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IN MEMORIAM: BOB SIEFKIN (1925-2008)

by Steve Kerwick and Darrell Warta, Foulston Siefkin LLP¹

On March 5 of this year Bob Siefkin, one of the organizers of the KADC and its sixth president, passed away at his long-time retirement home in Tucson, Arizona. Bob practiced law in Wichita and throughout Kansas for 35 years with the Foulston Siefkin firm, of which his father, George Siefkin, was a founding member. As president during the early days of our organization in 1971, Bob followed the near-legendary figures of Bill Kahrs, Lee Turner, Jim Mize, Don Newkirk and Herb Marshall.

Bob's education suffered an early interruption when, at the age of 18, he enlisted in the Army to serve in the Pacific Theatre from New Guinea to Japan. After discharge he enrolled at K-State where he had the distinction, among other things, of playing on one of the few football teams achieving a perfect record when in 1947, the last year of the Big Six Conference, the Wildcats went 0 and 10. Whether this served as inspiration or not, Bob eventually moved on to KU and the law, where his winning percentages improved precipitously.

During his 35 years of practice, Bob remained largely in the personal injury defense field, beginning with automobile accident cases and culminating in medical malpractice and products liability defense, including the challenging area of medical device and drug cases. During his extended career, one characteristic which marked his practice was a bulldog directness. Many



stories exemplify this in a way that generalized descriptions never could, the earliest stemming from his very first week of practice after leaving law school.

Bob was assigned to help a senior partner with the administrative preparation of a new plaintiff's case about to be filed against a business. His first task was to determine the proper entity to sue and how it should and could be served.

Within the hour he was back in the partner's office with information that the defendant was a corporation, that "Mr. Smith" was not only its president but also its resident agent for service of process, and that Smith would be home at a particular address to accept service that evening. The partner was a bit taken aback by this abundance of information and asked, "how in the world did you get all that so quickly?" Bob replied that he had simply called Mr. Smith and asked him.

Over the years, Bob was seldom a man to lose sight of a forest for its individual trees and would not let tangential details ruin his focus on any crucial objective. In his middle years he occasionally took responsibility for the trial training of new associates. In those days of smaller and more frequent auto accident cases (with fewer settlements) trial dockets were crowded. Learning trial procedure had to be fast and to the point. In the mid-60s a new associate of Bob's was assigned an open intersection accident for a "maiden" trial on the premise that the sys-

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PRESIDENT'S MESSAGE

Dear KADC Friends,

As summer vacations fade into the scrapbooks or photo albums and kids get back to school, your KADC Board of Directors is busy planning your Annual Meeting and other events for the upcoming year.

Mark your calendars now for the KADC Annual meeting, December 5-6, 2008. Tracy Cole has put together a stellar line-up to keep you informed about relevant topics and current legal developments that should help you in your day-to-day practice. In a change of format, the business meeting and awards will take place at the end of the day Friday so that we can keep the post-libation luncheon more entertaining. We are soliciting nominees for the Kahrs Award for Lifetime Achievement, Distinguished Service Award, Silver Helmet Award, and Benedict Arnold Award; please contact the KADC office or me if you have nominations!

The Board plans to present proposed Articles of Incorporation and Bylaws changes at the Annual Meeting. There is a proposal to change the number of officers from 3 to 4 and allow as many as 3 board members from a single city. Our Articles and Bylaws allow for "no more than" two board members from any one "Judicial District," and although we've remained largely faithful to this – our 15 officers and directors hail from Dodge City, Garden City, Lawrence, Overland Park, Salina, Topeka, and Wichita – we now have 3 board members and an officer from Sedgwick County. With the increasing concentration of our members in metropolitan areas, we think a change from 2 to 3 will bring us in line with current practice, while keeping the board adequately representative of our members and

our state. We're also contemplating adding a new category of membership for law students, something our national counterpart, DRI, has done. Look for the proposed amended Articles and Bylaws several weeks before the Annual Meeting.

