candy W. Dale, United States Magistrate Judge (Ret), District of Idaho; Keely E. Duke, Duke Evett, PLLC (Boise, ID); The Honorable Edward A. Jerejian, P.J.Ch. (Ret), New Jersey Judiciary



Jack J. Laffey, Laffey, Leitner & Goode LLC (Milwaukee, WI); B. Trey Sandoval, MehaffyWeber (Houston, TX)



Albert B. Randall, Jr., Franklin & Prokopik, P.C. (Baltimore, MD); Kim S. Magyar, McLane Company (Temple, TX); Julie Z. Devine, Lashly & Baer, P.C. (St. Louis, MO); Julie A. Proscia, Amundsen Davis LLC (Chicago, IL)



Thomas L. Oliver, II, Carr Allison (Birmingham, AL); Guest speaker Peter Kestner



Rachel D. Grant, Arcadia Settlements Group (Detroit, MI); Kurt M. Spengler, Wicker Smith (Orlando, FL); Jessica P. Sykora, Energy Transfer LP (Houston, TX); Nicholas P. Resetar, Roetzel & Andress (Cleveland, OH)



Dan L. Longo, Murchison & Cumming, LLP (Los Angeles, CA); John K. Miles, Jr., Miles Mediation and Arbitration (Atlanta, GA); Timothy R. Smith, Pion, Nerone, Girman & Smith, PC (Pittsburgh, PA)



William K. Hong, Coleman Chavez & Associates (Los Angeles, CA) for workers' compensation only; Lisa A. Zaccardelli, Hincley Allen (Hartford, CT); Anjali Chavan, Crane Group (Columbus, OH); Stella Lellos, Rivkin Radler LLP (Uniondale, NY)



Michael J. Judy, Dysart Taylor (Kansas City, MO); Lisa Zemanek, Flix North America, Inc. (Dallas, TX); Jacqueline Bushawck, Rivkin Radler LLP (Uniondale, NY); R. Eric Toney, Copeland, Cook, Taylor & Bush, P.A. (Ridgeland, MS)



Matthew Cairns, Textron; Amy Bradley-Waters, Pierce Couch Hendrickson Baysinger & Green LLP (Oklahoma City, OK); Joseph S. Goode, Laffey, Leitner & Goode (Milwaukee, WI)



James D. Snyder, Klinedinst PC (San Diego, CA); John D. Cromie, Connell Foley LLP (Roseland, NJ); Renato Martinez-Quezada, EC Rubio (Mexico City, Mexico); Kirk Cheney, Pennant Services (Boise, ID)



Bradley A. Wright, Roetzel & Andress (Cleveland, OH); John Casson, SCLA, A/C, The Horace Mann Companies (Dallas, TX); Mark A. Liro, Wicker Smith (Coral Gables, FL)



Adam C. Grafton, Bovis Kyle Burch & Medlin LLC (Atlanta, GA); C. Dewayne Lonas, Moran Reeves & Conn PC (Richmond, VA); Maggie A. Ziemianek, Hanson Bridgett LLP (San Francisco, CA)



Jesika French, Doosan Bobcat North America (Atlanta, GA); Jeffrey L. O'Hara, Charles F. Carr, Carr Allison (Birmingham, AL)



James T. Dixon, Roetzel & Andress (Cleveland, OH); Daniel Gerber, Gerber Ciano Kelly Brady LLP (Buffalo, NY)

# THANK YOU FACILITATORS!



Margot N. Wilensky, Connell Foley LLP (Newark, NJ) • Merton A. Howard, Hanson Bridgett LLP (San Francisco, CA)



Briana M. Pendergrass, Klinedinst PC (San Diego, CA) • Kristina J. Kamler, Baird Holm LLP (Omaha, NE)



Louis J. Vogel, Sweeney & Sheehan, P.C. (Philadelphia, PA) • Joseph F. Moore, Hanson Bridgett LLP (San Francisco, CA)



Catherine G. Bryan, • J. Tyler Dinsmore, Flaherty Sensabaugh Bonasso PLLC (Charleston, WV)



Moira H. Pietrowski, Roetzel & Andress (Cleveland, OH) • Jack J. Laffey, Laffey, Leitner & Goode, LLC (Milwaukee, WI)



John W. Bieder, Black Marjeh & Sanford LLP (Elmsford, NY) • Christy E. Mahon, Sweeney Wingate & Barrow, P.A. (Columbia, SC)



Stephen J. Marshall, Franklin & Prokopik, P.C. (Baltimore, MD) • Daniel Gerber, Gerber Ciano Kelly Brady LLP (Buffalo, NY) • Nicholas A. Rauch, Larson King LLP (Fargo, ND)



Matthew C. Bouchard, Poyner Spruill LLP (Raleigh, NC) • Jack Sanker, Amundsen Davis LLC (Chicago, IL)



Kyle B. Mandeville, Duke Evett, PLLC (Boise, ID) • Bret A. Sanders, Fee, Smith & Sharp (Austin, TX) • Thomas A. Ped, Williams Kastner (Portland, OR)



**Members of the USLAW Executive Committee** receive basketballs from Ken Wingate, immediate past Chair of USLAW NETWORK, in recognition of his "full-court press" theme during his tenure as Chair.



