



Tri-State Defense Lawyers Association
12th Annual Meeting
REGISTRATION BROCHURE

September 20 & 21, 2018



Portsmouth Harbor Events & Conference Center
Residence Inn-Downtown Waterfront
100 Deer Street, Portsmouth NH

TDLA Chairperson
Christopher J. Pyles

Christopher J. Pyles, New Hampshire President
Mathew T. Mehalic, Maine President
Andy MacIlwaine, Vermont President

MESSAGE FROM THE CHAIR

12th Annual TDLA Meeting



Dear friends and colleagues,

We are looking forward to seeing you at the TDLA's 12th Annual Meeting, in Portsmouth, New Hampshire, on September 20 and 21. Thursday evening features a networking reception and dinner, followed by a presentation from the esteemed Joe Coughlin, founder and director of MIT's AgeLab. We'll top the evening off with drinks and shuffleboard. On Friday, the morning will start with a buffet breakfast and a short business meeting, followed by a new feature: state updates from Marrielle Van Rossum (NH), Sam Johnson (ME), and Ted Lawrence (VT). Jon Oxman and Brian Moushegian will present "Hot Topics in Legal Ethics," and then we'll learn about e-discovery from DRI speaker John Jablonski, Managing Partner of Gerber Ciano Kelly Brady LLP, who will discuss the evolving obligations of ESI preservation, investigation and disclosure that are so vital to our practices. Finally, our friend Matt Borick will team up with Dan Dister, Chief Information Security Officer from the New Hampshire Department of Information Technology, to update us on cybersecurity issues and an overview of the EU's new General Data Protection Regulation (GDPR). The Annual Meeting promises to be a great way to catch up with friends, and learn more about the cutting edge issues that impact our practices and clients. See you soon!

Christopher J. Pyles
Tri-State Defense Lawyers Association

Thank You to our Sponsors





12th ANNUAL MEETING

September 20 & 21, 2018

AGENDA

Portsmouth Harbor Events & Conference Center
Residence Inn-Downtown Waterfront
100 Deer Street, Portsmouth, NH

THURSDAY, SEPTEMBER 20, 2018

- 6:00 p.m. **Reception with Open Bar**
- 7:00 p.m. **Dinner**
- 7:45 p.m. **Welcome and Introductions**
Christopher J. Pyles, Sulloway & Hollis P.L.L.C. (Concord, NH)
- 8:00 p.m. **The Economic Impact of an Aging Population and Client Base**
Joseph F. Coughlin, Director, MIT Lab
Massachusetts Institute of Technology, Boston, MA