We also will be convening the nominating committee to select new board members and officers. If you are interested in serving in such a role on behalf of KADC, or if you would like to nominate someone else, please contact me via my email address below.

As the 2009 Legislative Session draws nearer, the Legislative Committee will be looking at what KADC can do to maintain a favorable defense climate in Kansas. If you have suggestions on possible legislation or improvement to existing law, please contact me or other members of the Committee (Jim Robinson, Scott Nehrbass, Scott Heidner).

Finally, we are also working on a mid-year meeting to take place in Wichita in May or June, 2009. Feedback on the evaluations at the last Annual Meeting revealed a good degree of interest in meeting in Wichita rather than Kansas City. Rather than change the format and tradition of the Annual Meeting, we will implement a mid-year meeting and hope you will attend. More details on that will come in the Spring.

We hope to see you in Kansas City in December! ▲

Anne Kindling
akindlin@stormontvail.org



Anne Kindling
*Stormont-Vail
Healthcare, Inc.*

WELCOME NEW KADC MEMBERS

Jeffrey Bullins - Holbrook & Osborn, P.A., Overland Park
Zach Chaffee-McClure - Shook Hardy & Bacon LLP, Kansas City
Mary Christopher - Goodell Stratton Edmonds & Palmer LLP, Topeka
Jared Hiatt - Clark, Mize & Linville, Chtd., Salina
Tucker Poling - Hite, Fanning & Honeyman, LLP, Wichita
Kyle Roehler - Foland & Wickens PC, Kansas City
Jacqueline Sexton - Foland & Wickens PC, Kansas City
Catherine Walberg - KaMMCO, Topeka

BOOK REVIEW OF JEFFREY TOOBIN'S *THE NINE: INSIDE THE SECRET WORLD OF THE SUPREME COURT*

The Nine is a fantastic read for anyone interested in a "behind-the-scenes" view of the United States Supreme Court. Mr. Toobin provides incredible insight into the Justices and workings of the U.S. Supreme Court, which he gained from interviews with more than 75 current and former law clerks, the Justices themselves, and various members of the Supreme Court press corps.

Mr. Toobin provides a unique window into the Court's process in reaching decisions such as *Bush v. Gore*, *Roe v. Wade*, *Planned Parenthood v. Casey*, and many others. Mr. Toobin provides a personal insight regarding each of the Justices for the Roberts and Rehnquist courts as well as provides a history and background surrounding each of their appointments to the Bench. He describes the decisionmaking process behind

controversial decisions. His insight gives the outside world a rare view inside the Court, such as Justice O'Connor's difficulty in reaching a decision in *Casey* that would not overturn *Roe v. Wade*; the boardroom-like precision in which Chief Justice Rehnquist ran the case management conferences; and how high-powered conservatives have repeatedly attempted to gain control of the Court and the ultimate appointments of Justices Alito and Roberts.

This book is highly recommended for all political viewpoints and for anyone with even a moderate interest in the workings of the United States Supreme Court. ▲



by Jay Heidrick
Shughart Thomson & Kilroy, P.C.

EXTRA BENEFITS FOR ATTENDING THE KADC ANNUAL MEETING

If CLE, blockbuster speakers, networking and "seeing old friends" were not reasons enough for attending the KADC Annual Meeting, add one more reason: *Reciprocity*. The state and local defense organizations (SLDO) of DRI's Mid-Region have a reciprocity agreement that permits you to attend, at a nominal cost, the annual meetings of any other Mid-Region SLDO *provided* you have attended the most recent KADC Annual Meeting. You pay only the estimated out-of-pocket costs the SLDO incurs by your attendance (*i.e.*, meals, beverages, handouts). But no registration fees!

