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The UPDATE

News & Practice Pointers from OACTA

Fall 2014

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PRESIDENT'S MESSAGE

By **Anne Marie Sferra**
2014 OACTA President



I spent a fabulous evening this week with seven of my "girlfriend" lawyers. We are all litigators, but none of us are from the same firms. Our law school graduation dates range from the late '70's to 2000. Our backgrounds, ethnicities, politics, and personal and professional histories vary greatly. But as we talked and laughed (a lot), it was apparent that sometime, somewhere, in our youth we all perceived an injustice and rose to the occasion to right it. Often doing what we thought was right landed us in a difficult position with our school or an employer, and occasionally even landed us in the unemployment line. We told stories of being fired from restaurants and other places for sticking up for others who were often too scared or unable to speak for themselves. Our actions at the time came naturally to us, and, in retrospect we realize that we all have, and have had for a long time, a strong sense of doing what we can to help others, even when it is sometimes not in our best interest. I am not saying that this trait is good or bad, but it is interesting that this common bond starkly emerged despite our many differences.

So that brings me to two things. First, the OACTA Annual Meeting. There is a lot of information in this newsletter about the wonderful programming on the agenda at the Annual Meeting. For this reason alone you should come and bring a colleague with you. But, apart from the CLE, near and dear to my heart is the dinner reception at Martini's. This is a fantastic mostly-Italian restaurant. And, amazingly, I am Italian and want you to come

November 13-14, 2014
Crowne Plaza
Columbus

[Click here](#) to Register

**Submit Articles
to the
Newsletter
Committee:**

[Joe Borchelt](#)

[Tony Brown](#)

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Civil Trial Attorneys**

17 S. High St.
Suite 200
Columbus, OH 43215
P. 614.228.4727
F. 614.221.1989
oacta@assnoffices.com
www.oacta.org

**SUBMIT YOUR
MEMBER NEWS**

OACTA is always looking
for announcements
for the "Member News"
section of the
Update. Please submit
your news via email to:

[Tony Brown](#)

or

[Joe Borchelt](#)

**The Update Winter
Issue deadline is
November 2015**

and enjoy the food and company! You will have fun, like I did with my "girlfriend" lawyers.

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Register NOW To Attend The 2014 OACTA Annual Meeting

Come join us at the Crowne Plaza - Columbus Downtown for this year's Annual Meeting! The Crowne Plaza is easily accessible and centrally located with easy access to all downtown Columbus attractions.

Join your colleagues for valuable information from nationally and locally recognized speakers. **Up to 9.0 hours of CLE will be available, including all required attorney professional conduct instruction (2.50 hours).** An outstanding program includes Dominic Gianna, a nationally recognized speaker, who will talk about Intergenerational Advocacy - an issue that impacts us all. We are also excited to present breakout sessions from the OACTA Insurance Coverage Committee and a 2014 Ohio Legislative Update. The Products Liability Committee will present a *Daubert* hearing, featuring a distinguished panel of attorneys and Judge Richard Ferenc. There will be many other excellent presentations, including an update on changes to the Federal Rules from a panel including judges from the U.S. District Court, Northern and Southern Districts.

Networking opportunities include a **Thursday Evening Networking Event at Martini** in the Short North Arts District! Since this event is sponsored by *CED Technologies, Inc.* and *Veritext Legal Solutions*, registered guests can attend and enjoy dinner and drinks for a nominal fee! The fun will continue at The Big Bang Dueling Piano Bar!

Don't delay... [REGISTER TODAY](#) to attend this year's OACTA Annual Meeting!

OACTA Award Recipients Announced

OACTA is pleased to present the following awards during the Awards Luncheon at the OACTA Annual Meeting on Thursday November 13th, Noon - 1:30 pm, at the Crowne Plaza - Columbus Downtown:

Excellence in Advocacy Award -

James R. Gallagher, Esq.

Respected Advocate Award -

John D. Holschuh, Jr., Esq.

Distinguished Contributions to the Profession Award -

Timothy D. Johnson, Esq.
Distinguished Contributions to the Community Award -
Tabitha Justice, Esq.
Public Service Award -
Chief Justice Maureen O'Connor
Lifetime Achievement Award -
Gene West, Esq.
Outstanding Advocacy Award -
David S. Lockemeyer, Esq.
Frank Seth Hurd Member of the Year Award -
Hilary S. Taylor, Esq.
OACTA Committee Chair of the Year Award -
Benjamin C. Sassé, Esq. & Jennifer K. Nordstrom, Esq.

Join us in recognizing these individuals! [Click here](#) to register for the OACTA Annual Meeting. Your meeting registration includes the Awards Luncheon. Please note that you may register to attend the Award Luncheon only. For more information about these awards, visit the OACTA website: www.OACTA.org.

