

# President's Message

Although published in October, this President's message was written in early August. At this time, the Coronavirus continues to wreak havoc across the country, particularly in Texas, Arizona, California and the Southeast. In addition, just in time for the start of school, the numbers are spiking in the Midwest. It is my continued hope that all TLA and CTLA members, as well as their loved ones, remain safe and healthy.

Over the last several years, the TLA's Summer Executive Committee meeting has been held in the hometown of the President. This year's planned in-person meeting, to be held in Kansas City, Missouri, had to be cancelled and transitioned to Zoom. The meeting, which took place on July 10, 2020, had over fifty people attending. Although we were unable to share in KC barbeque, beer and local music, we had an excellent meeting full of lively participation and contribution. I would like to thank everyone in attendance for their support and enthusiasm.

At the summer meeting, several important issues were discussed and decided. These include:

## 1. TLA Budget and Membership:

A primary task for the summer meeting was to approve a budget for 2020-21. Given all that is going on, this was not an easy feat. While attempting to be realistic as possible, the TLA budgets conservatively. In other words, it tends to be conservative in estimating revenue. On the flip side, the TLA estimates on the high side for expenses. Consistent with this philosophy, we assumed a COVID related 15% reduction in membership and a 10% reduction in attendees at the upcoming 2020 Transportation Law Institute, 2021 Chicago Regional and 2021 Annual Conference. Given this, the budget that passed is just over \$70,000 in the red.

Needless to say, maintaining our membership numbers is absolutely critical for the health of the organization. With 950 members (the goal is 1000 plus), the budget deficit will likely be erased. Membership renewal notices were sent on June 17 via electronic and regular mail. A second notice was sent via e-mail on June 27. A final postcard notice was sent during the week of August 27. If you have not renewed your membership, please do so! If you are aware of a potential new member, let me or anyone on the Membership Committee know. We would be happy to reach out to the potential new member to share the many benefits associated with belonging to the TLA.

## 2. Committee Involvement:

President-Elect **Steve Canty** announced that he will focus on ways to keep the various TLA committees vibrant over the coming year so

that they continue to provide value to the membership. Specifically, he will ask the committee chairs to assist the membership committee in reaching out to welcome new members. Steve will encourage committees to have monthly conference calls and communicate frequently via TLA Connect. This will be in addition to providing content for *The Transportation Lawyer* and speakers for conferences and webinars.

## 3. Diversity and Inclusion:

The TLA unequivocally condemns racism and discrimination in all forms. As lawyers, we must defend the rule of law, and work for the fair application of the rule of law to everyone. As an organization, the TLA needs to do a better job promoting diversity and inclusion within its membership and leadership. Towards this goal, Immediate Past President Jeff Simmons volunteered to work with Peggy Bush, Tom Evans and the rest of the Membership Committee in preparing and finalizing a diversity statement and policy for the TLA.

## 4. Webinars:

In years past, the TLA had held three webinars per year. As we were not able to meet for the 2020 Annual Conference and the format for future conferences is uncertain (see comments regarding the TLI below), we decided to add two additional webinars for 2020-2021. Upcoming webinars are scheduled to be held in October, early December, late February, April and June. As a reminder, TLA webinars provide CLE credit and are free for members. The plan is for one of these webinars to address diversity and inclusion issues within the TLA and to discuss putting the above referenced statement and policy into practice.

## 5. Management Contract:

TLA's current contract with Kellen runs from August 1, 2016 through July 31, 2021. A committee consisting of **Hillary Booth, Bill Taylor, Jeff Simmons, Dick Westley, Marc Blubaugh, Greg Summey** and I have been hard at work negotiating with Kellen for management services beyond 2021.

Moving forward, the TLA's next big event is the Transportation Law Institute ("TLI"), scheduled for November 13 at the Hotel Monteleone in New Orleans, Louisiana. At the time of this writing, a final decision has not been made as to whether the TLI will be in-person, conducted remotely, or some combination thereof. Regardless, Program Chairs **Charlie Riley** and **Clark Monroe** have planned a fantastic conference. The six panels will cover wide ranging topics including post-pandemic international transportation, the impact of California's AB5 on transportation entities and the collaboration of four law firms to expose a large fraud ring setting



John Wilcox

up "accidents" with commercial motor vehicles. In addition, Jeff Simmons will present the 2020 TLA Distinguished Service, Lifetime Achievement and Bullshipper Awards.

The preparation for the 2021 Chicago Regional Conference and Boot Camp is nearly complete. As previously reported, the Conference and Boot Camp will be held at the Radisson Blu Aqua Hotel. The Boot Camp is scheduled for January 21 and is entitled "International Multimodal Transport - Freight Claims, Casualty Claims & More." Program Chairs **John Lane** and **Bill Pentecost** and the Boot Camp presenters will explore various legal issues and problems that arise during an ill-fated shipment originating in Japan with its ultimate destination in Rochester, New York. The Regional will be held on January 22. **Jason Orleans** and **Tom Martin** have put together eight all-stars panels. The guest

lunchtime speaker will be Magistrate Judge Sheila Finnegan of the United States District Court for the Northern District of Illinois. Her discussion regarding the current climate of civil practice should be interesting and informative.

Please mark your calendars for the 2021 TLA Annual Conference

and CTLA Midyear Meeting which is scheduled for May 19-22 in beautiful Olympic Valley, California. **Bridgette Blich**, **Jeff Pincus**, **Melissa Richardson**, **Peggy Bush**, **Matt Barrette**, **Stephanie Penninger**, **Marshall Pitchford** and **Gordon Hearn** have put together an Olympic themed program that will cover a broad array of topics including food safety, marijuana, new requirements for CDL driving academies and strategies to prevent nuclear verdicts.

The social events and outdoor activities will be second to none.

I hope everyone enjoys this addition of *The Transportation Lawyer*. A big thank you goes out to Editor **Chris Kelly** and everyone submitting articles. In addition, consistent with his efforts to engage the committees, Steve Canty has developed the Committee Corner, which will become a prominent feature of

the TTL. In this issue of the Committee Corner, the Casualty Committee reports on the always evolving (and annoying) Reptile Theory.

As always, if you have any questions regarding the TLA, do not hesitate to contact me. I hope to see you all (in person) soon.



**TLA Mission Statement**

The Transportation Lawyers Association ("TLA") is an independent bar association, comprised of in-house, government and private practice attorneys. Its members assist providers and commercial users of domestic and international logistics and transportation services, in all modes. TLA is dedicated to keeping its members ahead of the constant changes in the specialized legal environment governing all aspects of the supply chain and passenger travel. With commitment to excellence in continuing legal education, and a long tradition of collegiality and exchange of ideas, TLA is a collaborative resource for lawyers seeking to maximize the quality of the legal services they provide and enhance their professional lives.