The Mid-Region includes Kansas, Missouri, Colorado, Utah, Nebraska and Iowa. Since KADC's annual meeting is in December each year, if you attended our 2007 Annual Meeting, you could have attended any other Mid-Region annual meeting in 2008 at "cost." These meetings are held throughout the year. For example, the Iowa Defense Counsel Association's annual meeting was Sep-

tember 18-19, 2008 in Des Moines. The normal cost of a non-member attending, including meals, was \$475. Your cost to attend, under reciprocity, if you attended our 2007 Annual Meeting would have been \$100 (for meals) – saving \$375! Their complete program is available at the IDCA website, <http://www.iowadefensescounsel.org/Event.asp>.

The Colorado Defense Lawyer's Association annual meeting was in Vail on August 14-16, 2008. The Utah Defense Lawyer's Association annual meeting was September 5, 2008 in Salt Lake City. The Missouri Organization of Defense Lawyers held its annual meeting June 5-7 at the Lake of the Ozarks.

The registration forms for the various SLDO do not explicitly have a place to register un-



by Dave Rameden
Shook Hardy & Bacon, LLP

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KADC AMICUS COMMITTEE REPORT

There are KADC amicus briefs in the works on a couple of issues. The first issue involves constitutional challenges to the caps on non-economic damages. KADC plans to file amicus briefs in support of the caps in the following two cases:

Miller, et al. v. Johnson, No. 99818, is a medical malpractice case arising from the surgical removal of the wrong ovary. The verdict exceeded the cap, and the plaintiffs have appealed the application of the cap by then Douglas County District Court Judge Stephen Six.

McGinnes, et al. v. Zayat, No. 99896, is also a medical malpractice action in which the plaintiff is challenging the caps. The case is from the Sedgwick County District Court, and involves a wrongful death claim resulting from an endoscopic retrograde cholangiopancreatography (ERCP) examination performed by Dr. Zayat, a gastroenterologist.

Tim Finnerty of Wallace, Saunders, Austin, Brown & Enochs, Chartered has agreed to author amicus briefs in both cases. The Kansas Chamber of Commerce, the Kansas Medical Society, and the Kansas Hospital Association also plan to file amicus briefs in these cases.

The second issue being addressed deals with post-trial contact with jurors and challenging verdicts based on alleged juror misconduct. The case is *William v. Lawton*, No. 97132, a medical malpractice case from Sedgwick County District Court. The jury found defendant Dr. Lawton 54% at fault for injuries to plaintiff Williams. After defense counsel conducted post-trial juror interviews and obtained a juror affidavit disclosing juror misconduct, Judge Woolley ordered a jury recall, and subsequently, a new trial. The case went before the Court of Appeals on an interlocutory appeal on several issues, including the issues of whether the district court erred in ordering a jury recall absent any motion of a party, and whether the district court abused its discretion in questioning jurors without direct participation of counsel. The Supreme Court has accepted this case for review after the Court of Ap-

peals delivered a split decision that reversed the district court's order for a new trial and remanded with directions to reinstate the verdict.

Shannon Holmberg and Andrew Marino of Gilliland & Hayes, P.A. authored the KADC's amicus brief, which was filed in August.

In this same case in February of last year, Peter Johnston and Dustin Denning of Clark, Mize & Linville, Chartered wrote a KADC amicus brief on the separate issue of expert witness qualifications as addressed in K.S.A. 60-3412. On that issue, the KADC supported defense counsel's argument that the district court erred in admitting the testimony of plaintiff's expert.

In March of this year, the KADC filed an amicus brief in *Philip Morris USA Inc., et al. v. Smith, et al.*, No. 99546. Judge Tom Smith of the Seward County District Court had entered a Journal Entry denying attorney/client and work product privilege for documents shared among jointly aligned defendants. The defendants petitioned the Supreme Court of Kansas for an Order in Mandamus to require the district court to vacate its order. The KADC filed an amicus brief in support of extension of the privileges. Greg Drumright of Martin, Pringle, Oliver, Wallace & Bauer, L.L.P. authored the brief. In April, the Supreme Court issued an Order holding that mandamus was not the proper remedy, but also stating that "the court's denial of this petition is not an expression of the court's opinion regarding the existence or the applicability of the joint defense doctrine in Kansas."

