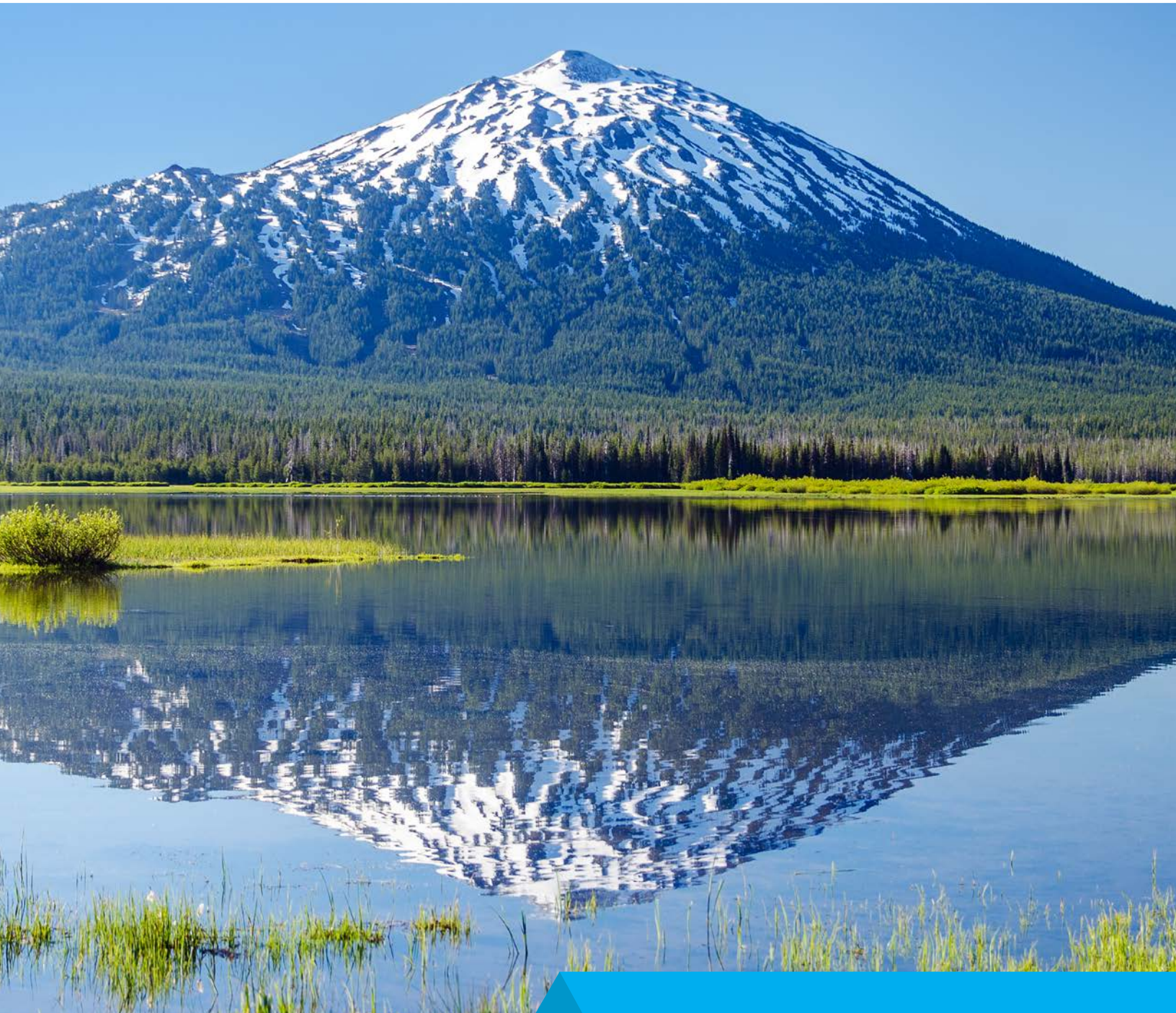




# 2022 OADC ANNUAL CONVENTION

THURSDAY, JUNE 16 - SATURDAY, JUNE 18 | SUNRIVER RESORT - SUNRIVER, OREGON



### **Make Your Lodging Reservation Today!**

Contact Sunriver Resort directly at 800.547.3922 and ask for the OADC's 2022 Annual Convention room block or make your reservation online at <https://www.sunriverresort.com/group-stays/oregon-association-of-defense-counsel>