OACTA congratulates these outstanding individuals on their success!!

DODGING THE RAIN DROPS: THE 6TH ANNUAL OACTA GOLF OUTING SETS A NEW RECORD FOR CHAIRITABLE GIVING

By David W. Orlandini

Tying the previous record low score with a 60, the team of Hilary Taylor, Jim Mann, Larry Kraus and Abe Mulvihill tamed the soggy Pinnacle Golf Club course in Grove City, Ohio, during the OACTA Golf Scramble on September 2, 2014. The winning "quartet" narrowly edged the teams of Alexander Andrews, Tim Waugh, Eric Horvath, and Ryan Siekmann and Brian Kerns, Kevin Sandel, George Capellas, and Chris Johnson, who both carded a 61.



The rain held off just long enough for the 6th Annual OACTA Golf Outing to set new records for the highest number of golfers, greatest number of sponsors, and largest net donations. Once again the best lawyers and the most generous sponsors in Ohio gathered not just for golf and fun, but they did so also setting a new record for monies raised for the National Foundation for Judicial Excellence (NFJE) and the OACTA Diversity Scholarship.



Thanks to [All the Sponsors](#) of the 2014 OACTA Golf Outing!

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Committee Updates:

Young Lawyers Committee

by Natalie M.E. Wais, Committee Chair

Thank you to all members and non-members who joined us for the Summer Happy Hour Series. If you have ideas for next year, please be sure to share them with a member of the Young Lawyers Committee. Special thanks to S-E-A for sponsoring all of the events.

The Young Lawyers Committee wants to thank Mary Pisciotta for her 3 years of service as the Co-Chair of the Young Lawyers Committee. Mary has been an asset to the committee and we wish her the best.

As a reminder, OACTA provides a **free membership to law students**, a **reduced-dues membership for new attorneys** (admitted to practice 5 years or less), and a **one-year free membership to all DRI members who have not previously been a member of OACTA**. Please encourage any law students and young lawyers you know to join OACTA. Young lawyers are defined as an attorney who has practiced 10 years or less and/or is 40 years old or younger. Feel free to have any potential new member contact Natalie Wais with any questions on how to get involved. Also, if your firm or an organization that you are involved with wants an OACTA Young Lawyers Committee member to attend an event and explain the benefits of being an OACTA member, please let us know.

Sexual Orientation and Gender Identity Discrimination in the Workplace

by Joseph W. Borchelt and Ian D. Mitchell

Recently, state and federal judges have been treading more and more into the murky waters of sexual orientation and the law. As a result, several have declared voter-enacted bans on same-sex marriage unconstitutional under either the Due Process Clause or the Equal Protection Clause of the Fourteenth Amendment. Indeed, the legal winds of change seem to be shifting towards more widespread acceptance and accommodation of same-sex lifestyles. However, in the arena of employment law, change is moving at a slower pace. In fact, many state and federal courts, as well as the Equal Employment Opportunity Commission (EEOC), have been somewhat cautious to expand traditional workplace protections to gay, lesbian, bisexual, and transgender/transsexual (GLBT) employees alleging discriminatory employment practices on the basis of sexual orientation and/or gender identity. Yet, under certain circumstances, both Title VII and the state anti-discrimination statutes have been used to protect employees from "sex-stereotyping" and gender-norming, two modes of workplace conduct that often encompass sexual orientation and gender identity discrimination.

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DRI 2014 Annual Meeting

[Online registration](#) is now available for DRI's 2014 Annual Meeting, October 22-26, at the San Francisco Marriott Marquis.

This is a great opportunity to enhance your network of defense attorneys and in-house counsel from across the country. In addition to blockbuster presentations, on Thursday evening DRI has reserved the entire AT & T park for networking fun. [Book your hotel](#) and [register](#) today.

We look forward to seeing you in San Francisco!



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Contact Jeffrey A. Bolin, M.S., CHMM (jbolin@dragun.com) 248-932-0228
Farmington Hills, MI, Windsor, ON, Toronto, ON

30445 Northwestern Highway, Suite 260, Farmington Hills, MI 48334 www.dragun.com

Member News

McCrystal Awarded Law Faculty Honor

James L. McCrystal, Brzytwa Quick & McCrystal LLC, has been honored with the Prentice Marshall Faculty Award for the Development of Innovative Teaching Methods, by the National Institute for Trial Advocacy (NITA). NITA, based in Boulder, Colorado, for over 40 years has provided learn-by-doing advocacy training for lawyers in the United States and over 20 foreign countries.

"McCrystal's dedicated imagination and craft creating constant innovations in our advocacy skills programs have brought improvements to both program structure and teaching methods," said Karen M. Lockwood, Esq., Executive Director, NITA.



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