If any member has a request for amicus support, please contact me by phone at (785) 841-4554, or via e-mail at tlegal-todd@aol.com. ▲



by Todd Thompson
Chair, Amicus Committee
Thompson Ramsdell &
Qualseth, P.A.

DRI Seminars



October 22-26, 2008

DRI Annual Meeting

New Orleans, LA

November 6-7, 2008

Asbestos Medicine

Las Vegas, NV

November 13-14, 2008

Complex Medicine

San Diego, CA

November 20-21, 2008

Fire and Casualty

Chicago, IL

December 4-5, 2008

Insurance Coverage and Practice

New York, NY

January 28-30, 2009

Civil Rights and Governmental Tort Liability

New Orleans, LA

March 5-6, 2009

Sharing Success: A Seminar for Women

Santa Monica, CA

March 11-13, 2009

Medical Liability and Health Care Law

Lake Buena Vista, FL

Anointed by some as “the first American,” the exploits and achievements of Benjamin Franklin are well-known. Inventor of the lightning rod, bifocals and the Franklin Stove; editor and signer of the Declaration of Independence, diplomat, and signer of the Constitution. Yet what is often overlooked is the reason Franklin, in the last half of his life, had the time to achieve all of these things, and more.

The reason is this: He was an enormously successful businessman at an early age. By the time he was 42, having created a media empire and amassed a small fortune in partnerships, franchises and real estate, he was able to retire with a comfortable income from his investments and turn his attention to his interests in science and civic duty.

How did he achieve this at such a relatively young age? Hard work to be sure. But one of the hallmarks of Franklin’s early success was his idea to form a club of young workingmen that became known as the Junto. At the age of 21, Franklin formed the Junto with the purpose in mind to discuss with others the current issues of the day, but also to share strategies for self-improvement and provide an opportunity to further the business interests of its members.

In addition to being first American, Franklin was likely the first American networker.

Franklin’s conception of the Junto spawned a tradition of a number such organizations that flourish today. If you are reading this, you most likely are a KADC member and, as such, you benefit from the sharing of information and networking with other members. Take that to the national level with DRI. As a member of DRI you have opportunities to earn CLE through more than 20 annual live seminars held in major cities through the U.S., or via teleconferences, both at special member rates.

Few organizations can match the quality of DRI seminars. I’ve shared this before, but I attended a DRI Trial Tactics seminar in 1990 at which two premier defense lawyers separately gave a closing argument on the same case. I took detailed notes, and when I re-

turned to the office, I merged the two closings into an outline of arguments I could refer to when planning the closing arguments for my cases. To this day, I pull out this outline and refer to it when preparing my closing argument.

Years later, at the annual Damages seminar in Las Vegas, Al Parnell made a presentation of “killer arguments” he had collected from several different defense lawyers from across the country. My favorite is a counter to the per diem argument. It is so effective, in my view, that in a personal injury trial I genuinely hope that the Plaintiff’s lawyer makes the per diem argument.

There are many more benefits available to a DRI member, including a subscription to *For the Defense*, the premier monthly magazine, the ability to join up to four substantive law and practice area committees, and DRI’s Annual Meeting, the flagship event which offers a wide array of CLE offerings, business and committee meetings, and abundant networking opportunities. At the annual meeting last October in Washington, DC, I came away with two solid referrals.

Speaking of the annual meeting, this year DRI returns to New Orleans, October 22-26, for the first time since Katrina. By all reports the Crescent City is back, clean and better than ever with all your favorite restaurants, jazz clubs, etc. Sign up before September 24 and you will save \$100 on the registration fee.

So, mark your calendar, go to www.dri.org to get a registration form, fill it out, send it in, and join us in New Orleans in October.

