



IOWA
DEFENSE
COUNSEL
ASSOCIATION

2019

55th IDCA Annual Meeting & Seminar

SEPTEMBER 12–13, 2019

Register Today at: www.iowadefensecounsel.org/AnnualMeeting2019

Embassy Suites by Hilton Des Moines Downtown, Des Moines, Iowa

SCHEDULE AT-A-GLANCE

| TIME | WEDNESDAY, SEPTEMBER 11 |
|-----------------------|---|
| 5:00–7:00 p.m. | IDCA Welcoming Reception featuring music from The Torts <i>(open to all Annual Meeting attendees and sponsors)</i> |
| 7:00 p.m. | IDCA Hospitality Suite Open |
| TIME | THURSDAY, SEPTEMBER 12 |
| 7:00 a.m.–5:00 p.m. | Registration and Exhibits Open |
| 7:00–8:00 a.m. | <i>Defense Update</i> Board of Editors Breakfast |
| 7:50–8:00 a.m. | Welcome and Opening Remarks |
| 8:00–8:45 a.m. | Leadership and Perseverance Through Adversity |
| 8:45–9:30 a.m. | Everything You Need to Know About State Constitutional Tort Claims |
| 9:30–10:30 a.m. | Taking the Heat for Tweet: Ethical Concerns with Lawyers' Use of Social Media |
| 10:30–10:45 a.m. | Networking Break with Exhibitors |
| 10:45–11:30 a.m. | Beyond the Numbers: How to Use an Expert in Alcohol & Drug Cases |
| 11:30 a.m.–12:15 p.m. | Let's Talk About Your Health |
| 12:15–1:15 p.m. | IDCA Awards and Annual Business Meeting & Networking Lunch |
| 1:15–2:15 p.m. | Power Hour: Discussing the Health and Wellness of the Judicial System |
| 2:15–3:00 p.m. | Utilizing the Forensic Chiropractor in Bodily Injury Litigation |
| 3:00–3:15 p.m. | Networking Break with Exhibitors |
| 3:15–4:00 p.m. | Helping to Save Jury Trials Through Jury Trial Innovations |
| 4:00–4:45 p.m. | Reptile Revisited and Reversed |
| 4:45–5:00 p.m. | Case Law Updates: Torts/Negligence |
| 5:30–7:30 p.m. | Thursday Night Reception at The Iowa Taproom featuring the Cody Hicks Band |
| After Evening Events | IDCA Hospitality Suite Open |
| TIME | FRIDAY, SEPTEMBER 13 |
| 7:00 a.m.–1:15 p.m. | Registration and Exhibits Open |
| 8:00–8:15 a.m. | Case Law Updates: Contracts/Commercial |
| 8:15–9:15 a.m. | Voir Dire: The Good, Bad and the Ugly as Seen from the Bench |
| 9:15–10:45 a.m. | Bringing it Together for Trial, Attacking Damages |
| 10:45–11:00 a.m. | Networking Break with Exhibitors |
| 11:00 a.m.–12:00 p.m. | The Ethical Conundrums of Marketing and Managing |
| 12:00–12:15 p.m. | Case Law Updates: Developments in Employment Law and Civil Procedure |
| 12:15–1:15 p.m. | Web 3.0 Beyond Facebook: Current Trends in Social Media Investigations |



REGISTRATION

Save money and register by Friday, **August 30, 2019**. Rates increase after this date.

REGISTER ONLINE

www.iowadefensecounsel.org/AnnualMeeting2019

Receive immediate confirmation and receipt when you register online! Members must sign in to receive the IDCA member rate.

If you are not a member, you will need to create an account before you can register. We invite you to take advantage of IDCA's first-time member promotion. Join now and receive complimentary dues until December 2020 and the member rate to attend the IDCA Annual Meeting. This offer is for first-time members only.

FAX: (515) 334-1483

MAIL:
Iowa Defense Counsel
Association
1255 SW Prairie Trail
Parkway
Ankeny, IA 50023-7069

Allow two business days for confirmation and receipt to be emailed if registering by fax or mail.

QUESTIONS: Email Kristen Dearden at meetings@iowadefensecounsel.org or call (515) 334-1482.

