

Oklahoman to Become President in 2009

No, none to the leading U.S. presidential candidates are from Oklahoma, but an Oklahoman will become President of Defense Research Institute ("DRI") in October of 2009. Cary Hiltgen of the Oklahoma City firm of Hiltgen & Brewer, P.C. is scheduled to be sworn in as DRI President during the 2009 Annual Meeting in Chicago, October 7th through the 10th, 2009 at the Sheraton Chicago Hotel and Towers.

The OADC would encourage everyone to put the 2009 DRI Annual Meeting on your calendar and do your best to try to attend. We need a strong showing of Oklahoma attorneys at the 2009 Annual Meeting to support one of our own becoming President.

Also remember that the 2008 DRI Annual Meeting is in New Orleans October 22 through October 26, 2008. With over 20 hours of continuing education credit, nationally renowned speakers, a networking reception and committee meetings galore, it will feel almost effortless as your career takes off. I mean, they don't call this place "The Big Easy" for nothing.

Featured speakers include former House Speaker Newt Gingrich, Newsweek Contributing Editor Eleanor Clift and Political Analyst Juan Williams. And if all the legal education and political punditry gets to be a bit much, just step outside your sumptuous Canal Street hotel, The Sheraton New Orleans, and roam the Crescent City. You can register now at www.dri.org and click on the Annual Meeting Link. Save \$100 when you register before September 24.

Your registration fee includes: admission to all non-ticketed events; comprehensive CD-ROM sent in advance if registered by September 24; continental breakfast each morning; refreshment breaks; admission to all CLE programs and an opportunity to purchase tickets to the Award's Luncheon and President's Gala.



Oklahoma Association of Defense Counsel
1601 NW Expressway, Suite 2000
Oklahoma City, OK 73118



OADC OUTLOOK

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Submissions should be sent to Skoshi Heron at:
Skoshi@GoBaker.com
Skoshi Heron
PO box 5445
Edmond, OK 73083

Telecopier: 405-415-7366

President's Letter

by Roger N. Butler, Jr.

TO THE MEMBERSHIP:

It is hard to believe that Memorial Day has already passed and June is now here. Of course, that means the hot Oklahoma summer is upon us. However, that also means that our summer meeting is fast approaching. This year's meeting will take place at the Four Seasons Resort in Las Colinas, Texas, which provides a picturesque setting, fine dining, as well as outstanding amenities and world class golf courses. A great deal of work has been done to provide the membership with informative continuing legal education opportunities, as well as casual and festive social events. This is the perfect time to network with other defense lawyers in the state, and discuss our respective practices. I look forward to seeing you in Los Colinas, later this month.

On May 9, 2008, thanks to Jeromy Brown, OADC sponsored an oil and gas seminar at River Oaks Golf Club in Oklahoma City. The event was a tremendous success, with over 35 attorneys in attendance, and only two were OADC members. Several non-members expressed an interest in joining OADC, and membership applications were available at the event. Many thanks to Jeromy for his hard work, not only in organizing such a successful continuing legal education event, but also in forming our oil and gas section.

Please take a moment to read Angela Ailles-Bahm's article, contained in this newsletter, regarding OADC's finances. OADC continues to be a very financially sound organization, and the board takes serious its responsibilities in this regard. Thank you Angela for your efforts over the years, and contributing to the responsible and transparent financial management of OADC.

Keep in mind that OADC's trial school is scheduled for October 16-17, 2008. The trial school provides an excellent opportunity for our younger members to be exposed to the mechanics of the courtroom, and the chance to interact with three of Oklahoma's finest defense lawyers, Dan Folluo, Tom Wolfe and Jim Secrest.

Finally, please remember that OADC is your organization. Myself, and the entire board, welcomes your suggestions and comments as to how we can improve, and make OADC more responsive to your needs and relevant to your practice. We would like to hear from you at any time.

What Happened to Tort Reform?

by Bob Naifeh and Caleb Muckala

Earlier this legislative session, Senate Bill 156 (“SB 156”), the most recent tort reform package, was revived in the House of Representatives. This tort reform package was almost identical to the tort reform package passed and vetoed last year. SB 156 included amendments that would require “opt-in” class actions, impose appeal bond limits and amounts, modify joint and several liability, and set a cap on non-economic damages. The OADC took no official position with regard to SB 156.

During the revival discussions, Governor Henry indicated that he would again veto any bill seeking similar changes to those proposed in last year’s tort reform bill that was vetoed. Shortly thereafter, members of both the Senate and House of Representative began discussing a platform on which to enter negotiations with Governor Henry so that some type of tort reform could be passed this legislative session.

Apparently, based on those discussions, the House leadership decided to “strip” SB 156 of all its content and replace it with a joint resolution requiring that a referendum amending the Oklahoma Constitution be placed on the November ballot providing a cap on the amount recoverable by attorneys under contingent fee contracts to 33% for the first million dollars and 25% for all amounts in excess of a million dollars. The thinking was that such a referendum would create a basis on which to open negotiations with Governor Henry. However, when the amendment was circulated to garner support, House members were reluctant to support such a bill because they saw it as too much governmental interference in private contracts. Due to a lack of support, the amendment failed.

After the failure of the amendment, the House of Representative voted to “layover” SB 156 until the next legislative session. The “layover” occurred because the Senate leadership advised the House that, if passed, SB 156 would not be heard by the Senate this legislative session. The “layover” means that SB 156 will remain in the House of Representatives until next year where it can be revived.

With the statement from the Senate that no tort reform bills would be heard on the Senate floor this legislative session and Governor Henry’s promise to veto any bill proposing changes similar to those proposed last year, the push by tort reform proponents to enact some type of tort reform this legislative session was abandoned. However, with the prediction that the composition of the Senate will change from Democratic to Republican control and continued control of the House of Representatives by Republicans, it is expected that tort reform will be a major issue in next year’s legislative session.

Save the Date!

**3rd Annual
Trial School
October 16 - 17, 2008**

www.OADC.org

OADC Financial Report

by Angela Ailles-Bahm

You may be wondering what the OADC does with your dues, or not... Well, the Board thought you should know.

The Board strives to make wise use of the dues. About four years ago, we took note of the fact the OADC had accumulated a fair amount of money and moved it from a non-interest account into an interest bearing “savings” account, and a separate operating account. Since then, we have used interest from the “savings” account for charitable donations like, the Infant Crisis Center and John 3:16. In addition, the OADC has been contributing to the National Foundation for Judicial Excellence.

At the beginning of each year I ask the committee chairs for input on what they would like to put in the budget for their committees. From that information and based on history, I prepare the budget. There are checks and balances. Quarterly, we have an independent accounting firm review our bank statements and books, and they create a “Statement of Financial Position.”

You will find the one for the first quarter of 2008 below.

The Board wants to make sure your money works for your benefit, and that we satisfy the mission of the OADC. If you have any suggestions on services the OADC currently provides or services you would like to see the OADC provide, let us know. And remember, 70% of your dues are tax deductible...another benefit to membership!

OKLAHOMA ASSOCIATION OF DEFENSE COUNSEL STATEMENT OF FINANCIAL POSITION MARCH 31, 2008

Assets	
Current Assets	
CASH-OPERATING ACCOUNT	\$ 78,729.36
CASH-INVESTMENT ACCOUNT	\$ 53,478.22
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Total Current Assets	\$132,207.58
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Total Assets	\$132,207.58
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Liabilities and Net Assets	
Net Assets	
UNRESTRICTED NET ASSETS	\$132,207.58
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Total Net Assets	\$132,207.58
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Total Liabilities and Net Assets	\$132,207.58
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