“An investment in knowledge,” Franklin said, “always pays the best interest.” KADC and DRI each provide an immeasurable source of information and business opportunities that will enable you to better yourself and your defense practice. Make your investment. ▲



by Dan Diepenbrock
Law Office Of Daniel
H. Diepenbrock, P.A.

EXECUTIVE DIRECTOR'S REPORT

ANNUAL CONFERENCE SPONSORSHIPS: MORE THAN JUST A BOARD RESPONSIBILITY

It's late September.....we're many months removed from last legislative session.....and we're a couple months shy of the 2008 KADC Annual Conference. The dog days of summer are over, with a light agenda, right? Perhaps. Certainly there are no events with the time demands and constant activity of the legislative session or the Annual Conference transpiring at the moment. However, this makes it the perfect time to pursue an initiative that has not seen nearly enough attention in recent years: finding sponsors and exhibitors for the Annual Conference.

Tracy Cole, KADC Secretary-Treasurer, is responsible this year for putting together the Annual Conference, including sponsorships and exhibitors. But this is simply not a one person job. It's not even a one committee job. This is truly a job for the full membership. Nothing motivates a prospective sponsor or exhibitor like hearing from a paying client. Or several paying clients. In this case, that's you and your firm.

How many vendors do you use? How many of them have exhibited or been a sponsor at past KADC Annual Conferences? I'm willing to bet in most cases the answer is zero. This is a great opportunity waiting to be mined. I

think it's almost unimaginable what we could do if every KADC member contacted just one vendor they use and ask them to participate. Have you done that? It's a five minute phone call.

Why is this important? Hopefully you have noticed the last three years that our speakers have been top caliber. The reviews have been outstanding, and the Board intends to maintain this high level of quality, but it takes lots of money. That money has to come from higher dues or higher Annual Conference fees.....unless we raise more money from exhibitors and sponsors.

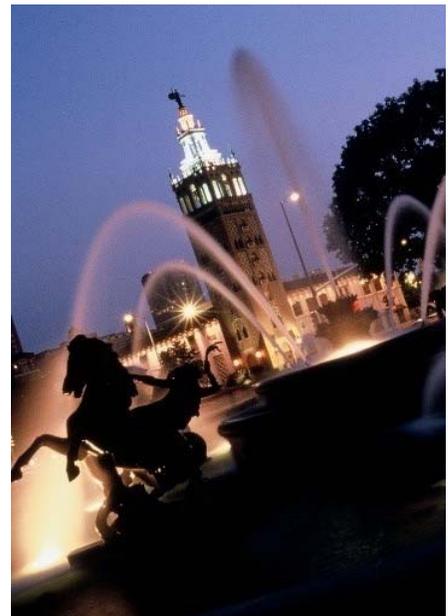
So, what is the action item I'm asking you to take? I'd like you to do two things. First, e-mail Tracy Cole at tcole@gh-wichita.com and ask her what help she could use with obtaining exhibitors and sponsors. Second, regardless of what Tracy needs, I'd ask you to contact at least one vendor and ask them to consider exhibiting or sponsoring at our Annual Conference. I think you'll be shocked at how successful you can be!▲



Scott Heidner
Executive Director

Save the Date!

KADC Annual Meeting
Dec. 5 - 6, 2008
Marriott Country Club Plaza
Kansas City, MO



In Memoriam: Bob Siefkin (Continued from pg 1)

tem of contributory negligence in place at the time made such a case very difficult to lose. At the conclusion of the instructions and closing arguments, though, Bob proceeded to fire a number of acidic criticisms at the associate while the jury was deliberating – among the milder of which was the statement that “your closing argument was lousy. You made a number of mistakes which could have caused a disaster.” Moving to the courtroom blackboard he began to illustrate the specific shortcomings and the specific openings they created. His visual-aid program was interrupted by the courtroom buzzer, however, when after only four minutes the jury returned with a verdict for the defense. The young lawyer took this as a more favorable critique and began gathering up his file to leave. “Where are you going?” Bob asked. The trial winner – now afflicted with a condition of hubris acquired directly from the jury – replied “Back to the office.” “No you’re not,” came the reply, “I wasn’t done yet!” Bob then returned to the board for a half-hour to illustrate those flaws in the closing argument and how a more astute opponent could have exploited them.

