



FROM THE PRESIDENT

Junie Ledbetter,
Jay R. Old & Associates, PLLC, Austin

We are off to a great start for the 2013 - 2014 year of activities starting with the first Board Meeting of the year in San Antonio on November 8 - 9. TADC welcomed new Directors to this first meeting. We hope you will join us in extending a hearty welcome to the newest directors taking on organization responsibilities:

- Jeffrey Webb of Norton Rose Fulbright's San Antonio office (District #17 Director),
- Peggy Brenner of Schirrmeister Diaz-Arrastia Brem in Houston (Director at Large) ,

tz Mayfield of Riney & Mayfield in Amarillo (Director at Large),
on Mendoza of Davis, Cedillo & Mendoza, Inc. (Director at Large),
ck A. Morrow of Fulbright & Jaworski in Houston (Director at Large), and
uren Freeland of Naman, Howell, Smith & Lee in Austin (Young Lawyer Committee Chair).

Winter Seminar in Crested Butte—28" of fresh powder since last Saturday:

Program chairs Heidi Coughlin and Victor Vicinaiz have scheduled outstanding speakers for TADC's Winter Seminar in Crested Butte for February 5 – 9, 2014. If you are not already familiar with this venue, take a look at the article in the *Austin American-Statesman* describing Crested Butte as one of the top 10 family ski resorts. Join us there for some good TADC fellowship and CLE credit. Bring the whole family for memorable times on the slopes.

Crested Butte Program Co-Chairs: Heidi Coughlin (hcoughlin@w-g.com) and Victor Vicinaiz (vvicinaiz@rofillp.com)

Programming both Local & Statewide::

While statewide meetings and CLE events are planned this year in Washington DC, San Antonio, Ruidoso, and Coeur d'Alene, your local directors will also be

contacting you about programming in your local area. These functions are opportunities to pick up some local CLE hours on pertinent topics, exchange stories with your colleagues, and strengthen your TADC connections. It's also a great opportunity to bring in new members that are near and dear to your hearts in your own community . . . maybe even bring in new members from your own firms. Feel free to contact your local directors and regional vice presidents to get involved in these events.

TADC Programs Vice Presidents: Pat Weaver (pweaver@burlesonllp.com) and Pamela Madere (pmadere@coatsrose.com)

Publications:

TADC will continue to provide timely e-Updates, magazine articles in the spring and fall, case reports, and updates on legislative matters in this off-session year. You should receive your 2014 membership roster after the first of the year. More personal and topic-specific communications occur on a frequent basis in the TADC's LinkedIn "group", and on the TADC Twitter account. (Thanks again to Dan Worthington for his expertise in setting up these forums.) Only TADC members are allowed to join the TADC LinkedIn group. If you haven't signed up for these 2 new features, think about giving them a try. Once you set up your accounts to receive posts, you can learn a lot about what's trending in our litigation world. And you can submit your own contributions as well. In addition, remember that TADC has a long-standing bank of papers as presented at various meetings that are available to members. Visit our website www.tadc.org

TADC Publications Vice Presidents: Mark Walker (mwalker@coxsmith.com) and Christy Amuny (christy@bainlaw.net)

Legislative Matters:

The legislature is not scheduled to meet this year, but that doesn't mean things aren't happening. Legislative Vice Presidents Clayton Devin (cdevin@macdonalddevin.com) of Dallas and K.B. Battaglini (kbattaglini@strongpipkin.com) of Houston and the Legislative Committee are watching for releases describing interim charges. The committee will follow up on items of interest to TADC and welcomes participation by any and all TADC members. Various programs during the year are expected to discuss the outcome of the legislative enactments of earlier this year. Feel free to contact us about topics of particular interest or concern to you and your firm during the coming months.

Michele Smith, President Elect with MehaffyWeber in Beaumont, presented a PAC report outlining the current status of TADC's PAC projects. She encouraged contributions by all in order to enable meaningful contributions by the group.

Membership Incentives:

TADC finished out the 2012 - 2013 year with about 1800 dues-paying members on the roll, but our goal is to increase membership by 10% during the year. The Membership Committee will publish a rewards and incentives program in early 2014 that should entice every one of you to encourage friends and colleagues to join us in our shared professional projects. Be watching for those announcements.

Membership Committee Vice Presidents: Mark Stradley (mark@stradleylawfirm.com) and Jerry Fazio (jfazio@owenfazio.com)

The Young Lawyers Committee will be encouraged to showcase their talents during the year in planning projects and presentations.

All told, the Board made a good start on plans and projects for the coming year with an eye toward member benefits and involvement, membership increases, quality programming locally and statewide, and legislative planning. I encourage you to help develop our young lawyers and take an active role in TADC yourself in any area that interests you. Visit www.TADC.org for a calendar and membership information.