### **CLE Credit NOTES**

*Application has been made to the Oregon and Washington State Bars for approximately 8 general CLE credit hours. The State Bars reserve the right to make the final determination of eligible CLE credits*

[www.oadc.com](http://www.oadc.com)



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## CONVENTION SCHEDULE-AT-A-GLANCE

### Thursday – June 16

- 3:00 pm **Sunriver Lodge Check-in Time**
- 5:30 – 7:00 pm **Convention Registration Open**
- 6:00 – 9:00 pm **Kick-Off Reception & Family Game Night**  
A popular addition in 2021, the 2022 Convention will bring the family together again this year for a night of games and reconnecting. Bring your families and mingle with friends in a safe outdoor environment. The new Cove Event Yard is a beautiful outdoor space that will allow us to play games such as corn hole, croquet and bocce ball, plus more.
- 9:00 pm **New Lawyer’s “After-Hours” Gathering at the Owl’s Nest**  
Continue the tradition as lawyers practicing 5 years or less gather at the Owl’s Nest at the Sunriver Resort main lodge to mingle and connect

### Friday – June 17

- 7:30 am **Convention Registration, Continental Breakfast and Exhibits for CLE Attendees**
- 8:00 am – 12:15 pm **CLE Sessions**
- 12:45 pm **Golf Tournament at Sunriver’s Meadows Golf Course\*\***  
Fun for the expert and novice alike, this scramble format tournament allows players to hit from the foursome’s best shot. Pairings will be developed by the golf chair and posted at the convention along with the assigned tee times.
- 3:30 – 4:30 pm **Islands of Fun (hosted by New Lawyers Group)**  
The OADC Convention is a family affair. We encourage you to bring your children with you, and for the first time, we’ll have activities dedicated specifically for your children. Join other OADC families and explore the Islands of Fun, including crafts and other activities.
- 5:30 – 6:30 pm **Women in Law Social Hour \*hosted**  
Join us for the annual Women in Law hosted social hour. All are invited to mingle and connect and build our network.
- 6:30 – 10:30 pm **A Murder Mystery Show – Murder at Capone’s Place**  
The year is 1929 and Al Capone has the city of Chicago in the palm of his hands. Judges, police chiefs, and other city officials are on the payroll. The Capone gang controls prostitution, gambling and bootlegging in a city where you don’t live long if you cross Big Al. And here’s the kicker, you’re part of the action, so dress appropriately! Hors d’oeuvres and a full-service bar will be available.

### Saturday – June 18

- 7:30 am **Continental Breakfast and Exhibits for CLE Attendees**
- 7:45 am – 1:00 pm **CLE Sessions**
- 2:00 – 6:00 pm **Family Time; Afternoon Open to Enjoy Sunriver**