On rare occasions, Bob’s legendary directness did take a curvier path in finding the shortest distance between two points. In a case in a county outside Wichita he challenged opposing counsel – an accomplished local trial lawyer with a reputation for a quick temper – that he would put a statement into evidence in a wrongful death case involving a former motorcyclist and a surviving oilfield truck. When the hometown lawyer responded correctly that there was no proper evidentiary basis for this, Bob replied, “I’m gonna do it anyway.” Not long before the noon recess, Bob called a witness with no apparent connection to the proposed statement, asking whether he’d ever seen the statement before. At this point the local opponent rose to object, announcing that he wasn’t going to be run over by a Wichita smart aleck. The trial judge, unaware of the personal challenge involved, ruled that the preliminary question was proper, at least at that point. This led to a near-shouting con-

test between plaintiff’s counsel and the judge over who was being allowed to run the courtroom in his home town and who was the outsider trying to put one over. In the commotion, only the jury seemed to notice that the witness had denied any knowledge of the statement and Bob had said “no further questions” before calmly taking his seat amongst the commotion between court and counsel.

Not much of this would make a lot of sense without knowing the prelude. Bob had taken note that sitting at their defense table were two lawyers, the owner of the drilling company and the oil truck’s driver, all of whom appeared prosperous and well-fed. Only the deceased’s mousy surviving father sat at plaintiff’s table. Bob summarized his concern with the comment that “We have too much beef at our table, there is only one thing to do. I’ll have to get [plaintiff’s counsel] to pick on me.” Whether everyone in the courtroom understood or not, the inadmissible statement that was never formally offered as an exhibit did just the trick.

Some opposing counsel knew just what Bob Siefkin was up to – or at least thought they did. Former federal judge Pat Kelly, one of Wichita’s best and most successful personal injury lawyers, prided himself on handling experts and demonstrating the complexity of orthopedic injuries (and therefore their seriousness and need of handsome compensation). In one case he parsed and explicated on the intricacies of damage to the “patella.” This went on through voir dire, opening and several witness examinations, culminating in plaintiff’s expert. Bob, who had a small stutter when excited, particularly with the plosive consonants, tried bravely and repeatedly to say “patella” before giving up and referring to the “knee bone,” a demystified term that the jurors immediately understood as something not that complex at all. This seemed to follow the script of an earlier case Bob had defended brought by Pat and his partner Johnny Frank claiming that Bob’s client was responsible for a permanent shoulder separation totally disabling their chiropractor client from Missouri. While cross-examining

(Continued on page 8)

Some opposing counsel knew just what Bob Siefkin was up to – or at least thought they did.

In Memoriam: Bob Siefkin (Continued from pg 7)

plaintiff's doctor, Bob tried and tried to pronounce "acromioclavicular joint" but he just couldn't get there. Finally, a nice lady in the front row of the jury box said: "Mr. Siefkin, it's acromioclavicular." Bob turned and said: "Why thank you so much, Mrs. Green." Siefkin won. Possibly with this memory in mind, Kelly cheerfully but forcefully complained about this practice of "pseudo-stuttering" in the judge's library at the next recess. When reminded that this was a behavioral shortcoming that couldn't be helped, he replied "Yeah, but the so-and-so only stutters when he needs to!"

None of this should be taken as any indication of animosity, as Bob and Judge Kelly were great friends and mutual admirers. They are more likely than not exchanging exotic celestial closing arguments at present involving harp damage that has occurred in collisions between inattentive cell-phone wielding angels, with Bob in his green, permanent press, wash-and-wear trial suit.