For security purposes, do not email registration and payment information. This is not a secure way to transmit your credit card information. IDCA is not responsible for credit card information sent by email.

ABOUT IDCA

IDCA members are more than 320 lawyers and claims professionals actively engaged in the practice of law or in work relating to the handling of claims and the defense of legal actions. IDCA's mission is to be the trusted professional voice for the defense of civil litigants.

CLE

Approved for 12.5 State CLE Hours (includes 2.0 Ethics Hours), Activity Number 325821. CLE hours are posted to your IDCA profile following the meeting and available at www.iowadefensecounsel.org when you log-in with your user credentials.

REGISTRATION INCLUDES

Full Registration includes sessions, meals, breaks and networking events listed for Wednesday (Welcome Reception), Thursday and Friday in the published Schedule of Events. Thursday Only and Friday Only Registration includes all published activities for those days only.

Materials are provided on the event website, www.iowadefensecounsel.org/AnnualMeeting2019. An email will be sent to all registered attendees once session handouts are available. Printed materials and CDs are not available.

HOTEL INFORMATION & RESERVATIONS

Embassy Suites by Hilton Des Moines Downtown
101 East Locust Street | Des Moines, IA 50309

RESERVE ONLINE

<http://group.embassysuites.com/idcaannualmeeting>

RESERVE BY PHONE

1-800-EMBASSY and ask for the IDCA Annual Meeting room rate.

ROOM RATES

\$169/night plus tax. Rate includes two-room suite, daily complimentary made-to-order breakfast and happy hour. Parking is additional. A city-owned parking lot is available across the street for \$1/hour up to 10 hours or \$10/24 hours. Valet parking is \$25/day.

NETWORKING EVENTS

Wednesday Welcoming Reception

Embassy Suites by Hilton

Des Moines Downtown

Featuring: Music from The Torts

Wednesday, September 11, 5:00–7:00p.m.

Included in Full and Thursday Only Registration options



Start the meeting off by networking with your colleagues and friends while enjoying light hors d'oeuvres and drinks on the Embassy Suites patio. This reception also will feature some great music from the band, The Torts, are an insurance rock band. Formed by a group of like-minded musicians at Grinnell Mutual, they create fun,

audience-friendly music experiences for corporate and community events. Their setlist focuses on upbeat, recognizable music with just enough special seasoning to make each song unique. The Torts feature (from right) insurance professionals Dan McCue (lead vocals guitar), Mike Shepardson (bass guitar, vocals), John Landkamer (keyboards), and Hugh Sheridan (percussion, vocals). At left is IDCA member Pete Lahn.

IDCA Hospitality Room

Wednesday, September 11, 7:00 p.m.

Thursday, September 12, After Evening Events

Hosted by the New Lawyers Committee

Registered attendees are welcome to meet up and exchange stories in the Hospitality Room. This is a great opportunity to get to know other members in a relaxed atmosphere.

Thursday Evening Reception

Iowa Taproom, 215 E. 3rd Street, Des Moines, IA 50309

Featuring: Music from The Cody Hicks Band

Thursday, September 12th

5:30–7:30 p.m.

Included in Full and Thursday Only Registration options



Join us as we head on over to the Iowa Taproom for some great food, drinks, music, and fun with your colleagues! The Iowa Taproom is one of the coolest places to be in Des Moines, and it is within walking distance from the Embassy Suites in Des Moines East Village. We also have on tap music by The Cody Hicks Band! Cody Hicks

has been playing live music for over a decade: from cover bands, original bands, and as a solo acoustic act. The Cody Hicks Band has opened for acts such as: Brothers Osborne, Casey Donahew, Granger Smith, Phil Vassar, Chase Rice, Tyler Farr, and Trace Adkins. The band was able to first record their original music in Nashville with producer Patric Johnson in the summer of 2014; that record titled "Gettin' Our Feet Wet" dropped in the spring of 2015. That summer the band shot their first music video for "In the Morning" with producer Rick Burger of Stang Films. The video was a huge success, reaching over 100,000 views on Facebook within the first week, and the views on YouTube continue to climb. Following the success of the music video the band released their first single "In the Morning" to country radio. The following spring, the guys released their follow up single, "Left Turn". This song quickly became the blue-collar anthem for dirt track racers nationwide. This single, also produced a music video which shared a combined 1M views between Facebook and YouTube. The music video for "Left Turn" was a 2018 Midwest CMA Music Video of the Year nominee.