### Sunday - June 19

- 11:00 am **Sunriver Resort Check-out Time**

## Detailed CLE Schedule\*

Friday – June 17

7:30 am	<p><b>Registration, Continental Breakfast and Exhibits for CLE Attendees</b></p>
7:45 - 8:00 am	<p><b>Welcome, Introductions, Awards and Announcements</b> By Convention Chairs: Donna Lee, Hart Wagner PC; Brian Scott; and Stephen Yoshida, MB Law Group LLP</p>
8:00 – 9:50 am	<p><b>The Psychology of Negotiation</b> <i>Presented by Donna Shestowsky, J.D., PH.D.; Martin Luther King Jr. Professor of Law and Director of the Lawyering Skills Education Program, UC Davis School of Law</i></p> <p>How can you help your clients get what they want in a negotiation? Lessons from Psychology can help you gain an edge. In this highly interactive session, you will learn research-based strategies for preparing for negotiations and conducting them. Attendees will participate in a simulated negotiation, followed by discussion, lecture, and Q &amp; A.</p>
9:50 – 10:00 am	<p><b>Sponsor Spotlight and Networking Break with Exhibits</b></p>
10:00 – 11:00 am	<p><b>Mediator Panel</b> <b>Mediating Oregon Cases</b> <i>Presented by Senior Judge Daniel L. Harris, Harris Mediation &amp; Arbitration; Judge Jean Mauer, Mauer Mediation; Senior Circuit Court Judge Michael C. Sullivan, Sullivan Dispute Resolution Services</i></p> <p>This panel of seasoned mediators will offer you their observations and suggestions for successfully mediating cases.</p>
11:00 -11:15 am	<p><b>Sponsor Spotlight and Networking Break with Exhibits</b></p>
11:30 – 12:30 pm	<p><b>Lightning Round</b> <i>Lloyd Bernstein presents the always popular Lightning Round. Seven minutes each with these seven scintillating topics:</i></p> <ol style="list-style-type: none"> <li>1. <b>Techniques for Successfully Challenging the Pleadings Via Pre-Answer Motions to Dismiss</b> <i>Chris Morgan, Barran Liebman</i></li> <li>2. <b>Work Product: Why it's Different than Attorney/Client Privilege</b> <i>Lauren Blaesing, Markowitz Herbold</i></li> <li>3. <b>ORS 30.140: Issues and Practice Tips on the Duty to Defend in Construction Defect Matters</b> <i>Kevin Sasse, Dunn Carney</i></li> <li>4. <b>Construction Mediation Tips, Tricks, and Trends</b> <i>Jaimie Fender, Macmillan, Scholz &amp; Marks</i></li> <li>5. <b>Moody: Where We are 6 Months in Bad Faith in Oregon</b> <i>Christina Ho</i></li> <li>6. <b>The State of Common-Law Indemnity in Oregon and the Real-World Effects of Eclectic I &amp; II</b> <i>Connor King, Watkinson Laird Rubenstein P.C.</i></li> <li>7. <b>Expert Discovery and Motions for Summary Judgment in Oregon</b> <i>Elizabeth Esfeld, Preg O'Donnell &amp; Gillett</i></li> </ol>
12:15 pm	<p><b>Sponsor Spotlight, CLE Meetings Adjourn</b></p>

