dri™ virtual seminar

Construction Law

2020 Vision—Spotlight on Current Issues and What's Next for the Construction Industry



July 14–15, 2020

- Stay up to date on the ongoing developments in the industry!
- Hear how climate change is impacting building design and claims

The same great programming and speakers, with networking essential to your practice



What You Will Learn

- The importance of Minority-Owned and Women-Owned Business Enterprises and how MBE and WBE Certifications expand and promote opportunities on construction projects throughout the United States.
- The impact of climate change on building codes, design and claims in the wake of previously unanticipated weather conditions.
- The latest developments in laws affecting the construction industry and construction law practitioners.
- Practical steps to address lawyer well-being and shifts in the culture of the legal profession so attorneys can meet ethical obligations.

The construction industry is not immune to the challenges and opportunities that confront other sectors of the economy, especially during the current social climate and pandemic. Women- and minority-owned businesses are one key to rebuilding the nation. The whole construction industry must cope with economic effects and government regulations affecting construction projects during the pandemic. Construction businesses must be aware of constantly changing technology and the cyber risks accompanying that new technology. Layered onto the economic, social and health and safety concerns, there is the ever-changing climate and the need to take that into consideration, both in design and in construction. All attendees—construction professionals, attorneys, and claims professionals—will benefit from this forward-looking program as we address what is going on now, and what's next for the construction industry.



Stephanie U. **Eaton**
Program Chair



David L. **Jones**
Committee Chair



Sonny **Ingram**
Program Vice Chair



Danielle M. **Waltz**
Committee Vice Chair



Glenn M. **Zakaib**
Law Institute

PRESENTED BY **DRI's Construction Law Committee**

THIS BROCHURE IS SPONSORED BY RIMKUS CONSULTING GROUP, INC. Forensic Engineers and Consultants

PROGRAM SCHEDULE

In addition to programming on July 14–15, you will have access to four Construction Law on-demand programs as part of your registration. You will receive more information on the programs, including how to access the content, after the virtual seminar.

TUESDAY, JULY 14, 2020

The sessions will begin at 10:00 a.m. Pacific and 1:00 p.m. Eastern

12:00 p.m. **Welcome**

Glenn M. Zakaib, *Borden Ladner Gervais LLP*, Toronto, ON

Stephanie U. Eaton, *Spilman Thomas & Battle PLLC*, Winston-Salem, NC

12:15 p.m. **MBE and WBE Businesses in the Construction Industry: Leveling the Playing Field**

Certifications help create a level playing field in the construction industry for non-majority-owned construction businesses. Various public and private programs exist to promote these businesses and increase their participation in contracting opportunities. This panel will discuss current issues in the industry for certified businesses and those with whom they contract.

MODERATOR | **Caryn A. Boisen**, *Larson King*, Saint Paul, MN

Timothy (Tim) Adkins, *Command Mechanical Group LLC*, Chicago, IL

Catherine M. Tojaga, PE, *CT Mechanical*, Addison, IL

Thomas F. (Tom) Whittaker, *JE Dunn Construction Co.*, Kansas City, MO

1:15 p.m. **Break**

1:30 p.m. **Breakouts**

Q&A with Speakers Following Main Stage Presentation (1:30–2:00 p.m.)

Use of Use of Energy Recovery Ventilators and Variable Refrigerant Flow Cooling Systems in HVAC Systems (1:30–2:00 p.m.); repeated at 2:00–2:30 p.m.)

Stanley Jaworski, PE, CFEI, CVFI, *Robson Forensic*, Seattle, WA

Force Majeure During a Pandemic, Government Restrictions and Today's Social Climate (2:00–2:30 p.m.)

Michael P. (Mike) Sams, *Kenney & Sams PC*, Boston, MA

2:30 p.m. **Break**

2:45 p.m. **The Effect of Our Changing Climate on Building Design**

Does a defect exist in the construction of a building envelope when the designer does not take into consideration rapidly changing weather conditions? This panel will discuss claims where neither the construction nor the building product is defective, but failures are caused by changing and previously unanticipated weather conditions, the effect of building codes that are lagging behind real-world climate conditions, and the judgment of design professionals who design to code rather than designing to anticipated risks.

Matthew W. Georgitis, *Spilman Thomas & Battle PLLC*, Winston-Salem, NC

Joe LoBasso, AIA, NCARB, *Nelson Forensics LLC*, Irvine, CA

3:45 p.m. **Break**

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PROGRAM SCHEDULE, *continued*

4:00 p.m. **Breakouts**

Q&A with Speakers Following Main Stage Presentation (4:00–4:30 p.m.)

Setting the New Normal: Virtual Laboratory Testing and Inspections
(4:00–4:30 p.m.; repeated at 4:30–5:00 p.m.)