**USLAW NETWORK's 2025-26 Board of Directors** gathered at the Member Business Meeting during the USLAW NETWORK Annual Client Conference in Colorado Springs.



Ken Wingate, immediate past Chair of USLAW NETWORK (pictured, left), [Doug Clarke](#) of [Therrien Couture Joli-Coeur LLP](#) in Montreal, Quebec, Canada, and recipient of the [2025 O'Hagan-Carr Award](#) (pictured, center), and Charles Carr from Carr Allison in Alabama.



USLAW CEO Roger Yaffe and Ken Wingate, the immediate past Chair of **USLAW**, recognize the outgoing members of the **USLAW Board**: John Cromie (Connell Foley LLP), Katie Bryan and Robyn McGrath (Sweeney & Sheehan, P.C.)



Ken Wingate, immediate past Chair of USLAW NETWORK (pictured, left), and Cory Feinberg, chief legal and corporate affairs officer of MoneyGram, the 2025 USLAW NETWORK Bill Burns Award recipient.



USLAW Chair Jennifer Tricker from Baird Holm LLP in Nebraska visits with USLAW Annual Client Conference keynote speaker Dr. Moogega "Moo" Cooper, award-winning engineer of the famed Mars Rover "Perseverance" Mission and real-life "guardian of the galaxy."



Ken Wingate, immediate past Chair of USLAW NETWORK (pictured, left), and Sheryl J. Willert of Williams Kastner in Seattle, Washington, the 2025 USLAW NETWORK Champions Award recipient.

# 2025 USLAW NETWORK Foundation Law School Scholarship Recipients

2025 USLAW NETWORK Foundation Law School Scholarship recipients participated in the USLAW's Annual Client Conference in Colorado Springs in September.



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LAW SCHOOL SCHOLARSHIPS TO  
DESERVING STUDENTS THROUGH THE  
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## USLAW welcomes two new firms to the NETWORK

USLAW NETWORK has named Amundsen Davis LLC, one of the original founding member firms of USLAW, the USLAW member firm for Indiana after welcoming Amundsen Davis's Indianapolis-based team to USLAW. This marks an expansion of Amundsen Davis's membership, as they have served as USLAW's Illinois member since 2001. Amundsen Davis will now cover Illinois and Indiana for USLAW NETWORK. USLAW also names White and Steele, P.C., a litigation firm based in Denver, Colorado, USLAW's Colorado member firm.

### COLORADO

**WHITE AND  
STEELE, P.C.**

### INDIANA



# More than 30 firms participate in new USLAW collaboration with Legaltech Hub:

*Expanding understanding of AI in client service and operations*



## **a LEGAL TECHNOLOGY and AI partnership**

USLAW NETWORK recently announced a collaboration with Legaltech Hub, a global insights & analysis platform dedicated to connecting the legal industry with the rapidly evolving world of technology and artificial intelligence. This innovative partnership provides exclusive access and tailored programming specifically designed for USLAW member firms, ensuring that every participating firm can meaningfully advance its understanding of AI in client service and operations. At the program's launch, 30 USLAW member firms and premier corporate partner S-E-A have opted in to this shared vision and new initiative, sparking excitement for the future of legal tech and AI across the NETWORK.

"This partnership with Legaltech Hub reflects our continued commitment to identifying

creative, meaningful, and forward-looking initiatives that deliver tangible value to our member firms," said Roger M. Yaffe, CEO of USLAW NETWORK. "It also underscores our shared belief that embracing innovation — particularly in the legal technology and AI space — is essential to maintaining a competitive edge in the legal services industry."

### **Looking ahead | For in-house legal departments**

As the program evolves, in-house legal departments and legal decision-makers will have collaboration opportunities to partner directly with both USLAW and Legaltech Hub. More details will be shared in early 2026.