# Saturday – June 18

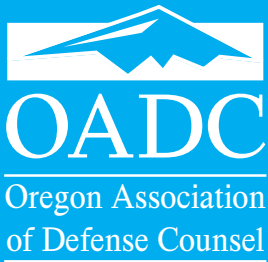
7:30 am	<b>Continental Breakfast for CLE Attendees</b>
7:45 – 8:00 am	<b>Introductions, Awards and Announcements</b> <i>By Convention Chairs: Donna Lee, Hart Wagner PC; Brian Scott; and Stephen Yoshida, MB Law Group LLP</i>
8:00 – 9:00 am	<b>A Supreme Overview</b> <i>Presented by Tom Dupree, Partner, Gibson Dunn, Washington D.C.</i> Supreme Court advocate Tom Dupree will break down the politics, personalities, and leading cases facing the Supreme Court in 2022 and beyond. Mr. Dupree’s engaging, energetic and informative presentation will provide invaluable information that every civil defense and governmental liability practitioner needs to know.
9:00 – 9:15 am	<b>Sponsor Spotlight and Networking Break with Exhibitors</b>
9:15– 10:15 am	<b>Appellate Update: Keeping your Practice Current</b> <i>Presented by Honorable Erin Lagesen, Oregon Court of Appeals; Judge Alycia Sykora, Deschutes County Circuit Judge, and appellate attorney Matt Kalmanson, co-managing partner, Hart Wagner PC</i> The ever popular appellate update returns with our panelists discussing the most recent significant Oregon appellate court opinions impacting civil defense practice.
10:15 – 10:45 am	<b>Networking Break with Exhibits</b>
10:45 – 11:45 am	<b>Trial by COVID: Factors to Consider in Civil Litigation</b> <i>Presented by: Lori Sicafuse, Litigation Consultant, Courtroom Sciences, Inc.</i> How has the pandemic impacted jury perceptions, and how can defense attorneys use this knowledge to achieve favorable case outcomes? Recent research has yielded data regarding changes in jury composition and juror attitudes in light of the pandemic and other social conditions. Results include changes in jurors’ perceptions of corporations, healthcare entities, and various other industries as well as jurors’ susceptibility to reptile tactics and social influence. This presentation will review this research and help defense counsel best position and present their case to appeal to these shifting mindsets as a result of the COVID-19 pandemic.
11:45 – Noon	<b>Networking Break &amp; Exhibits</b>
Noon – 1:00 pm	<b>Breakout Sessions - Choose One</b> <b>A1) EMPLOYMENT PRACTICE GROUP</b> <b>ADVANCED LEAVE AND ACCOMMODATION ISSUES FOR DEFENSE COUNSEL</b> <i>Presented by: Melissa Healy, Stoel Rives, LLP; Jacqueline Houser, Lewis Brisbois Bisgaard &amp; Smith LLP; Chet Nakada, Boli; Christine Sargent, Littler Mendelson, P.C.</i> Join us for an interactive presentation addressing all things related to protected leave (FMLA/OFLA, Oregon sick leave) and ADA and religious accommodations. Topics to be addressed include intermittent leave, mental health conditions, leave as an accommodation, common mistakes, and ever-evolving COVID-related leave and accommodation issues. <b>A2) CONSTRUCTION</b> <b>IF YOU BUILD IT: AN OREGON CONSTRUCTION UPDATE</b> <i>Presented by: Mario Nicholas, Stoel Rives LLP; and Angie Ott, Partner, Ball Janik LLP</i> Significant updates, trends, hot topics in Oregon’s construction industry. <b>A3) COVERAGE</b> <b>BAD FAITH CLAIMS IN OREGON AND THE IMPACT OF MOODY VS. OREGON COMMUNITY CREDIT UNION AND FEDERAL INSURANCE COMPANY</b> <i>Presented by: FJ Maloney, Shareholder, Maloney, Lauersdorf, Reiner; and Scott Maclaren, Shareholder, Maloney, Lauersdorf, Reiner</i> In January 2022, the Oregon Court of Appeals in <i>Moody v. Oregon Cmty. Credit Union</i> , 317 Or App 233 (2022), ruled that an insured could plead negligence theories against her insurer. The ruling signaled a potentially dramatic shift in Oregon law. Join experienced insurance litigators Scott Maclaren and F.J. Maloney as they explore the fallout of the Moody decision, and provide tips for representing insurance clients.
1:00 pm	<b>CLE Meetings Adjourn</b>

\*Schedule, times, presenters, topics subject to change

## CLE CREDIT NOTES

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## IMPORTANT OADC CONVENTION INFORMATION

### Lodging - Make your reservation TODAY

Sunriver Resort is pleased to extend special group lodging rates to OADC convention attendees. Sunriver Resort offers lodge guest rooms, condominiums, and homes for you to choose from. Sunriver Resort has a variety of pet and family friendly lodging options. For more information on what Sunriver Resort has to offer, visit their website at <https://www.sunriverresort.com/group-stays/oregon-association-of-defense-counsel>

**Important Note:** OADC contracts with Sunriver Resort for lodging and thus has obligations to meet. Please help us continue to be able to offer this benefit by booking your lodging DIRECTLY through Sunriver Resort - NOT a third-party website or provider.