IDCA FUNDRAISER: SILENT AUCTION

Wednesday, September 11– Friday, September 13th

IDCA will be conducting a Silent Auction throughout the Annual Meeting to raise money for the Iowa Legal Aid. If you would like to donate an item for the auction, please contact Kristen at meetings@iowadefensecounsel.org.

Register Today at:

[www.iowadefensecounsel.org/
AnnualMeeting2019](http://www.iowadefensecounsel.org/AnnualMeeting2019)

IDCA 55TH ANNUAL MEETING & SEMINAR

SESSION SPEAKERS & DESCRIPTIONS

Wednesday, September 11, 2019

5:00–7:00 p.m.



IDCA Welcome Reception Featuring Music from The Torts

Join us for cocktails and light hors d'oeuvres and enjoy music from the band, The Torts. Open to all IDCA Annual Meeting attendees and sponsors.

Sponsored by: Grinnell Mutual Reinsurance Company

7:00 p.m.

IDCA Hospitality Suite Open, *Hosted by the New Lawyers Committee*

Thursday, September 12, 2019

7:00 a.m.–5:00 p.m.

Registration and Exhibits Open

Breakfast on your own. Embassy Suites guests may enjoy the hotel's complimentary made-to-order breakfast.

7:00–8:00 a.m.

Defense Update Board of Editors Breakfast

7:50–8:00 a.m.

Welcome & Opening Remarks

8:00–8:45 a.m.

Leadership and Perseverance Through Adversity



Jeff Menary, President & CEO, Grinnell Mutual, Grinnell, IA

Jeff Menary was set to take over as president and CEO of Grinnell Mutual in December 2017, however in September 2017, he was sidelined after he was bitten by a mosquito which happened to be carrying the West Nile virus. Jeff will share his story of working through the ranks at Grinnell Mutual, his recovery from West Nile virus and how this illness has affected his thoughts on leadership and his own leadership style as CEO.

8:45–9:30 a.m.

Everything You Need to Know About State Constitutional Tort Claims



Todd Pettys, Esq., H. Blair and Joan V. White Chair in Civil Litigation, University of Iowa College of Law, Iowa City, IA

After briefly reviewing the current status of Bivens claims under the U.S. Constitution, we will discuss the newly emerging field of state constitutional tort claims in Iowa, paying particular attention to the Iowa Supreme Court's recent rulings in *Godfrey v. State* and *Baldwin v. City of Estherville*.

Thursday, September 12, 2019 – con't.

9:30–10:30 a.m.



Taking the Heat for Tweet: Ethical Concerns with Lawyers' Use of Social Media

John G. Browning, Esq., Passman & Jones, Dallas, TX

Using real-world examples drawn from cases, disciplinary actions, and ethics opinions across the country; this presentation examines the ethical pitfalls of attorney use (and misuse) of social media. From concerns about confidentiality, fact investigation, and preservation of evidence, to counseling clients and researching jurors' online profiles, this program offers lawyers invaluable guidance about some of today's most cutting-edge issues.

10:30-10:45 a.m.

Networking Break with Exhibitors

10:45–11:30 a.m.

Beyond the Numbers: How to Use an Expert in Alcohol & Drug Cases

Ted W. Simon, Ph.D., DABT, Principal, Ted Simon LLC, Atlanta, GA



An expert can help clarify scientific evidence for a judge or jury and help counsel craft a science-based and persuasive argument. This presentation will cover toxicology on alcohol and the recognition of impairment, cannabis as a causal factor in MVA, Ambien and sleep-driving, and hair testing for amphetamines and cocaine.

11:30 a.m.–12:15 p.m.

Let's Talk About Your Health

Dr. Amy Michelle Wilcockson, Live Healthy Iowa, Ames, IA



Dr. Amy will discuss what we think we know, that attorneys experience alcohol use disorders at a higher rate than other professional populations in addition to mental health distress. Dr. Amy will examine how we can address the stress in our lives and what we can do to make our health a priority so that we can try to avoid the pitfalls that plague our profession.