### **Participating USLAW member firms**

- Adler Pollock & Sheehan, P.C.
- Amundsen Davis LLC
- Baird Holm LLP
- Black Marjeh & Sanford LLP
- Bovis Kyle Burch & Medlin, LLC
- Coleman Chavez
- Duke Evett, PLLC
- Dysart Taylor
- Fee, Smith & Sharp, L.L.P.
- Franklin & Prokopik, P.C.
- Gerber Ciano Kelly Brady LLP
- Hanson Bridgett LLP
- Klinedinst PC
- Laffey, Leitner & Goode LLC
- Larson King, LLP
- MehaffyWeber

- Moran Reeves & Conn
- Murchison & Cumming, LLP
- Pierce Couch Hendrickson Baysinger & Green, L.L.P.
- Pion, Nerone, Girman & Smith, P.C.
- Plauché Maselli Parkerson LLP
- Rivkin Radler LLP
- Roetzel & Andress
- Sweeney & Sheehan, P.C.
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- Therrien Couture Joli-Coeur L.L.P.
- Thorndal Armstrong
- Wicker Smith
- Williams Kastner
- S-E-A, USLAW's official technical forensic engineering and legal visualization services partner

## On the Road with USLAW

It's no secret – USLAW can host a great event, and once the formal sessions end, USLAW event attendees enjoy fun times and network together in various host cities. Some recent outings include a cog railway excursion to the summit of Pikes Peak, a zipline adventure at Seven Falls, lunch and a private tour of the United States Olympic and Paralympic Museum, a pub crawl, a walking and tasting tour in Charleston, tee times, pool parties, pickleball, rock climbing, an e-bike trip, and so much more.



## firms ON THE MOVE



*Leslie Parker* of *Adler Pollock & Sheehan* in Rhode Island has been elected to the firm's Executive Committee for a three-year term beginning on January 1, 2026.



*Connell Foley* partners *Kim Guadagno*, *Elnardo Webster* and *W. Nevins McCann* will serve on New Jersey Governor-elect Mikie Sherrill's Interdisciplinary Advisory Task Force, a major component of her administration's transition strategy. The team's broad coalition of leaders from across New Jersey will contribute to a real-world perspective as the new administration begins to shape policy.

*Connell Foley's* *Leo J. Hurley Jr.* has become a Fellow of the American College of Trial Lawyers, one of the premier legal associations in North America.

*Laffey, Leitner & Goode LLC* co-founding partner *Joe Goode* has been elected by membership to a three-year term (2026-2029) on the Governing Committee of the American Bar Association's Forum on Franchising, the preeminent organization for the study and discussion of franchise law nationwide.



*Modrall Sperling* shareholder *Jennifer Noya* was named the 2025 Outstanding Civil Defense Lawyer of the Year Award by the New Mexico Defense Lawyers Association.



As part of a planned leadership transition, *Poyner Spruill LLP* is proud to announce the election of *Chad Essick* as its next Managing Partner, effective April 1, 2026. Essick was elected by the Firm's partners to succeed *Dan Cahill*, who has served in the role since April 2017.



*Rivkin Radler's* *Joe La Ferlita* was named a Fellow of the American College of Trust and Estate Council (ACTEC)—a prestigious honor reserved for the nation's leading trust and estate professionals.



*Simmons Perrine PLC* attorney *Paul Gamez* has been inducted as a Fellow into the American College of Trial Lawyers (ACTL). Membership can never be more than 1% of the total lawyer population of any state or province.



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RECENT USLAW LAW FIRM  
VERDICTS & TRANSACTIONS



### BARREIRO (Buenos Aires, Argentina)

*Barreiro prevails for e-commerce client*

[Barreiro](#) successfully represented Mercado Libre S.R.L. in a significant litigation case concerning the liability of e-commerce platforms. On August 2, 2024, the National Administrative Federal Chamber, Chamber II, ruled in favor of Mercado Libre, revoking a \$5,000,000 fine imposed by the Undersecretariat of Consumer Protection. The original sanction was based on an alleged failure to deliver a product, where the delivery method had been privately agreed upon between the buyer and the seller. The Chamber ultimately concluded that the platform was not responsible for the alleged non-compliance. The main arguments supporting the revocation were that Mercado Libre did not participate in the delivery arrangements and that imputing responsibility to the platform in this specific instance would be excessive, as it had no intervention in the breach. Crucially, the Supreme Court of Justice of the Nation confirmed the firm sentence on October 7, 2025, rejecting the appeal filed by the National State. This decision establishes a favorable precedent for e-commerce platforms, confirming the need to clearly delineate their roles and responsibilities under the Consumer Protection Law.

### Flaherty™ Flaherty Sensabaugh Bonasso PLLC (Charleston, WV)

*Flaherty secures victory in real estate contract dispute*

[Evan S. Aldridge](#) successfully defended his client in a high-stakes business dispute involving multi-million-dollar real estate projects in multiple states.

