

**Federal Litigation Section Teleconference Meeting
October 11, 2016 1:00 p.m.**

1. John McCarthy called the meeting to order at 1:08 p.m.
2. *Roll Call.* John McCarthy; Susan Pitchford; Nicole Newlon; Rob Kohn; Maria Conticelli; Judge Suzanne Segal; Doug Truxillo; Kelly Pate; Bradley King; Chip Molster; Calvert Chipchase; Ryan Sugden
3. The Board unanimously approved the Minutes from National Meeting. Motion made by Susan Pitchford. Seconded by Doug Truxillo.
4. *Treasurer's Report.* September 30, 2016 is the fiscal year end. There are expenses and other revenues not included in the most recent report, but the estimated account balance is \$85,000.
5. *Membership report (Calvert Chipchase).* There are approximately 4,114 members as of the annual meeting. The total FBA membership is in excess of 18,500 members. Approximately 2,700 members of the FBA are members of the federal judiciary. The FLS is the largest section in the FBA and our membership rolls have increased over 1,000 members since Rob Kohn became Chair of the Section.
6. *Newsletter (Jeff Cox).* Mr. Cox is going to circulate a schedule for the publication of the newsletters. We strongly encourage everyone to publish an article in the SideBar, and to encourage others in their respective firms to contribute articles as well.
7. *Report from National Staff (Maria Conticelli).* Please let the FBA National Staff know if there is anything they can do to assist the Section during the year. You are encouraged to reach out at any time for support. Board members are reminded about the FLS Annual Conference in Washington DC on October 17 and October 18, 2016. The FBA Midyear Meeting is scheduled for March 17-18, 2017 in Washington DC. There is a leadership training scheduled for April 20-22, 2017, in Washington DC, including Capitol Hill Day.

Stacy King is the current Acting National Director for the Federal Bar Association, and that position should become official in short order.
8. *Achievement Plan/Budget (John McCarthy).* By December 1, 2016, our Section is required to turn into FBA National our Section Achievement Plan and our budget for the year. Mr. McCarthy previously provided a copy of the Achievement Plan and a budget outline for review. If anyone has something to include within the budget, which includes any expenditures through September 30, 2017, please provide such information to John McCarthy. To include an event, factor in the analysis and provide to Mr. McCarthy what you will charge, what you anticipate you will earn in revenue, and then any associated expenses, as well as a description of the program. Our next Board meeting is scheduled

for October 16, 2016. Please get any information to us in advance of the meeting for the Board to consider.

For purposes of the Achievement Plan, Mr. McCarthy addressed with the Board the plausibility of publishing important cases by circuit. Questions for the Board include can we do this with the breadth of federal litigation? How frequently should we publish? Should we limit the cases to civil procedure/discovery/evidentiary issues? Several sections do these kind of circuit updates, and several sections do them monthly. FBA National compiles the data and places the information in an “e-version” to send to members and to put on the FBA website. National can put together a schedule for the publication.

After discussion, Mr. McCarthy indicated he would be preparing and sending a welcome letter to FLS members. In the welcome letter, Mr. McCarthy will ask for volunteers from the different circuits to prepare the case information. The Board agreed that the best course of action was to limit the cases to those addressing civil procedure issues.

9. *Request for Sponsorship from Minnesota Chapter (John McCarthy)*. The request relates to the sponsorship of an event at the end of the month, though this is not a last minute request. The Chapter has requested \$4,000 to host a mentoring event. They have received \$500 from the Young Lawyers Division. The Minnesota Chapter has the highest percentage of members in the FLS. The Board discussed the request. There was a discussion regarding the amount of the request, as well as whether there was a way to increase membership through hosting such events. A motion was made to sponsor the event in the amount of \$2,000, a second received, and the motion was passed unanimously.
10. *Wagstaffe Series of CLEs (John McCarthy)*. Jim Wagstaffe is one of the presenters at the Federal Judicial Center’s School for new judges. Mr. Wagstaffe has done several CLE events with our Section and is a great speaker on civil procedure. The publisher is looking to join with our Section and local chapters to do between 30-50 CLEs starting in April for the next 2 years. Mr. Wagstaffe utilizes hypotheticals, providing panelists with the answers. The first event is April 4, 2017 in Washington DC, then in New York City on April 6, 2017. At least four of the Washington DC Chapters are helping out at the April 4, 2017 event. At least two New York City Chapter have committed to assisting with the April 6, 2017 event. We have received a number of requests from different Chapters willing to host follow-up events. John is meeting with the Wagstaffe coordinators to set up a structure for the events. This is a good opportunity to generate revenue for local chapters and to increase Section membership.
11. *Section Reimbursement Policy Review (John McCarthy and Susan Pitchford)*. Included in the materials circulated for the meeting is the Section and Division reimbursement policy. This policy provides the National FBA guidelines for reimbursement of expenses associated with section activities. Expenses for section events are to be reimbursed only

if incurred by the Chair of the Section, but not for the other Officers of the Section. Susan Pitchford will be chairing a task force to prepare proposed revisions to the policy, with the group to include Doug Truxillo and Nicole Newlon. Rob Kohn volunteered to participate in the committee.

12. *New business.* Rob Kohn addressed whether at the events which FLS is sponsoring, should we have Section representatives or Board members in attendance. The Section needs representatives at both events. If interested in attending, please let John McCarthy know. We would prefer to have a local representative, but if there is nobody to attend, or if we have no local representative, then we will need to seek volunteers and subsidize their costs for attendance. No other new business was brought forward for consideration.
13. *Upcoming Events.* There are two events the FLS is co-sponsoring, including an event in Miami for Art Law and litigation and an event at World Bank.
14. *Approval of Meeting Schedule for 2016-17 Year.* No objections or conflicts with schedule. A motion was made to approve the schedule, seconded, and unanimously approved.
15. John McCarthy adjourned the meeting at 1:53 p.m.