12:15–1:15 p.m.

IDCA Awards and Annual Business Meeting & Networking Lunch

Sponsored by: Exponent and Minnesota Lawyers Mutual Insurance

1:15–2:15 p.m.

Power Hour: Discussing the Health and Wellness of the Judicial System



*Judge Rebecca Goodgame Ebinger, U.S. District Court for the Southern District
Chief Justice Mark Cady, Iowa Supreme Court
Chief Judge Kellyann Lekar, Iowa District Court 1B
Judge Michael J. Melloy, U.S. 8th Circuit
Judge Thomas N. Bower, Iowa Court of Appeals*

Moderator: Justice Christopher McDonald, Iowa Supreme Court

You don't want to miss this candid panel discussion with six of Iowa's most well-respected justices and judges about the health and wellness of the legal system including demands on the court system, professionalism and candor before the court, and attacks on the integrity and credibility of the judicial system overall.

Thursday, September 12, 2019 – con't.

2:15–3:00 p.m.



Utilizing the Forensic Chiropractor in Bodily Injury Litigation

Dr. Scott Misek, Heritage Musculoskeletal Assessment Center, Omaha, NE

Not all bodily injury cases are alike, especially when the injured party seeks chiropractic care. Learn from a Forensic Chiropractor on how to overcome challenges with chiropractic case analysis. Topics covered include standards of care, clinical practice guidelines and maximum medical improvement.

3:00–3:15 p.m.

Networking Break with Exhibitors

3:15–4:00 p.m.

Helping to Save Jury Trials Through Jury Trial Innovations

Judge Mark Bennett, Retired U.S. District Court Judge for the Northern District of Iowa

Judge Bennett will discuss his experience in civil jury trials in six different federal district courts using jury trial innovations to make juror good-will ambassadors for the jury trial system and make jury trials more enjoyable for counsel.



4:00–4:45 p.m.

Reptile Revisited and Reversed

Brian Yung, Esq., Klass Law Firm, L.L.P., Sioux City, IA

Judge Sharon Soorholtz Greer, Iowa Court of Appeals

John Gray, Esq., Heidman Law Firm, Sioux City, IA



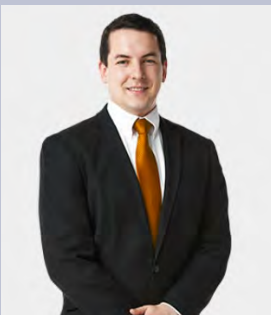
We've all likely experienced tactics used by some attorneys which focus on establishing safety rules that have obviously been violated and have nothing to do with any legal standard that exists in trying to sway the jury to their side of the case. We will discuss the latest tactics that have been used, how the courts have addressed these theories and when the use of the Reverse Reptile may be helpful in your case.

4:45–5:00 p.m.

Case Law: Updates Torts/Negligence

Josh Strief, Esq., Elverson Vasey, Des Moines, IA

A brief overview of the past year's appellate decisions affecting civil tort litigation.



Thursday, September 12, 2019 – con't.

5:30–7:30 p.m.



Thursday Night Reception at The Iowa Taproom, 215 E. 3rd St. #100, Des Moines Featuring Music from The Cody Hicks Band

Join us for fun, drinks and heavy appetizers. Plus, enjoy music from the Cody Hicks Band at The Iowa Tap Room located in the East Village of Des Moines, IA.

After Evening Events

IDCA Hospitality Suite Open, Hosted by the New Lawyers Committee

Friday, September 13, 2019

7:00 a.m.–1:15 p.m.

Registration and Exhibits Open

Breakfast on your own. Embassy Suites guests may enjoy the hotel's complimentary made-to-order breakfast.

8:00–8:15 a.m.



Case Law Updates: Contracts/Commercial

Luke Jenson, Esq., Swisher & Cohrt, Waterloo, IA

A survey of notable Iowa Supreme Court and Iowa Court of Appeals decisions focused primarily on contract law and commercial law from September 15, 2018, through August 5, 2019.

8:15–9:15 a.m.