At issue was the client's contractual right to purchase full ownership of a real estate development company. The trial court ruled in their favor, ordering specific performance of the option agreement, and the Intermediate Court of Appeals of West Virginia affirmed that decision. The court also rejected all counterclaims, including allegations of implied partnerships.

The ruling underscores the strength of carefully drafted business agreements and the importance of enforcing them when challenged.



### HansonBridgett Hanson Bridgett LLP (San Francisco, CA)

*California Appeals Court dismisses charges against Hanson Bridgett client Silverado Senior Living*

The Second District Court of Appeal unanimously upheld the dismissal of a criminal case relating to COVID-19 fatalities in a senior living community in March 2020. The case, *People v.*

*Silverado Senior Living Management, Inc. et al.*, had raised issues with potentially far-reaching consequences for the relationship between assisted living administrators and regulators.

In its decision, the court ruled that the prosecution improperly relied on transcripts of interviews conducted by the California Department of Social Services. Because participation in those interviews was de facto mandatory, the court found the testimony was "coerced" and therefore could not be used by the prosecution against the defendants.

The ruling affirmed a trial court decision from October 2023, which dismissed the charges against Silverado and three company representatives. That dismissal had been appealed by the Los Angeles County District Attorney.

Hanson Bridgett partner [Joel Goldman's](#) testimony was cited in the appellate opinion, underscoring the integrity of Silverado's practices during the earliest days of the COVID-19 pandemic.

In addition, Hanson Bridgett served as counsel on an amicus brief submitted on behalf of the California Assisted Living Association (CALA), Argentum, and the American Seniors Housing Association (ASHA). The brief argued that assisted living administrators are required to cooperate with DSS investigations and that allowing prosecutors to use those statements as a basis for criminal liability would have a chilling effect on open, collaborative relationships between regulators and operators. The brief also highlighted a letter submitted by the National Association for Regulatory Administration (NARA), which expressed concern that such a precedent could undermine effective oversight and cooperation in the industry.

This outcome is a significant victory not only for Silverado but for the broader senior living community, reinforcing constitutional protections while preserving the cooperative regulatory framework essential to quality care.

### Klinedinst Klinedinst, P.C. (San Diego, CA)

*Burd secures defense win in legal malpractice arbitration*

[Tara R. Burd](#), shareholder in [Klinedinst's](#) San Diego office, secured a defense result on behalf of her client in a \$45 million legal malpractice arbitration. The underlying dispute involved the settlement of one civil action, four trust matters and multiple petitions.

After extensive hearings conducted over the course of a year, the arbitrator rejected all claims against Klinedinst's client and awarded unpaid fees demanded in the cross-complaint, totaling \$85,000 plus interest.



successful

## RECENT USLAW LAW FIRM VERDICTS & TRANSACTIONS

This result highlights Burd's exceptional advocacy and depth of experience in complex trust, probate, and professional liability litigation, in addition to her planning and administration practice. Burd regularly represents attorneys, fiduciaries, and clients in high-exposure matters throughout California.

Burd's co-counsel was her former colleague Heather Rosing, and teams from both firms closely collaborated on the case.



*Furshpan and Russo obtain summary judgment for medical malpractice client*

After nine years of litigation, [Rivkin Radler](#) partner [Daniel Furshpan](#) and associate [Lauren Russo](#) successfully obtained summary judgment on behalf of the firm's client, resulting in the complete dismissal of a medical malpractice action brought against him.

The case involved a workplace injury in which the plaintiff sustained a severe thumb laceration. The client, an orthopedic hand surgeon, treated the injury non-operatively and recommended conservative therapy and use of a Dynasplint. Plaintiff later underwent surgery by another physician but continued to experience lasting limitations to the EPL tendon, including loss of function and inability to work.

Plaintiff alleged that Rivkin's client failed to order diagnostic tests in a timely manner and delayed surgical repair, which he claimed caused his permanent loss of thumb function. After a strong oral argument given by Russo, Justice Arthur Engoron of New York County Supreme Court issued a decision granting summary judgment and dismissing the claims against Rivkin's client and two other co-defendants.

The court agreed with Furshpan's and Russo's arguments that the client's care was consistent with accepted medical standards and that there was no proximate cause to plaintiff's injuries. They also argued that plaintiff's expert was not properly qualified in orthopedic hand surgery, rendering his opinions on our client's treatment unreliable. The court agreed.



**Sweeney, Wingate & Barrow,  
P.A. (Columbia, SC)**

*Holt obtains defense verdict for restaurant client*

[Sweeney, Wingate & Barrow, P.A.](#) attorney [Ryan Holt](#) recently obtained a defense verdict for a restaurant client whose employee was accused of physical assault. The plaintiff claimed that he was the victim of an unprovoked attack by an unidentified restaurant employee who was on break. The jury returned its defense verdict after a short deliberation.