FRIDAY, SEPTEMBER 21, 2018

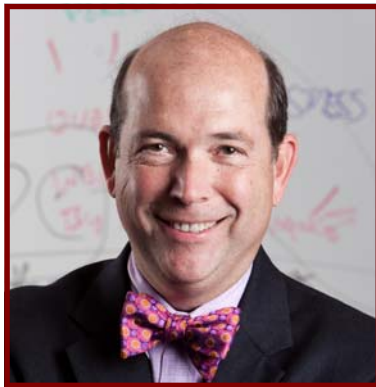
- 7:00 a.m.—8:00 a.m. **Breakfast**
- 8:00 a.m.—8:15 a.m. **Opening Remarks and TDLA Business Meeting**
Christopher J. Pyles, Sulloway & Hollis P.L.L.C. (Concord, NH)
- 8:15 a.m.—9:00 a.m. **Marijuana and other State Law Updates**
Marrielle B. Van Rossum, Sulloway & Hollis P.L.L.C. (Concord, NH)
Ted Lawrence, Dinse (Burlington, VT)
Samuel G. Johnson, Norman, Hanson & DeTroy LLC (Portland, ME)
- 9:00 a.m.—10:00 a.m. **Hot Topics in Legal Ethics: Social Media, Dealing with Unrepresented Parties, and Model Rule 8.4(g)**
Brian Moushegian, Deputy General Counsel, NH Supreme Court Attorney Discipline Office (Manchester, NH)
Jon Oxman, Linnell, Choate & Webber LLP (Auburn, ME)
- Topics addressed in this session include the increased interplay between legal ethics and social media, dealing with pro se litigants, developments with Model Rule 8.4(g), and an overview of the disciplinary process in Maine and New Hampshire.
- 10:00 a.m.—10:15 a.m. **Break**
- 10:15 a.m.—11:15 a.m. **Electronic Discovery: Preservation, Investigation and Disclosure (Meeting Your Obligations)**
John J. Jablonski, Managing Partner, Gerber Ciano Kelly Brady, LLP (Buffalo, NY)
- Electronic discovery continues to evolve with courts expecting greater transparency and cooperation among adversaries and their attorneys. Recent FRCP amendments as well as state procedural laws continue to place greater emphasis on attorneys knowing the nuts and bolts of their clients' technology systems as well as specific protocols to be used to preserve, collect and exchange electronically stored information. John Jablonski, former chair of DRI's E-Discovery Committee, several national e-discovery conferences and current member of ARMA International's board of directors will provide practical tips on navigating today's e-discovery challenges.
- 11:15 a.m.—12:15 p.m. **Cybersecurity, GDPR and More**
Matthew S. Borick, Downs Rachlin Martin (Burlington, VT)
Daniel J. Dister, CISSP, Chief Information Security Officer, Department of Information Technology (State of NH)
- The session will provide a brief overview of cybersecurity including key concepts such as cyber threat, risk management and breach response, and will conclude with some practical cybersecurity tips. The discussion also will provide an overview of the EU's new General Data Protection Regulation (GDPR), with an emphasis on what the regulation means for clients' business and for lawyers' obligations in discovery.

ABOUT THE PRESENTERS

12th Annual TDLA Meeting - Thursday, September 20, 2018 | 8:00 p.m.

The Economic Impact of an Aging Population and Client Base

Joseph F. Coughlin, Ph.D., is founder and Director of the Massachusetts Institute of Technology [AgeLab](#). He teaches in MIT's Department of Urban Studies & Planning and the Sloan School's Advanced Management Program. His research focuses on how demographic change, technology, social trends and consumer behavior drive innovations in business and government. He has authored more than 100 research publications and a book on aging and transportation.



Dr. Coughlin is a regular contributor to the Wall Street Journal, MarketWatch, Slate.com and his own blog [Disruptive Demographics](#) on BigThink.com. He was named by The Wall Street Journal as one of "12 pioneers inventing the future of retirement..." and by Fast Company Magazine as one of the "100 Most Creative

People in Business." Dr. Coughlin was appointed by President George W. Bush to the White House Conference on Aging Advisory Committee and has advised non-profits, governments and corporations worldwide. He has been featured on ABC, BBC, CBS, CNN, NBC, The Today Show, *Economist*, *Financial Times*, *The Straights Times*, *New York Times*, *Wall Street Journal*, and other media outlets throughout the world. Prior to MIT he was with EG&G a Fortune 1000 science & technology firm consulting to business and government worldwide. He is the author of *The Longevity Economy: Inside the World's Fastest Growing, Most Misunderstood Market*.

Research Interests

- How framing influences decision-making across generation & gender, e.g., health, well-being & retirement
- What impact does the media have on Millennial, Gen X & Boomer trust and use of advice?
- How does global longevity disrupt the current economy and create new investment opportunities?
- Impact of generational lifestyles on the future of transportation and community/real estate development?
- Factors affecting human-machine interaction/technology adoption across age and gender, e.g., IoT, autonomous vehicles, robotics, telecare

How will the sharing economy influence consumer behavior and support an aging society?

ABOUT THE PRESENTERS

12th Annual TDLA Meeting - Friday, September 21, 2018

Marijuana and Other State Law Updates

8:15 a.m. - 9:00 a.m.

Samuel G. Johnson practices is an associate with Norman, Hanson & DeTroy LLC in Portland, Maine. He practices with the firm's litigation group with a primary focus on civil litigation and insurance defense.