Voir Dire: The Good, Bad and the Ugly as Seen from the Bench

Judge Richard D. Stochl, Iowa District Court 1B

Judge Jeffrey D. Farrell, Iowa District Court 5C

Have you ever wondered what the judge thought of your voir dire? The Honorable Richard D. Stochl and The Honorable Jeffrey D. Farrell will give you some insights on the voir dire they've seen: the good, the bad, and the ugly, as well as provide some tips for a more effective voir dire.

9:15–10:45 a.m.



Bringing it Together for Trial, Attacking Damages

J. Ric Gass, Esq., Gass Weber Mullins LLC, Milwaukee, WI

They are "claims" until a jury decides what are "damages." This presentation looks at how to deal with claims of damages and to "handle" them without being perceived as "attacking." It also presents "The Five Ways to Deal with Damages" and how to deal with damages claims "holistically" in the entire trial and not as a separate distinct segment.

Friday, September 13, 2019 – con't.

10:45–11:00 a.m.

Networking Break with Exhibitors

11:00 a.m.–12:00 p.m.

The Ethical Conundrums of Marketing and Managing

Karen R. Glickstein, Esq., Jackson Lewis P.C., Overland Park, KS



Marketing has become expected for attorneys seeking to build their book of business. And, once that business comes in the door, client work is often performed by various members of a legal “team.” Ms. Glickstein will lead a discussion of the ethical issues and rules involved in seeking out new clients and in working with professional and administrative personnel to insure the client’s needs are met without any intentional or inadvertent hitches.

12:00–12:15 p.m.

Case Law Updates: Developments in Employment Law and Civil Procedure

Kristymarie Shipley, Esq., Shuttleworth & Ingersoll, Cedar Rapids, IA



This program will cover relevant case law reflecting changes in employment law and/or civil procedure. This will include information about the process to update the model jury instructions and e-filing guidelines for electronic exhibits.

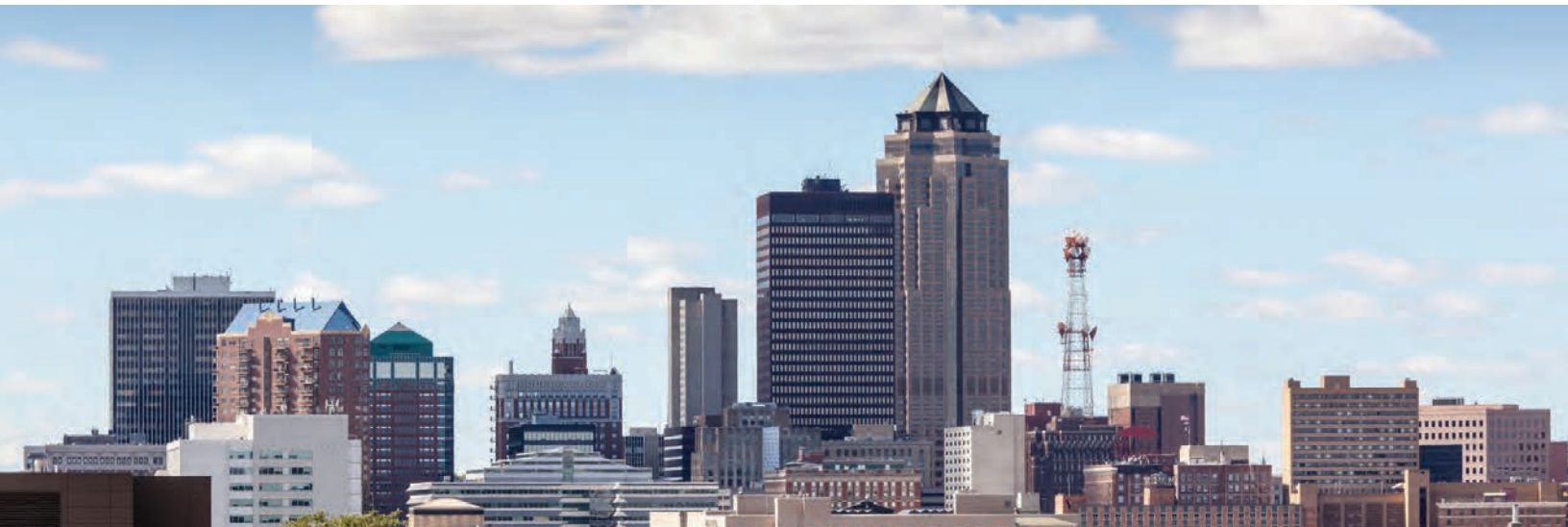
12:15–1:15 p.m.