## TRANSACTIONS



*Hanson Bridgett represented Pacific Community Ventures (PCV) in its acquisition of Radiant Data.*

The acquisition will enable PCV — a leading nonprofit impact investor and a Community Development Financial Institution — to expand its technology and AI capabilities to deliver results for small businesses and their employees while deepening its ability to serve mission-driven organizations and amplify community voices through data. PCV focuses on supporting underserved small business owners, helping them access affordable capital and create good quality jobs. The team included [Jonathan Storper](#), [Walt Binswanger](#) and [Alexandra Rogers](#).

In a separate matter, [Hanson Bridgett LLP](#) advised the San Francisco Bay Ferry (San Francisco Bay Water Emergency Transportation Authority) on the agency's ferry fleet decarbonization. This multi-year process involves multi-agency coordination, environmental review under CEQA and NEPA, and extensive resource permitting issues under the Endangered Species Act, Clean Water Act, Porter-Cologne Water Quality Control Act, and McAtteer-Petris Act for design and construction of electrified ferry terminals and battery charging floats. These efforts also include converting ferry fleets from diesel to electric as a way to comply with the California Air Resources Board's Commercial Harbor Craft Regulation. The team included Sean Herman and Steven Miller.



**Rivkin Radler LLP (Uniondale, NY)**

*Cornachio, Simensky, and Miller close \$40 million credit facility transaction*

[Rivkin Radler](#) attorneys [Bill Cornachio](#), [Sean Simensky](#), and [Gregory Miller](#) represented a Rivkin Radler pharmaceutical client in connection with its \$40 million asset-based lending credit facility with Citibank, N.A. Cornachio and Simensky handled the credit agreement (which has a \$20 million accordion feature) and the other loan documents, and Miller got the lender and its counsel comfortable with the IP litigation involving the client.



## pro bono SPOTLIGHT



### Adler Pollock & Sheehan participates in second annual pro bono clinic

For the second consecutive year, attorneys from [Adler Pollock & Sheehan P.C.](#) and Citizens Bank have partnered to host a pro bono legal clinic, offering free legal guidance to nonprofit organizations across Rhode Island. The clinic was made possible in collaboration with the United Way of Rhode Island, which identified and connected local nonprofit participants with volunteer legal teams.

The clinic focused on delivering regulatory compliance and human resources legal guidance, two areas of critical need for many nonprofit organizations striving to meet increasing community demands with limited resources.

"Nonprofits are doing incredibly important work, and they often don't have the internal capacity or funding to navigate complex legal and regulatory issues," said [Geoff Millsom](#), Chair of Adler Pollock & Sheehan's [Banking and Finance](#) Group and [Litigation](#) Group. "This clinic is one way we can help strengthen their operations and, in turn, their impact on our community."

Representatives from numerous Rhode Island nonprofits met with volunteer attorneys to discuss topics ranging from employee handbook updates to compliance with evolving state and federal regulations.

This year's clinic builds on the success of the inaugural event in 2024 and demonstrates the growing commitment among Rhode Island's legal and business communities to support the nonprofit sector.



### BARREIRO provides pro bono support to local program

[Barreiro](#) is currently assisting [Vergel Arte](#), a civil association that merges art and health, with ongoing corporate and registration matters. The firm's pro bono work ensures the organization maintains its legal structure and compliance, allowing it to focus on its mission of improving health through artistic expression.



HansonBridgett

### Hanson Bridgett champions equitable access to city ball fields through pro bono advocacy in Lafayette

[Hanson Bridgett LLP](#) supports the Lafayette Moraga Youth Association (LMYA) in its effort to ensure fair and equitable youth sports access within the City of Lafayette and its Buckeye Field complex. This work involves advocating for the City's compliance with California's Fair Play in Community Sports Act, which requires equal opportunities for girls and boys to participate in community athletics and access comparable facilities.

"Youth sports are an integral part of the Lafayette community, but the reality is that the girls' softball programs have not had the same access to fields as the boys' baseball programs for many years," said Hanson Bridgett Partner [Matthew Peck](#). "We're honored to support LMYA's fight to help ensure that every child — regardless of gender — has equal access to safe, high-quality fields and the chance to play, grow, and compete on a level playing field."

Earlier this year, the City's Parks, Trails, and Recreation Commission voted unanimously to recommend multi-use modifications to one of the two diamonds at Buckeye Fields to create more equal access and shared usability between softball and baseball programs. The proposed improvement — already funded in the City's 2025-26 budget — calls for

removing the raised pitching mound, which would be replaced with a non-permanent raised mound for baseball games, and replacing the infield with regulation softball dirt, creating a field suitable for both sports.