Bob's rapport with the acromioclavicular juror was the product of more than just stuttering though. He practiced in the era when 18 veniremen were summoned to fill a 12 person civil jury. Plaintiff's counsel typically consumed at least a full hour with voir dire and Bob used the time gainfully to memorize the names of each panel member together with other information – spouses names, places of employment, kids, and the like. Bob then conducted his voir dire examination standing about five feet in front of the jury box without notes or any other visible memory aids – thus establishing a great relationship with the jury before the first word of opening statements.

One of the other great skills of a trial lawyer is to identify and illustrate the gap between what people say and what they think and believe – whether they are parties, witnesses or jurors, sometimes even clients. Bob Siefkin mastered this skill artfully. Perhaps the best example of this came in an injunction case in which a number of angry neighbors sought to shut down a rock quarry operated by Bob's client, who also happened to be

one of his personal friends. This proceeding involved the predictable complaints of noise, dust and damage to township roads in the area, but it was a make-or-break case for the client because of the vast value contained in the unmined rock.

On the day of the injunction hearing, Bob insisted on leaving nearly two hours early for the 30 minute drive to El Dorado, to the mild irritation of his second chair. But, he explained, he wanted to take one last look at the quarry and its surroundings on the way. While driving about 45 mph down a rural dirt road, he slammed on his brakes so hard that he nearly deprived himself of a trial associate by uniting the young lawyer with the windshield. Normally, Bob was a compulsively cautious driver and would commonly make several right turns around a block to avoid a left in front of oncoming traffic (an accident scenario involved in so much of his caseload), so the associate was perplexed as to what was going on. More critically, how was he going to express his annoyance with the sudden stop in a way that wouldn't have career implications.

The reason for Bob's action gradually became apparent when he jumped out of the truck, vaulted a split rail fence like an Olympian and began selecting cucumbers and squash from the garden beyond for confiscation. As it turned out, the garden belonged to the most vigorous complainer about the quarry, who had claimed in her deposition that her garden had been ruined by the dust raised by the client's trucks. Impeaching this witness had two major obstacles, however – the lesser of which was how to apply an exhibit sticker to an acorn squash. This produced more than average delay at trial. The second problem was to get the complaining witness to fess up to her ownership of the healthy, vigorous produce that Bob had liberated an hour earlier. To an ordinary litigator this might have been fatal, but Bob slowly and gradually managed to exploit the old lady's pride and picked up testimony about her County Fair prize-winning record and her high current expectations in that regard. At some length, she finally acknowledged her

(Continued on page 9)

Bob then conducted his voir dire examination standing about five feet in front of the jury box without notes or any other visible memory aids – thus establishing a great relationship with the jury before the first word of opening statements.

He had an early and immensely satisfying retirement of more than 20 years after leaving the bar.

Bob Siefkin (Continued from pg 8)

parentage of the exhibited vegetables. All of this amused the trial judge to the point that he had to call recess and retire to chambers to release his poorly-suppressed laughter. The longer-term result was that the rock quarry continued in operation unimpeded by the court of equity, based in large part on cross-examination of a key witness with produce from her own garden as exhibits.

Bob Siefkin had one other achievement not often matched by ambitious and over-achieving trial lawyers. He had an early and immensely satisfying retirement of more than 20 years after leaving the bar. During this time he is reputed to have played more than a few rounds of golf with his wife of 58 years, Y, although his scores on the links

never remotely matched his courtroom accomplishments in any respect other than the enjoyment he took from them. He is much missed, as are the other departed pioneers of the Kansas Association of Defense Counsel who preceded him.

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1. The declarants of the anecdotes reported here are protected by attorney-client privilege and professional courtesies extended to both the living and deceased. For those who might be skeptical, the authors vouch that each and every event told here has passed from the lips or keyboard of an individual who, like Bob Siefkin, is a former president of the KADC. ▲

NOMINATIONS SOUGHT FOR THE FOLLOWING AWARDS TO BE GIVEN AT THE 2008 ANNUAL CONFERENCE

Kahrs Award for Lifetime Achievement

The award is named after a co-founder of the KADC and longtime Wichita attorney, William A. Kahrs, of the Kahrs, Nelson, Fanning & Hite firm. Mr. Kahrs had a long and distinguished legal and public service career spanning five decades.