I look forward to working with you and hearing from you. Until next time, best wishes for a warm and happy Thanksgiving holiday with family and friends.

REMINDER

2014 Dues statements were mailed on November 1, 2014 and are due on January 1, 2014. If you need another copy of your dues statement, please email the TADC at tadc@tadc.org

LEGISLATIVE/POLITICAL UPDATE

The filing period for the March 2014 party primaries is underway and will close on December 9. At that time, we will have a complete list of statewide and legislative races for consideration by the TADC PAC, so stay tuned!

We do know that Justice Phil Johnson has drawn a primary opponent, 14th Court of Appeals Justice Sharon McCally. There are also indications that Justice Jeff Brown may draw an opponent, possibly Joe Pool, Jr., an Austin-area practitioner who ran for the Court in 2010.

Legislative interim charges have begun to trickle out in the Senate. Lt. Governor Dewhurst has assigned three subjects of potential interest to TADC members. He has asked Senate State Affairs to study and make

recommendations regarding patent infringement litigation. So-called "patent trolling" has become a national issue, with federal legislation pending both in the U.S. House and Senate. The problem arises from the practice of "Patent Assertion Entities" (PAEs) which buy up patents they do not intend to produce and then assert infringement claims against technology firms that attempt to develop products in the same area. The problem has an international dimension as well, particularly in Europe where European governments promote PAEs to challenge American businesses research and development. What individual states can do about an issue involving federal patent law remains unclear.

The Senate Business & Commerce Committee will look at two issues related to property and casualty insurance. Business & Commerce will investigate the administrative and financial state of the Texas Windstorm Insurance Association (TWIA) and determine alternative financial methods to fund a probable maximum loss of a 1-in-75 or 1-in-100 year event. Additionally, the Lt. Governor requested the Committee to monitor litigation developments, develop and evaluate plans to reduce TWIA's total insured exposure, make recommendations regarding an exposure reduction clearinghouse under development at TWIA, which aims to assist the transfer of TWIA policies to the free market, make recommendations regarding the qualifications for building inspectors conducting inspections for the TWIA and other building inspectors statewide, and consider expanding the types of professionals qualified to conduct inspections and the appropriate entity to oversee inspectors.

The Lt. Governor also directed the Committee to review the Texas FAIR Plan's organizational and financial structure as the state's insurer of last resort for residential homeowner's insurance coverage. Additionally, Dewhurst charged the Committee to study, in particular, the structural relationship to TWIA, cause of its current debt, and available coverages and rates compared to the private market.

A legislative created joint House-Senate committee on judicial selection alternatives is awaiting appointment and may not get going until after the March primary. We also expect the House to announce its interim charges in the near future.

REMINDER! – REGISTER NOW

for the 2014 TADC Winter Seminar!

**Join the TADC in Crested Butte, Colorado -
February 5-9, 2014 – Elevation Resort & Spa**

A program for the practicing trial lawyer:

~ *Legal Malpractice – Causes and Avoidances* ~

~ *Trial by Deposition: Leaving your Opponent in the Dust!* ~

~ *Windstorm First Party Cases* ~

~ *Preservation of Error* ~

.....and more!

8.25 hours of CLE including 1.5 hours ethics

Great Air Service on American & United into Gunnison or Montrose and the Elevation has extended the TADC an excellent winter rate!

*****The Hotel advises that rooms are filling rapidly and asked that we let everyone know to be sure and secure your accommodations as soon as possible.***

Hotel Reservation cut-off date is

December 20, 2013

REGISTRATION MATERIALS HERE

CALENDAR OF EVENTS

January 24-25, 2013

TADC Board of Directors Meeting
Radisson Town Lake - Austin, Texas

February 5-9, 2014-

REGISTRATION MATERIAL

TADC Winter Seminar
Elevation Resort & Spa – Crested Butte, Colorado

Heidi Coughlin & Victor Vicinaiz, Co-Chairs

March 14-15, 2014 - *Registration material available in early January*

TADC Trial Academy

Omni Colonnade – San Antonio, Texas

Troy Glander & Gayla Corley, Co-Chairs

April 9-13, 2014 - *Registration material available in early February*

TADC Spring Meeting

The Fairfax Embassy Row – Washington, D.C.

Mike Morrison & Doug McSwane, Co-Chairs

July 16-20, 2014 - *Registration material available in early May*

TADC Summer Seminar

Coeur d'Alene Resort – Coeur d'Alene, Idaho

Brad Douglas & Charlie Downing, Co-Chairs

September 24-28, 2014 - *Registration material available in mid-July*

TADC Annual Meeting

Hyatt Hill Country Resort – San Antonio

Tom Ganucheau & Mitzi Mayfield, Co-Chairs

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