Web 3.0 Beyond Facebook: Current Trends in Social Media Investigations

Ben Stevenson, Esq., Threlkeld Stevenson, Indianapolis, IN



While Facebook discovery is now commonplace, much of the population has moved on to other social media sites such as Instagram, Twitter, YouTube, Reddit, and Snapchat. This presentation examines how to obtain and preserve discovery from these sites, along with suggestions for overcoming plaintiff’s attempts to hinder social media investigations.



ATTENDEE REGISTRATION

CONTACT INFORMATION

Name _____ Firm _____

Address _____ City _____

Phone _____ Email _____

Dietary Requirements/Food Allergies (Please specify) _____

Special Needs Request (Please Specify) (Wheelchair access, etc.) _____

REGISTRATION FEES

FULL REGISTRATION

THURSDAY ONLY

FRIDAY ONLY

| | On/Before Aug. 30 | After Aug. 30 | On/Before Aug. 30 | After Aug. 30 | On/Before Aug. 30 | After Aug. 30 |
|---|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| Member | <input type="checkbox"/> \$275 | <input type="checkbox"/> \$325 | <input type="checkbox"/> \$185 | <input type="checkbox"/> \$235 | <input type="checkbox"/> \$120 | <input type="checkbox"/> \$170 |
| In Practice 4 Years or Less – Member | <input type="checkbox"/> \$175 | <input type="checkbox"/> \$225 | <input type="checkbox"/> \$100 | <input type="checkbox"/> \$150 | <input type="checkbox"/> \$75 | <input type="checkbox"/> \$125 |
| Non-Member* | <input type="checkbox"/> \$475 | <input type="checkbox"/> \$525 | <input type="checkbox"/> \$285 | <input type="checkbox"/> \$335 | <input type="checkbox"/> \$240 | <input type="checkbox"/> \$290 |
| In Practice 4 Years or Less – Non-Member* | <input type="checkbox"/> \$275 | <input type="checkbox"/> \$325 | <input type="checkbox"/> \$200 | <input type="checkbox"/> \$250 | <input type="checkbox"/> \$150 | <input type="checkbox"/> \$200 |
| Claims Professional** | <input type="checkbox"/> \$100 | <input type="checkbox"/> \$150 | <input type="checkbox"/> \$100 | <input type="checkbox"/> \$150 | <input type="checkbox"/> \$100 | <input type="checkbox"/> \$150 |

*Take advantage of IDCA's new member promotion. Join now and receive complimentary dues until December 2020 and the member rate to the IDCA Annual Meeting. First-time members only.

**Claims Professionals Rate: Not receiving CLE

I PLAN TO ATTEND

These events are included within your registration fees. For planning purposes, indicate which you will participate:

- Wednesday Welcoming Reception
- Thursday Networking Lunch
- Thursday Evening Reception

METHOD OF PAYMENT ACCEPTED

Check

Visa

MasterCard

American Express

Card Number _____ Expiration Date ____ / ____

Print Name on Card _____ CVV: _____

Signature _____

Early-bird registration ends August 30, 2019.

CANCELLATION/REFUND POLICY

If written cancellation is received by September 6, 2019, a full refund will be issued. No refunds for cancellations after September 6, 2019, no refunds for No-Shows.

For security purposes, do not email payment information.

Register online, www.iowadefensecounsel.org/AnnualMeeting2019 or return completed form and payment to:

Iowa Defense Counsel Association
1255 SW Prairie Trail Parkway
Ankeny, IA 50023-7068
Fax: (515) 334-1174



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1255 SW Prairie Trail Parkway
Ankeny, IA 50023-7068

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2019

55TH IOWA DEFENSE COUNSEL ASSOCIATION ANNUAL MEETING & SEMINAR



September 12-13
Embassy Suites by
Hilton Des Moines Downtown,
Des Moines, Iowa

REGISTER ONLINE:

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