Before joining Norman, Hanson & DeTroy, Sam served as a law clerk to Justice Donald G. Alexander of the Maine Supreme Judicial Court. He graduated from the University of Maine School of Law where he served as the executive editor of the *Maine Law Review* and as a teaching assistant for two legal writing and civil procedure courses. During law school, Sam interned at the United States Attorney's Office in both the Appellate and Criminal divisions. He also assisted low-income Mainers with a variety of legal issues as a student attorney at the Cumberland Legal Aid Clinic.

Prior to law school, Sam graduated from Lawrence University in Appleton, Wisconsin, where he studied economics. He returned to Maine following graduation, at which time he managed a seasonal seafood restaurant and worked for a restoration company in Scarborough.

Ted Lawrence is an associate at Dinse, Knapp and McAndrew in Burlington, Vermont. Ted's practice focuses on finance. He helps new and established Vermont businesses raise money from outside investors and lenders, and represents local higher educational institutions seeking bond and loan financing. Ted also negotiates and writes contracts and executive-level employment agreements for businesses, lenders, and higher educational institutions. Before his career as a lawyer, Ted worked as a journalist in Washington, DC. He came to Dinse from the Michigan Court of Appeals, where he clerked for the Hon. Henry Saad. Ted is a graduate of Kenyon College and the University of Michigan Law School.



Marrielle B. Van Rossum joined Sulloway & Hollis in Concord, New Hampshire, in 2015 after spending three years representing the leading healthcare systems in and around Philadelphia in medical malpractice actions.



At Sulloway, her practice concentrates on medical malpractice while also encompassing labor and employment and general litigation. Marrielle was born and raised on New Hampshire's seacoast. Prior to attending law school, she worked in operations at a boutique oil trading firm in Boston.

Marrielle is a graduate of St. Lawrence University and Villanova University School of Law.

Hot Topics in Legal Ethics: Social Media, Dealing with Unrepresented Parties, and Model Rule 8.4(g)

9:00 a.m. - 10:00 a.m.

Topics addressed in this session include the increased interplay between legal ethics and social media, dealing with pro se litigants, developments with Model Rule 8.4(g), and an overview of the disciplinary process in Maine and New Hampshire.



Brian R. Moushegian serves as Deputy General Counsel at the New Hampshire Supreme Court Attorney Discipline Office. Prior to joining the ADO, Mr. Moushegian was an Associate at the law firm of Devine, Millimet and Branch, P.A. in Manchester, New Hampshire, practicing in the areas of commercial litigation, insurance defense, and bankruptcy. He is a graduate of Villanova School of Law and Boston College and a member of the National Organization of Bar Counsel.

ABOUT THE PRESENTERS

12th Annual TDLA Meeting - Friday, September 21, 2018

Hot Topics in Legal Ethics *cont'd*

Jon Oxman is the managing partner of the law firm of Linnell, Choate & Webber, LLP in Auburn, Maine. He received his B.A. from Tufts University in 1967 and his J.D. from Boston College Law School in 1971 where he was elected to the Order of the Coif. He was admitted to practice in the State and Federal Courts in Maine in 1971, the United States Supreme Court in 1974, and the First Circuit Court of Appeals in 1979. His areas of practice include Workers' Compensation, Civil Litigation, Health Law, Professional Responsibility, and Insurance Law.



He is a former Chair of the Maine Bar Grievance Commission, the Maine Board of Overseers of the Bar, and the Board of Trustees of the Maine Client Protection Fund, and a Panel Chair of the Fee Arbitration Commission. He is a fellow of the Maine Bar Foundation. He is a Director and Board Chair of Mechanics Savings Bank and of Maine Community Bank, a member of the Community Advisory Council of Lewiston-Auburn College, and the former Chair of the Maine Capitol Planning Commission, L/A Arts, and of the Androscoggin Valley Regional Planning Commission. He is a member of the National Alumni Council of Tufts. He served for six years as a commissioner on the Commission on Institutions of Higher Education, which accredits Colleges and Universities in the six New England States.

His memberships include the Androscoggin County and Maine Bar Associations and the Maine Trial Lawyers Association. He has been a member of the faculty of the University of New England, College of Health Sciences, where he taught in the Master's program for Physician Assistants, and is on the Ethics Committee of Central Maine Healthcare, a holding company for three hospitals.

