

DELAWARE STATE BAR ASSOCIATION
LITIGATION SECTION MEETING – APRIL 14, 2011

Following advance and proper notice, the meeting was called to order at 12:05 p.m.

Present: David Felice; David Soldo; Johnna Darby; David Dorey; Adam Orlacchio; Tim Houseal (by phone); Karl Randall; Jo Donoghue (by phone); Steven Fineman; Suzanne Holly; Onofrio de Gennaro; James Kron; Barry Klayman; Ryan Connell; Travis Hunter.

Old business

- March 22, 2011 meeting minutes – Approved
- Status report regarding implementation of forms database

Jo Donoghue, Barry Klayman and David Dorey led the discussion regarding the database. A discussion ensued regarding the index, its headings, and how to make it a “live” doorway to the forms themselves. Another meeting will be scheduled to discuss the database structure and the reconfiguration of the index headings.

- Status report on updating the Section’s page on DSBA website

The DSBA is revising its discussion forum but there is no indication when it will be rolled out. Barry Klayman and David Dorey indicated that the Section’s revised mission statement can be placed on the Section’s website now. A discussion ensued regarding the possibility of providing the Superior Court Judges with a place on the Section’s website to post their chamber procedures. A subcommittee was formed, the Website Committee, to finalize changes to the Section’s website. The members of the committee are: Jim Kron; Jo Donoghue; David Dorey; Travis Hunter; Barry Klayman.

- Update on the proposal to study/compile verdict histories and success of recent amendments to Superior Court Civil Rule 16

David Felice reported that Professor Hoffman, Department of Economics, University of Delaware, expressed interest in the program. David is sending him a letter outlining its parameters. James Kron agreed to reach out to Widener Law School to gauge interest.

- Update on the proposed Section *pro bono* project

David Felice reported that the DSBA’s *pro bono* coordinator made a presentation to section chairs during a recent meeting and again emphasized the request that sections coordinate a *pro bono* project. David Dorey volunteered to perform due diligence regarding a potential program designed to pair up a DuPont in-house lawyer with an

experienced private practice litigation to provide the DuPont lawyer with experience he/she would not otherwise have.

- Update on proposed Hague Convention lunch-time CLE

Karl Randall and David Felice led the discussion regarding this CLE. Timing, location and cost were discussed. Topics to be discussed during the CLE, which may be held on June 1 or June 2, 2011, include service under the Hague Convention and privacy issues in various countries, as well as domesticating foreign subpoenas. Karl and David will investigate further the issue of cost of the CLE and potential other locations at which the CLE can be held.

- Status report on Take Your Adversary to Lunch Week

David Felice reported that it will take place May 2-6, 2011 and circulated a list of participating restaurants.

- Receive Comments on Proposed Amended and Restated Bylaws

Johnna Darby reported on the changes to the Section's bylaws. Two changes were highlighted: (1) provide free membership to the Section for newly-admitted attorneys for the remainder of the year in which they are admitted (which comports with the present DSBA bylaws); and (2) create a new position entitled "Immediate Past Chairperson" which shall be occupied by the outgoing Chairperson.

- Status Report from Sub-Committee on the proposed Bench/Bar Liaison Program

David Soldo reported that the Sub-Committee is now in a position to respond to the Court's inquiries regarding the proposed program.

New business

- Vote on proposed candidates for the Superior Court Bench/Bar Liaison Program

The list of candidates, as well as the talking points and brief description, were approved by all in attendance.

- Vote on proposed amended Section Bylaws

The proposed changes to the Section's Bylaws were approved by all in attendance.

- Vote on increasing Section dues

An increase from \$10 to \$15 was approved by all in attendance.

- Consideration of Commercial Law Section’s proposed Legislation

There were no comments to the legislation. David Felice indicated that, if anyone did have comments, he/she should let him know by Friday, because it was the deadline to let the Executive Committee know whether or not the Section had comments.

- Consideration of pursuing legislation to require that the Delaware General Assembly maintain/publish legislative history of enacted bills

David Felice led the discussion regarding this proposed legislation. The discussion surrounded topics such as how, if at all, the taped Assembly sessions could be used in court; should they be transcribed; should the committee reports be published, etc. The discussion also included talk about reviewing other states’ processes to determine how they maintain their legislative history before proceeding with proposed legislation.

- Consideration of membership year-end event

Budget, sponsors, locations, timing and possible invitees were discussed. Johnna Darby and Onofrio de Gennaro will plan the event, which will take place in May or June 2011.

- Nominations of officers and council members for 2011-2012 membership year

The following individuals were nominated for the following positions. Voting will take place at the year-end event.

David Soldo	Chairperson
Johnna Darby	Vice Chairperson
Karl Randall ¹	Secretary
James Kron	Council Member
Barry Klayman	Council Member
David Dorey ²	Council Member
Jo Donoghue	Council Member
Adam Orlacchio	Council Member

- All other matters that any Member wishes to bring before the Section

None.

¹ Subsequent to the meeting, Karl Randall agreed to accept a nomination for a council member position.

² Subsequent to the meeting, David Dorey agreed to accept a nomination for the Secretary position.

The meeting was adjourned at or around 1:08 p.m.

The Litigation Section's next meeting will be held at the same time and place as the year-end event.

Submitted by:

Johnna M. Darby
Secretary, DSBA Litigation Section