Virtual inspections have become an essential tool for moving critical investigations forward while complying with travel and business restrictions and protecting the health and safety of all involved. During this webinar, our panelists will explore the range of tools and techniques used to perform virtual inspections or remote laboratory work, incorporating in-depth input from multiple remote participants in real-time, with only the minimum staff needed to be physically present.

Jonathan Glassman, PhD, PE, *Exponent Inc.*, Los Angeles, CA

Timothy Morse, PhD, PE, *Exponent Inc.*, Natick, MA

COVID-19 Effects on Construction Industry (4:30–5:00 p.m.)

John P. Cahill, Jr., *Lanza Law Firm PC*, Houston, TX

5:00 p.m. **Virtual Happy Hour**

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WEDNESDAY, JULY 15, 2020

The sessions will begin at 8:00 a.m. Pacific and 11:00 a.m. Eastern

10:00 a.m. **Welcome**

Sonny Ingram, *Borden Ladner Gervais LLP*, Toronto, ON

10:15 a.m. **Case Law Update**

Stay on the cutting-edge of the law by hearing a panel of attorneys discuss the latest developments in the field.

Katherine Amelotte Jones, *Kanaris Stubenvoll & Heiss PC*, Chicago, IL

Les W. Robertson, *Robertson & Associates APC*, San Diego, CA

11:15 a.m. **Break**

11:30 a.m. **Small Group Networking Breakout Opportunities**

Q&A with Speakers Following Main Stage Presentation (11:30 a.m.–12:00 p.m.)

Technical Demonstration by Experts (11:30 a.m.–12:00 p.m.; repeated 12:00 p.m.–12:30 p.m.)

Robin S. Caulfield, *Rimkus Consulting Group Inc.*, Concord, CA

Insurance Issues in Construction Matters (12:00 p.m.–12:30 p.m.)

Diana M. Gerstberger, *Arch Insurance Group*, Alpharetta, GA

12:30 p.m. **Break**

12:45 p.m. **Ethics and Lawyer Well-Being: Changing Our Culture**

The lawyer well-being movement has been gaining momentum since the National Task Force on Lawyer Well-Being issued its report in the fall of 2017. This session will focus on the practical steps being taken in states to change the culture of our profession so that lawyers can meet their ethical obligations and do their best work for clients.

The Honorable Elizabeth D. (Beth) Walker, Justice, *Supreme Court of Appeals of West Virginia*, Charleston, WV

PROGRAM SCHEDULE, *continued*

1:45 p.m. **Break**

2:00 p.m. **Construction Law Committee Business Meeting**
David L. Jones, *Wright Lindsey & Jennings LLP*, Little Rock, AR
Danielle M. Waltz, *Jackson Kelly PLLC*, Charleston, WV

2:30 p.m. **Specialized Litigation Group Meetings**
Participate in specialized litigation groups (SLGs). Open to all.

Construction Defect
Construction Insurance Coverage
Construction Worksite Safety
Contract and Delay Claims
Design Professionals

3:00 p.m. **Adjourn**

FACULTY

Timothy (Tim) Adkins, Command Mechanical Group LLC, Chicago, IL

Caryn A. Boisen, Larson King, Saint Paul, MN

John P. Cahill, Jr., Lanza Law Firm PC, Houston, TX

Robin S. Caulfield, Rimkus Consulting Group Inc., Concord, CA

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Les W. Robertson, Robertson & Associates APC, San Diego, CA

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The Honorable Elizabeth D. (Beth) Walker, Justice, Supreme Court of Appeals of West Virginia, Charleston, WV

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GENERAL INFORMATION

Registration

- **$100 DRI Members**
- **$200 Nonmembers**

To register for this virtual seminar please go to **DRI Construction Law Virtual Seminar**. DRI members use their DRI website login information to register for online programming. Nonmembers can create an account to register for the virtual seminar. If you need assistance with your member login information, please contact DRI Customer Service at **312-795-1101**.

CLE/Claims Adjusters Accreditation

This seminar has been approved for **4** MCLE credit by the State Bar of California, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. **Application has been made for continuing education for claims adjusters.** Credit availability and requirements vary from state to state; please check the **CLE grid** for the latest information for your state.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.

In-House Counsel

In-house counsel are eligible for free registration to DRI virtual seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee *or* be sponsored by a DRI member who is both registered and has paid for the virtual seminar. **Nonmember in-house counsel may utilize this offer only once. This offer excludes the DRI Summit. To receive a free registration for this virtual seminar, please contact DRI Customer Service at 312-795-1101.**

Claims Professionals

Claims professionals are eligible for free registration to DRI virtual seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Summit. To receive a free registration for this virtual seminar, please contact DRI Customer Service at 312-795-1101.**

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Committed to Diversity

Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

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