

MEMORANDUM

TO: **Litigation Section Council**

FROM: **David W. Centner, Secretary**

RE: **January 19, 2010 Telephonic Council Meeting**

Council Members Present: Dari Craven Bargy, Thomas Cavalier, David Centner, Michael Donnelly, Stephen Fox (joined at 5:39 pm), Kyle Guthrie (joined at 5:41pm), Daniel McGlynn, Kristen McNelly, David Moffitt, Sherry O'Neal, Gary Peterson, Bonnie Sawusch, Bernard Schaefer, Brittany Schultz, Marcy Tayler (joined at 6:02 pm), and James VandeWyngearde (joined at 5:39pm).

Others present: Shel Stark (ICLE).

Absent: Evan Burkholder, Michael Butler, Michael Cooney, Albert Dib, Rita Lauer, and Gary Springstead.

Quorum: A quorum was attained.

I. Call to Order.

II. Approval of Minutes. The minutes from the November 24, 2009 meeting were previously approved by email vote on January 7, 2010 by quorum, so no additional approval or action was required regarding meeting minutes.

III. Financial Report. Treasurer Dari Craven Bargy provided the Treasurer's Report in advance of the meeting. Nothing significant to report, and no action required.

IV. Chair's Report. Chair Bonnie Sawusch reported on a number of items:

The \$3,500 donation to the High School Mock Trial program was made. Judges are needed, so all Council members are encouraged to get involved.

The Section declined the MDTC's invitation to sponsor or otherwise partner with it with regard to the MDTC's Summer Conference.

The Section received a letter from the ADR Section requesting that we consider partnering with the ADR Section in programming, etc. The Chair referred the matter to the Programs/Education Committee for consideration and a recommendation.

V. Committee Reports

PROGRAMS/EDUCATION COMMITTEE

Summer Conference: Scheduled for July 30-31, 2010 at The Homestead in Glen Arbor, MI. A discussion was held regarding setting aside time and a location for vendors to meet with attendees. The suggestion was for vendors to arrive and set up early before Saturday's program, since we are required to vacate the seminar building by 2:45 pm. Council members are encouraged to obtain sponsors, and ICLE is actively soliciting sponsors for the event. The deadline to secure sponsors is the end of February, so that they can be properly recognized in mailings, website links, ICLE marketing efforts, etc. The Executive Committee and Programs/Education Committee will coordinate to decide what discount should be extended to Section members for this program. Shel Stark requested that this decision be made no later than February 28, 2010 so that the discount can be reflected in ICLE materials.

Masters in Litigation Series. The next program is on March 9, 2010, and is entitled The Cybersleuth's Guide to the Internet. There are 64 registrants to date. It will be held at the Inn at St. John's in Plymouth.

Litigation Boot Camp. Shel Stark reported on this program. The next session is the 5th segment of this 9-series program. ICLE still has \$2,000 on hand for graduation gifts. Shel requested the Section's approval of ICLE's purchase of gifts, which are insulated coffee mugs. A motion was made, seconded and carried. No additional funds are needed from the Section for this purpose.

Deposition Skills Workshop. Once again, the Litigation Section is proud to be a co-sponsor of this program with ICLE.

PUBLICATIONS COMMITTEE. Dari reported that January 15, 2010 is the article deadline for the Winter 2010 Newsletter. Two book reviews were received from David Sarnacki and two additional submissions were also received. The Legislative Committee is requested to write a short article regarding news of interest for future editions. The submission deadline for the Spring 2010 Newsletter is March 15, 2010.

Bernard Schaefer has agreed to serve on the Publications Committee and has agreed to lead the Council's mission involving the website and other on-line resources.

Steve Fox suggested that the Litigation Section reach out to other Sections to obtain submissions for the Litigation Section's newsletter. The Council also discussed accepting advertising, and this issue will require further discussion. No action was taken at this time.

LEGISLATIVE COMMITTEE: Topics of interest include: MCR 2.412 mediation, health care reform legislation, election records, negligence topics including the open and obvious doctrine, and sales tax on services. The committee will contact Elizabeth Lyon at the State Bar. It was generally agreed that the Section should be playing an active role and weighing in on these issues.

PUBLIC SERVICE COMMITTEE: Tom Cavalier reported that he and John Mucha have set forth the following missions for this committee: (1) identify organizations that

provide legal services to the economically disadvantaged, (2) identify charitable causes that provide opportunities to Section members for fundraising, volunteering, donation of professional skills, etc., and (3) identify and publicize pro bono opportunities to Section members.

NOMINATING COMMITTEE: Steve Fox continues to collect biographical materials on all Council members. This information, along with a copy of our Bylaws, Council Directory, and other useful information, will be organized into a binder and provided to each Council member. Thank you, Steve, for a fine job on this project.

VI. Old Business.

None.

VII. New Business.

A. Discussion regarding increasing the role of ex-officios

1. Steve Fox will make a motion to amend the Bylaws to allow both preceding Section Chairs, now ex-officios, to vote at Council meetings, but that their presence will not be used to establish a quorum.

B. Discussion regarding limiting membership from law firms

1. Steve Fox will make a motion to amend the Bylaws to limit Council membership to no more than two (2) persons from the same law firm. Exceptions will be made for mergers and other consolidations, which should not disqualify acting Council members.

VIII. Adjournment: The meeting was adjourned at 6:47 pm. The next meeting will be held in Lansing at P.F. Chang's on Lake Lansing Road on March 16, 2010 commencing at 5:30 p.m, or some other location if that restaurant is not available.