This improvement is essential to ensure that girls have the opportunity to develop their skills under USA Softball regulations, so they can compete on equal footing — whether on their home field, when traveling to other communities, or as they advance to higher levels of play. Playing on a regulation softball field, rather than a grass baseball infield, ensures girls can develop the sport-specific skills, timing, and confidence essential to fair competition.



HansonBridgett

### Hanson Bridgett named one of the 2025 Top Bay Area Corporate Philanthropists

Hanson Bridgett is included among the 2025 Top Bay Area Corporate Philanthropists by the San Francisco Business Times. This is the 14th consecutive year the firm has made the list, which includes for-profit companies and nonprofit health care organizations that made significant cash contributions to charitable organizations in the Greater Bay Area.

At Hanson Bridgett, giving back is part of who they are — from pro bono legal service to hands-on volunteer work and meaningful community partnerships. This recognition reflects the dedication of Director of Pro Bono and Social Impact [Samir Abdelnour](#) and all of our people who contribute to the firm-wide commitment to making a difference.



Hanson Bridgett continues to advance the legal industry through its pro bono services, social impact work, and innovative diversity, equity, and inclusion practices.

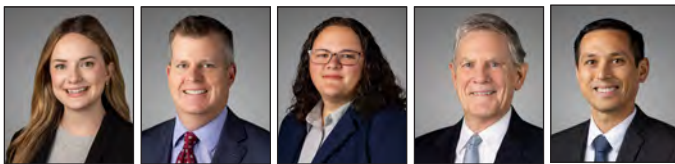
[Hanson Bridgett](#) Associate [Breanna Burgos](#) (pictured left) secured a life-changing win for her pro bono client, helping a single mother and her son gain the option to relocate to Brazil.



Simmons Perrine

### Simmons Perrine makes 2025 ISBA Pro Bono Honor Roll

[Alexandra Doner](#), [Kyle Wilcox](#), [Rae Kinkead](#), [Bill Vernon](#) and [Jake Vetter](#) (pictured L-to-R) of [Simmons Perrine PLC](#) in Cedar Rapids, Iowa, each provided 50 or more pro bono hours through Iowa Legal Aid, landing them on the ISBA Pro Bono Honor Roll for 2025.



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## 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 more than 80 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 20 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](mailto:roger@uslaw.org)



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## the complete USLAW SOURCEBOOK



USLAW NETWORK offers legal decision-makers a variety of complimentary products and services to assist them with their day-to-day operation and management of legal issues. USLAW Client Resources provide information regarding each resource that is available. We encourage you to review these and take advantage of those that could benefit you and your company. For additional information, contact Roger M. Yaffe, USLAW CEO, at [roger@uslaw.org](mailto:roger@uslaw.org) or (800) 231-9110, ext. 1.

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

USLAW has many ways to help members virtually connect with their clients. From the USLAW Remote virtual learning collection and USLAW Panel Counsel Virtual Meetings to exclusive social and networking opportunities to small virtual roundtable events, industry leaders and legal decision-makers have direct access to attorneys across the NETWORK to support their various legal needs.

### EDUCATION

It's no secret - USLAW can host a great event. We are very proud of the timely industry-leading interactive roundtable discussions at our annual client conference, forums and client exchanges. Reaching from national to more localized offerings, USLAW member attorneys and the clients they serve meet throughout the year at USLAW-hosted events and at many legal industry conferences. USLAW also offers industry and practice group-focused virtual programming. CLE accreditation is provided for most USLAW educational offerings.



### 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.



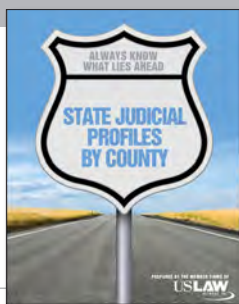
### LAWMOBILE

We are pleased to offer a completely customizable one-stop educational program that will deliver information on today's trending topics that are applicable and focused solely on your business. We focus on specific markets where you do business and utilize a team of attorneys to share relevant jurisdictional knowledge important to your business' success. Whether it is a one-hour lunch and learn, half-day intensive program or simply an informal meeting discussing a specific legal matter, USLAW will structure the opportunity to your requirements - all at no cost to your company.

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USLAW Remote offers an engaging and diverse catalog of virtual opportunities to learn, connect and collaborate with member attorneys (outside counsel), in-house legal leaders, and USLAW corporate partners from across the NETWORK. USLAW Remote includes USLAW Remote: Share, USLAW Remote: Learn, USLAW Remote: Listen, USLAW Remote: Social and USLAW Remote: Custom. USLAW Remote offers a variety of delivery methods to suit your schedule, team, and business needs from the comfort of your computer or mobile device.