Distinguished Service Award

The Distinguished Service Award is given to a member for their exceptional service to KADC.

Silver Helmet Award

The Silver Helmet is awarded intermittently by KADC to members who have made great contributions in legislative matters.

Benedict Arnold Award

The Benedict Arnold Award, instituted in the 1994 Annual Meeting, is given to a KADC member who represents a winning plaintiff in a case defended by a fellow member.

Please contact KADC President Anne Kindling (akindlin@stormontvail.org) with your nominations

Extra Benefits (Continued from pg 3)

der the reciprocity agreement, so contact the individual SLDO to request specific fee information. You may be asked for proof that you attended the last KADC Annual Meeting. If you did not retain your receipt, please contact KADC staff and they will review the registrations and "certify" your eligibility to the sister SLDO for reciprocity purposes.

Contact information for other SLDO in the Mid-Region:

Utah Defense Lawyers Association;
www.udla.org

Missouri Organization of Defense Lawyers, www.modllaw.com

Colorado Defense Lawyers Association,
www.codla.org

Iowa Defense Counsel Association,
www.iowadefensecounsel.org

Defense Counsel Association of Nebraska, President: James Ellison, 308-436-5297

Take advantage of this great member benefit. And be sure to attend the 2008 Annual Meeting to vest your rights with other Mid-Region SLDO annual meetings in 2009. ▲

SHARE YOUR TRIAL RESULTS

With Your Fellow Members Of The Kansas Association Of Defense Counsel

Provide a summary of your trial so that it may be published in the *Kansas Defense Journal*. Please include the following information:

- Type of Suit
- Case Title
- Court Docket No.
- Attorneys for each party
- Date Decided
- Result
- Significant Holding or Finding
- Liability and Injury Facts
- Verdict or Settlement Amount
- Comments

Email to: Amy E. Morgan, Editor, Kansas Defense Journal
amorgan@stklaw.com

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Kansas Association of Defense Counsel

Application for Membership

The undersigned hereby makes application for membership in the Kansas Association of Defense Counsel and submits the following information in connection therewith (membership restricted to an individual)

1. Name _____
(Last Name) (First Name) (Middle Initial)

2. Firm Name _____ Years Associated _____

3. Address: Office _____
(Street or Building)

(City/State/Zip) (Phone)

(FAX) (Email)

Residence _____
(Street)

(City/State/Zip) (Phone)

4. Send correspondence to: Office Residence

5. Date admitted to the Bar in the State of Kansas _____

6. Are you a member of the Defense Research Institute (DRI)? Yes No

7. List names of and year of admission of all courts of last resort in which you are admitted to practice: _____

8. List all bar associations and all other professional organizations and law societies to which you belong: _____

9. State all legal and public offices held: _____

10. List any articles and books you have written: _____

11. Are you in private practice? If so, state number of years: _____

12. Is your interest in litigation principally defense oriented? _____

13. I have enclosed annual dues for the following membership category:

- Admitted to the Bar 5 years or more \$175.00
- Admitted to the Bar less than 5 years \$85.00
- Governmental attorney \$85.00

Dated this _____ day of _____, 20 _____

(Signature of Applicant)

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- ◆ Representation to the Defense Research Institute (DRI)
- ◆ One year free membership in DRI for new KADC members who have not previously been a member of DRI
- ◆ With both KADC and DRI membership you have the opportunity for exchange of ideas with some of the best attorneys in the state, region and nation

When completed, this application, together with admission and initiation fee, should be mailed to the Kansas Association of Defense Counsel, 825 S. Kansas Ave., Suite 500 Topeka, KS 66612 Phone (785) 232-9091