Electronic Discovery, Preservation, Investigation and Disclosure (Meeting your Obligations)

10:15 a.m. - 11:15 a.m.

Electronic discovery continues to evolve with courts expecting greater transparency and cooperation among adversaries and their attorneys. Recent FRCP amendments as well as state procedural laws continue to place greater emphasis on attorneys knowing the nuts and bolts of their clients' technology systems as well as specific protocols to be used to preserve, collect and exchange electronically stored information. John Jablonski, former chair of DRI's E-Discovery Committee, several national e-discovery conferences and current member of ARMA International's board of directors will provide practical tips on navigating today's e-discovery challenges.

John J. Jablonski is a Managing Partner of Gerber Ciano Kelly Brady LLP in Buffalo, New York. He chairs the firm's Cyber, Technology and Social Media Practice Group. He also chairs the firm's Toxic Tort and Environmental Practice Group, as well as its Employment and Labor Practice Group. He has over 20 years of experience advising clients on enterprise-wide initiatives involving data privacy and security, information governance, IT governance, litigation readiness, privacy and security of enterprise technology, applications and cloud-based systems (including click-wrap and browse-wrap agreements, terms and conditions, master services, service level and software licensing agreements and website privacy statements), matter management software, enterprise-wide electronic evidence preservation and e-discovery solutions. John's passion for technology, process improvement and governance makes him uniquely qualified to solve complex legal problems at the intersection of security, privacy and information governance. John's analytical skills also support due diligence and portfolio analysis related to insurance portfolio transfer engagements of the firm's Insurance Solutions practice group and development of the firm's alternative fee agreements. He is the editor and author of the leading text on

e-discovery and legal holds (7 Steps for Legal Holds of ESI and Other Documents). His vision for delivering legal services through innovation, efficiency and cost certainty is a driving force behind the firm's business model.

John's strength is delivering results-oriented legal advice that is sensitive to the business needs of his clients. He quantifies legal risks and devises mitigation strategies designed to proactively comply with legal, privacy, security and industry standards through procedures, policies and enterprise governance. John also understands that enterprise risk management and mitigation strategies are not one-size fits all. He helps organizations of all sizes with baseline assessments, developing organizational goals for governance, process and security improvements, identifying and implementing IT governance frameworks, maturity assessments, compliance assessments and ongoing legal support for privacy, security and governance projects. In addition to consulting, he has brought these skills to bear in

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resolving complex litigation, including jury trials, in the transportation, business, retail, product liability and environmental realm. John is a frequent author, speaker and national authority on preservation of evidence, information governance, data privacy, data security and e-discovery in the United States. John develops litigation readiness and e-discovery procedures for clients, including developing vendor relationships and RFPs. John develops and manages e-discovery strategy, including participation in Rule 26(f) and Rule 16 conferences, negotiating protective orders, negotiating e-discovery protocols, defense of 30(b)(6) depositions and motion practice defending preservation, collection, privilege and production processes. He has managed e-discovery projects involving terabytes of data and hundreds of reviewers, including contract review teams, quality assurance and processes to protect attorney-client privileged ESI.

John is a jury-tested litigator, taking cases to verdict in state and federal court. He has multiple trial and summary judgment wins on multi-million dollar exposures. He represents major Class I railroads on toxic tort, asbestos and personal injury exposures. He is currently statewide counsel for a manufacturer on hundreds of hearing loss claims. John is also an accomplished commercial litigator in business-to-business disputes, commercial real estate and leasing disputes and proceedings in bankruptcy court. Clients seek out his counsel for large-scale environmental loss, including oil spill claims under New York's Navigation Law, NYDEC regulatory violations, NYDEC remediation and hazardous waste site litigation under CERCLA.

