



IN THIS ISSUE: [Meetings, Legislative & Election Update](#),

FROM THE PRESIDENT

Greg W. Curry, Thompson & Knight, L.L.P.; Dallas



The TADC is full steam ahead with its 50th-year activities with the successful completion of the 28th installment of the TADC Trial Academy, held in the Galveston County Justice Complex April 23-24. The Trial Academy is one of TADC's premier programs, providing Trial Advocacy training to young attorneys licensed less than 6 years. Academy Co-Chairs Fred Raschke with MillsShirley, L.L.P. in Galveston and Mike Hays with Hays, McConn, Rice & Pickering, P.C. in Houston assembled an outstanding faculty including Federal District Judge Kenneth Hoyt and State District Judges Patricia Kerrigan and Susan Criss, as well as seasoned trial attorneys from not only the Gulf Coast, but all over Texas.

Following the Trial Academy, the 2010 TADC Spring Meeting was held in San Diego at the Hotel del Coronado, April 28-May 2. Program Co-Chairs Carol Traylor with Cantey Hanger, L.L.P. in Fort Worth and Greg Blaies with Blaies & Hightower also in Fort Worth carried out a program with 11 hours of legal education and speakers including TADC member and current President of the Texas State Bar, Roland Johnson and David Freeman with the Freeman Consulting Group who discussed Business Development for the Trial Lawyer.

There is still time to register for the Summer Seminar in fabulous Los Cabos Mexico! The program contains 9 hours of CLE and such topics as Rainmaking, diversifying and Promoting Your Law Firm, Risk Management, Indemnity and Conflicts of Interest and presentations and panel discussions with corporate counsel. Register now as the cutoff is June 14, 2010.

We now set our sights on TADC's 50th Anniversary Annual Meeting to be held in San Antonio, September 22-26, 2010 at the fantastic Hyatt Hill Country Resort. Not only will this be a truly special celebration of the history of the TADC but the programming is without a doubt, some of the best available for the practicing trial lawyer. The focus of the CLE is on the practical rather than the theoretical. Topics will range from the Preparation of Experts, to Do's and Don't's of Federal Court Practice. Judges from all levels will complete panels and ethics discussions. Make plans to attend now. Registrations have been mailed and the hotel will sell out quickly, so make your reservations today!

So many law firms have played a pivotal role in the success of TADC through the years. We want to give your firm the opportunity to be recognized at the Annual Meeting by signing up as a sponsor for the event. For sponsorship information, contact the TADC office or see registration materials.

I end my remarks by asking you to recruit a member. The TADC is the premier organization of its kind in the United States. There is no other group in Texas representing your interests as Defense Trial Counsel and no better value for your dollar. The business development opportunities are fantastic as is the education and representation of the defense bar before the legislature. If you have not yet renewed your membership, do it today. If you know someone who is not a member of TADC and should be sign, them up! [CLICK HERE](#) for a membership application. We remain strong as an organization.

There is still time to register!

***2010 TADC Summer Seminar
Westin Los Cabos, Los Cabos, Mexico
July 14-18, 2010***

Don't miss the amazing program including:

- Effective Voir Dire for the Defense*
- Social Media as Tools for Litigation*

- *How to Keep Clients, from the Clients' Perspective*
- *Over 9 hours CLE including 1.5 hours ethics*

The Westin Los Cabos has extended the TADC a Fantastic Rate! Secure your accommodations now. Airfares are EXTREMELY reasonable now!

Hotel reservation cutoff is June 14, 2010
[CLICK HERE](#) for Registration Materials

Plan to Attend
2010 Annual Meeting/50th Anniversary
Hyatt Hill Country Resort, San Antonio, Texas
September 22-26, 2010

A program for the practicing trial lawyer:

- *What Defense Attorneys Do Wrong*
- *Tips for the Courtroom: Practical Advice for the Trial Lawyer*
 - *The Good Advocate: A Perspective from the Bench*
 - *Over 11 hours CLE including 2.5 hours ethics*

The Hyatt Hill Country has extended the TADC an excellent Fall rate! Secure your accommodations now – this meeting WILL sell out quickly!

[CLICK HERE](#) for Registration Materials

Deal for TADC Members
DRI Oil Spill Litigation & Emerging Issues Seminar
The Houstonian Hotel, Resort and Spa
August 12-13, 2010

Topics Include:

- ***Engineering & Technical Analysis of an Oil Rig & Coming Regulations***
 - ***The Offshore Energy Insurance Market***
- ***Internal Investigations: Company Audits, State Oil Rig Inspections & Criminal Indictments***
- ***State & Federal Venue Implications on AG and Governmental Actions***

SPECIAL FOR TADC MEMBERS: Save \$100 on your registration if you indicate that you are a member of the TADC!