## STATE JUDICIAL PROFILES BY COUNTY

Jurisdictional awareness of the court and juries on a county-by-county basis is a key ingredient to successfully navigating legal challenges throughout the United States. Knowing the local rules, the judge, and the local business and legal environment provides a unique competitive advantage. In order to best serve clients, USLAW NETWORK offers a judicial profile that identifies counties as Conservative, Moderate or Liberal and thus provides you an important Home Field Advantage.

## USLAW MAGAZINE

USLAW Magazine is an in-depth publication produced and designed to address legal and business issues facing today's corporate leaders and legal decision-makers. Recent topics have covered cybersecurity & data privacy, artificial intelligence, medical marijuana & employer drug policies, management liability issues in the face of a cyberattack, defending motor carriers performing oversized load & heavy haul operations, nuclear verdicts, employee wellness programs, social media & the law, effects of electronic healthcare records, allocating risk by contract and much more.



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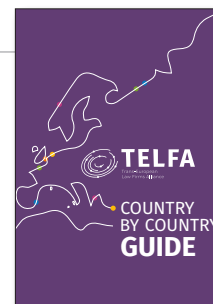
In today's digital world there are many ways to connect, share, communicate, engage, interact and collaborate. Through any one of our various communication channels, sign on, ask a question, offer insight, share comments, and collaborate with others connected to USLAW. Please connect with us via Instagram, LinkedIn, TikTok, YouTube, Facebook and X.

## 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.
- Supplement company law aspects by always considering issues of tax.

To view and download the TELFA Country-by-Country Guide, visit the Client Toolkit section of [uslaw.org](http://uslaw.org).



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USLAW prides itself on variety. Its 6,000+ attorneys excel in all areas of legal practice and participate in USLAW's 25+ substantive active practice groups and communities, including Appellate Law, Banking and Financial Services, Business Litigation and Class Actions, Business Transactions/Mergers and Acquisitions, Cannabis Law, Complex Tort and Product Liability, Construction Law, Data Privacy and Security, eDiscovery, Energy/Environmental, Insurance Law, International Business and Trade, IP and Technology, Labor and Employment Law, Medical Law, Professional Liability, Real Estate, Retail and Hospitality Law, Tax Law, Transportation and Logistics, Trust and Estates, White Collar Defense, Women's Connection, and Workers' Compensation. Don't see a specific practice area listed? Not a problem. USLAW firms cover the gamut of the legal profession and we will help you find a firm that has significant experience in your area of need.

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Take advantage of the knowledge of your peers. USLAW NETWORK's Client Leadership Council (CLC) and Practice Group Client Advisors are hand-selected, groups of prestigious USLAW firm clients who provide expertise and advice to ensure the organization and its law firms meet the expectations of the client community. In addition to the valuable insights they provide, CLC members and Practice Group Client Advisors also serve as USLAW ambassadors, utilizing their stature within their various industries to promote the many benefits of USLAW NETWORK.



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We value our reputation for excellence and approach our work with enthusiasm and passion. What truly sets us apart is our ability to provide our clients with an early evaluation of liability, damages, settlement value and strategy. Together with our clients we develop an appropriate strategy as we pursue the targeted result in a focused, efficient, and effective manner.

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**MEMBER SINCE 2023** Bovis, Kyle, Burch & Medlin, LLC was founded over 50 years ago, when John Bovis joined the firm's predecessor started by federal Senior Judge William C. O'Kelley. Encouraged by our clients' needs, the firm has grown to include attorneys dedicated to a wide variety of practice areas. In 2008, that growth spurred the firm's move to a larger main office that includes state-of-the-art mediation space and advanced technology, helping us to better serve our clients' needs. Bovis, Kyle, Burch & Medlin, LLC is a multi-practice firm with its main office located in the growing Perimeter Center area, north of downtown Atlanta, Georgia.

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**MEMBER SINCE 2004** Poyner Spruill LLP is a large, multidisciplinary North Carolina law firm, providing a comprehensive range of business and litigation legal services. The firm has a reputation for professional excellence and client service throughout the Southeast. Poyner Spruill has approximately 100 attorneys with offices in Charlotte, Raleigh, Rocky Mount, Southern Pines and Wilmington, from which we cover all federal and state courts. Approximately one-half of the firm attorneys practice litigation including a broad range of general commercial litigation, bank litigation and defense work in various types of liability cases. Many of our practice groups send up-to-the-minute legal developments on a myriad of issues pertinent to our clients' business needs. Our periodic mailings are distributed via e-mail and posted to our web site's publications page. We invite you and your clients to take advantage of this complimentary news service by signing up through our web site.