John's clients value his analytical skills in support of loss portfolio analysis involving large data sets of claims data in the United States, including use of various computer analytics tools, artificial intelligence initiatives, keyword searching strategies, technology-assisted review platforms, and individual document review by attorneys who have substantive experience in the claims and jurisdictions being analyzed (including confirming/challenging/setting liability and expense reserves). John's analysis has been used by clients for their own internal analysis of existing portfolios, auditing claims within a portfolio, and due diligence in support of mergers and acquisitions. John uses loss portfolio analysis to develop alternative fee pricing models for firm clients, including developing and managing targeted programs for early case resolution, settlement programs, alternative dispute programs and other strategies to introduce economic efficiencies, claim process improvements, claim mitigation strategies and cost certainty in loss portfolio resolution.

John is admitted to all state courts in New York. He is admitted in federal court in the Western, Northern and Eastern Districts of New York, the U.S. Bankruptcy Court for the Western District of New York and the United States Court of Appeals for the Second Circuit. He has received numerous awards and honors for his professional and community service.

Cybersecurity, GDPR, and More

11:15 a.m. - 12:15 p.m.

The session will provide a brief overview of cybersecurity including key concepts such as cyber threat, risk management and breach response, and will conclude with some practical cybersecurity tips. The discussion also will provide an overview of the EU's new General Data Protection Regulation (GDPR), with an emphasis on what the regulation means for clients' business and for lawyers' obligations in discovery.

Matthew S. Borick is a Director at Downs Rachlin Martin PLLC in Burlington, Vermont, where he is a member of the firm's Litigation and Intellectual Property groups. Matt's practice focuses primarily on commercial and business litigation, intellectual property litigation, and privacy and data security law. In the areas of privacy and data security, Matt counsels clients on matters such as data breach preparedness and response, privacy policies, and cybercrime litigation. He is a graduate of Northwestern University and the University of New Hampshire School of Law.



Daniel J. Dister, CISSP, serves as the Chief Information Security Officer (CISO) for the State of New Hampshire. In this role, he is responsible for the enterprise cybersecurity vision, strategy and program to ensure the protection of the State of New Hampshire's information assets including systems, networks and data crucial to state government operations on behalf of its citizens. Prior to his current position, Mr. Dister worked for the federal government for 27 years where he focused on cybersecurity for National Security and Intelligence systems, splitting that time between the Department of Homeland Security (DHS) and the Defense Intelligence Agency (DIA). Mr.

Dister is a Certified Information System Security Professional (CISSP) with over 20 years' experience implementing cybersecurity programs and specializing in cybersecurity policy, governance, risk management, network and system security, and regulatory compliance. Mr. Dister holds a B.S. degree from Rochester Institute of Technology and a M.S. degree from Syracuse University.





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Portsmouth, New Hampshire

REGISTRATION FORM

Name: _____

Firm: _____

Address: _____

City/State/Zip _____

Phone: _____ Email: _____

Spouse/Guest Name: _____

Check states for which you wish to receive CLE credit: ME NH VT

State Bar Number: ME _____ NH _____ VT _____

MEETING REGISTRATION FEES:

Registration fee includes Thursday night reception and dinner, Friday breakfast and CLE program.
Handout materials will be emailed prior to the meeting.

Member of TDLA:	\$195	_____
New-Member Attorney:	\$270	_____
<i>*Not a member of TDLA? Join today for \$75.00 and register at the member rate!</i> (\$75 new member dues plus \$195 member registration rate)		
Non-Member Attorney:*	\$320	_____
Spouse/Guest of Registrant:	\$100	_____
(No CLE, includes reception, dinner, and breakfast)		

TOTAL FEES: _____

TO REGISTER: Register and pay online by visiting www.tristatedefenselawyers.org or make a check payable to TDLA and mail with this registration form to:

Mark Filler, TDLA Treasurer
P. O. Box 4177, Portland, ME 04101-0377

ACCOMMODATIONS:

A block of rooms has been reserved at the
Residence Inn-Downtown Portsmouth/Waterfront
100 Deer Street, Portsmouth, NH 03801
Rate: \$229+. Call 1-603-422-9200 and use group reference TDLA Group 2018
The deadline for the block rate is August 22, 2018

For more information, please contact: Sheri Leahan, Executive Director, TDLA
Email: sleahan@tristatedefenselawyers.org | www.tristatedefenselawyers.org