[CLICK HERE](#) for Registration Materials

CALENDAR OF EVENTS

<i>July 14-18, 2010</i>	<i>TADC Summer Seminar</i> <i>Westin Los Cabos – Cabo San Lucas, Mexico</i> <i>Patricia Alvarez & Ed Carlton, Co-Chairs</i> <i><u>Registration</u></i>
<i>August 6-7, 2010</i>	<i>Budget/Nominating Committee</i> <i>Austin, Texas</i>
<i>September 22-26, 2010</i>	<i>TADC Annual Meeting (50th Anniversary of TADC)</i> <i>Hyatt Hill Country Resort – San Antonio, Texas</i> <i>Christy Amuny & Jane Haas, Co-Chairs</i> <i><u>Registration</u></i>
<i>November 12-13, 2010</i>	<i>TADC Board of Directors Meeting</i> <i>Horseshoe Bay, Texas</i>
<i>January 14-15, 2011</i>	<i>TADC Board of Directors Meeting</i> <i>Austin, Texas</i>
<i>February 2-5, 2011</i>	<i>TADC Winter Seminar</i> <i>Steamboat Sheraton – Steamboat Springs, CO</i> <i>Mitch Smith & Slater Elza, Co-Chairs</i>

<i>March 4-5, 2011</i>	29th Annual TADC Trial Academy <i>Austin, Texas</i> <i>Brad Douglas & Tasha Waddell, Co-Chairs</i>
<i>March 30-April 1, 2011</i>	TADC Spring Meeting <i>Hyatt Regency on Lady Bird Lake – Austin</i> <i>Pat Weaver & Clayton Devin, Co-Chairs</i>
<i>July 13-17, 2011</i>	TADC Summer Seminar <i>Snake River Lodge & Spa – Jackson Hole, Wyoming</i> <i>Mark Walker & Russell Smith, Co-Chairs</i>
<i>August 5-6, 2011</i>	Budget/Nominating Committee <i>Austin, Texas</i>
<i>Sept. 27-Oct. 1, 2011</i>	2011 Annual Meeting <i>Hyatt Regency Maui – Maui, Hawaii</i> <i>David Chamberlain & Mitzi Mayfield, Co-Chairs</i>

LEGISLATIVE/ELECTION UPDATE

The House Judiciary and Civil Jurisprudence Committee held a hearing on May 26 regarding its interim charges on barratry and mesothelioma. The TADC, Texas Trial Lawyers Association, Texas Civil Justice League, and others offered testimony on the barratry issue in support of Chairman Todd Hunter and the committee's effort to strengthen protections against case running. Significant questions were raised at the hearing with respect to the scope of the proposed statute and whether fee forfeiture was an appropriate remedy in some cases. The committee will continue studying the issue in a working group, and TADC will be closely monitoring the committee's work.

The portion of the hearing devoted to causation standards in asbestos-related mesothelioma cases revolved around the Supreme Court of Texas' decision in Borg Warner. TCJL and TLR presented testimony by former Texas Supreme Court Justice Scott Brister and defense attorneys Kay Andrews and David Herrick on the development of the Borg Warner standard and its scientific basis. The plaintiff's side, represented by Brian Blevins of Provost Umphrey and Charles Siegel of Waters and Kraus, argued that the Lohrman case established the standard in use in most jurisdictions and should be followed in Texas. As it is doing with all interim issues, the committee will continue its consideration of the issue in a working group.

The June and July hearings of the committee will take up two additional interim charges, judicial campaign finance and workers' compensation. The TADC Legislative Committee is currently preparing testimony for the hearings.

The House Ways and Means Committee likewise met on May 26 to discuss the state franchise tax and whether any changes should be made to enhance revenue from the tax. With the state facing a potential \$18 billion budget shortfall for the next biennium, both the House committee and the Senate Finance Committee are looking for ways to raise additional revenue without "new" taxes. Expanding existing taxes or eliminating exemptions may well be on the table, although Governor Perry, Lt. Governor Dewhurst, and Speaker Straus have indicated that they do not believe a tax bill will be necessary to balance the budget. Of course, whether base expansion or exemption repeal is a "new" or increased tax is open to question, and we are likely to hear a lot of debate over that issue in the months to come. TADC is paying very close attention to the ongoing revenue discussions in the Legislature, and we are particularly sensitive to any suggestion of imposing a new tax (i.e., a gross receipts tax on professional services), subjecting legal services to the sales tax, or increasing the rate of the franchise tax.

A key state senate seat is up for grabs in a June 22 special election in Senate District 22. Longtime incumbent Sen. Kip Averitt (R-Waco) resigned the seat this spring. Former Sen. David Sibley (R-Waco) and Burleson businessman John Birdwell are vying to represent the district. Sibley led into the runoff, but Birdwell is mounting a strong challenge for the seat.

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