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**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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**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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**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.

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**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.

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**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.

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**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.

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**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.

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**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, wills, trusts, probate matters, and countless other business needs for our clients.

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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.

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**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.

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**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.

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**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.

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**MEMBER SINCE 2022** Richmond, Virginia-based Moran Reeves & Conn PC specializes in complex litigation, business transactions, and commercial real estate/finance. Its attorneys and legal professionals operate within a technologically advanced, nimble work environment. Client service is foremost at Moran Reeves Conn. Firm leaders also encourage community involvement and are proponents of a collaborative, inclusive culture. The firm's litigation team handles product liability defense, toxic torts and environmental litigation, construction litigation, premises liability, commercial litigation, and general liability defense. Its award-winning healthcare team works on matters involving medical professional liability, healthcare litigation, and employment disputes. Known as experienced trial attorneys, MRC lawyers also pursue alternative means of dispute resolution when appropriate, including arbitration and mediation. The firm's robust business transactional practice includes representation of corporate clients and developers in large-scale financing and commercial real estate deals. Team attorneys are experienced in entity formation, creditors' rights, securities offerings, tax-advantaged arrangements such as 1031 exchanges, and other complex transactions.

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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.

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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.

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**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.

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**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

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**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.

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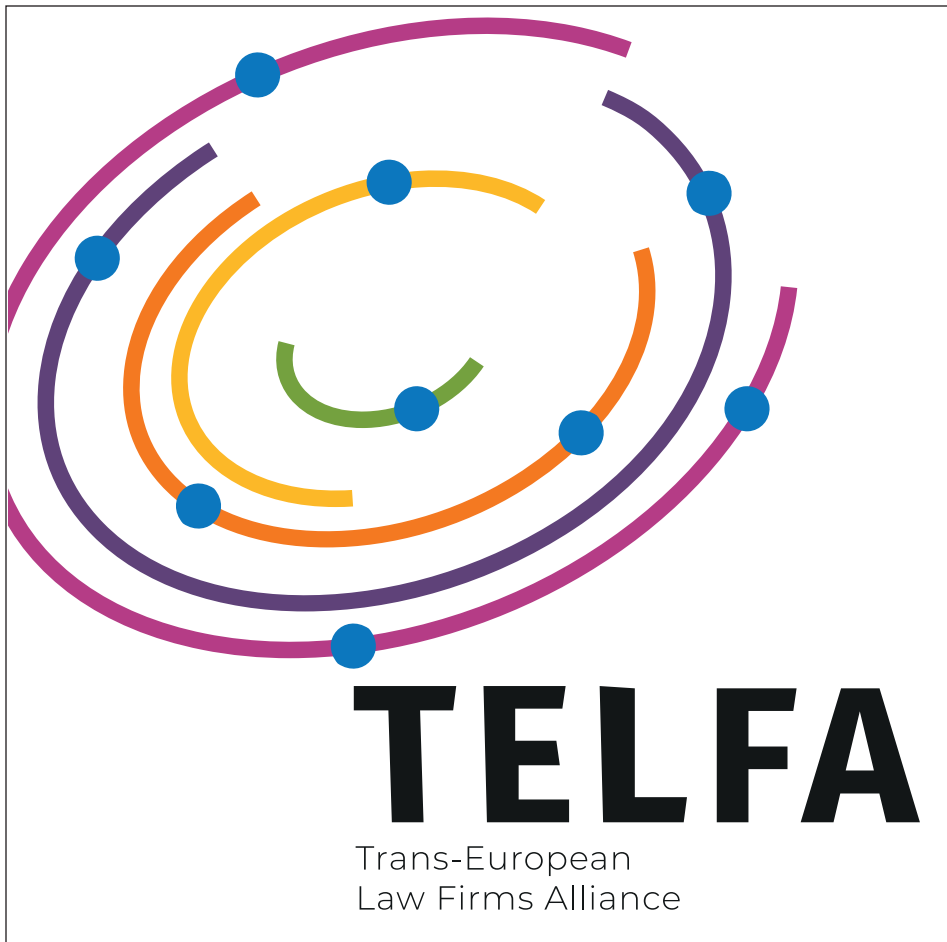
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Verdict Insight Partners is USLAW's official jury consulting partner, providing trusted expertise to member firms and their clients. With team members located around the country and delivering comprehensive services across all 50 states, VIP completed more than 60 jury research exercises and assisted over 125 jury selections in 2025 alone—achieving an 80% success rate in cases that resulted in a verdict.

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