Group room rates (per night) for OADC convention attendees are listed below, in addition to the current fees at time of booking: resort fee currently 15% per room per night, state tax, tax and assessment fees, and cleaning fees (if applicable to your lodging type). These rates are subject to change. Please consult with the reservation agent regarding lodging policies, cancellation, late arrival and early departure fees. Sunriver resort fees include: wireless internet, access to Sage Springs Club and Spa, complimentary access to The Cove, access to Resort swimming pools and hot tubs, access to Crosswater and Caldera Links, intra-Resort transportation, self-valet parking, newspaper in the Lobby, and in-room coffee.

Lodge Village Guestrooms .....	\$249
Lodge Village Suite.....	\$329
River Lodge King.....	\$309

2 and 3 bedroom condos; 3 bedroom townhomes; 3 and 4 bedroom homes\*

\*Homes and condominiums are subject to minimum night stays and best available rate at time of reservation. OADC is able to help secure 10% off the best available rate in homes and condos for our attendees at the time of booking. Please note that certain homes and condos may not be eligible for this discount.

To make your lodging reservation, contact Sunriver Resort directly at 800.547.3922 and ask for the OADC's 2022 Annual Convention room block or make your reservation online at <https://www.sunriverresort.com/group-stays/oregon-association-of-defense-counsel>

**Reservation DEADLINE:** Monday, May 2 - though we strongly encourage you to book your lodging right away - DO NOT DELAY. June at the resort is peak season and options are limited as time goes on, so making your reservation as soon as possible ensures the best available options and prices.

### Registration Information

**Member, Non-Member, and Judges Registration Includes:** all CLE programs and materials electronically (see below), Friday and Saturday CLE continental breakfasts, Thursday night reception and dinner, Friday night reception and entertainment, and beverage coupons for the Thursday and Friday night events.

**CLE Materials/Handouts:** OADC is increasingly aware that every piece of printed paper has an impact on our event's carbon footprint. In an effort to

### 2022 OADC Annual Convention Registration Pricing

OADC Member .....	\$495
Additional member same firm .....	\$465
Judge.....	\$200
Non-Member .....	\$695
<b>COMPANION REGISTRATION</b>	
Thursday & Friday evening events.....	\$200
Thursday Only .....	\$100
Friday Only .....	\$100
<b>CHILDREN REGISTRATION</b>	
Thursday Family Night .....	\$25 per child
Friday Reception.....	\$25 per child
Kids 0-5.....	FREE
Golf.....	\$140 per person

minimize paper waste and reduce meeting costs, CLE session materials will NOT be printed for attendees. Instead, they will be provided to each attendee electronically (via email) in advance of the convention (approximately week prior). If you wish to reference the materials during the sessions, we strongly encourage you to print and bring a copy. Power access will be extremely limited and not guaranteed. Printing materials onsite will not be able to be accommodated. Materials will be provided to attendees only as they are submitted by each speaker.

**Companion Registration:** Includes Thursday night reception and dinner with beverage coupons and Friday night reception and entertainment with beverage coupons.

**Guest/Additional Meal Tickets:** Tickets for the Thursday and Friday evening meals/events can be purchased for any companions, guests or children you would like to bring and are not already registered. Thursday and Friday evening meal tickets purchased for adults include two beverage coupons each night.

**Admission to Meal Functions:** Please note that all meal functions require a ticket for admission. If you have pre-registered, these will be provided in your name badge which you will receive when you check in at the OADC registration desk at the convention.

**Cancellation Policy:** Cancellations received on or before May 30 will receive the full registration amount back, minus a \$50 administrative fee. Cancellations received between May 31 and June 3 will receive a 50% refund of total fees. Cancellations received after June 3, no shows and same-day cancellations will not receive a refund. There will be no refunds given for partial attendance.

Space is limited and early registration is encouraged. In the event that room space becomes filled to capacity, some registrants will not be able to be accommodated and will be notified. Registrations will be accepted on a first-come, first-served basis.