

## Challenging Plaintiffs' Use of Federal Regulations to Bolster Negligence Claims

PRESENTED BY DRI'S TRUCKING LAW COMMITTEE

This "Lunch and Learn" webinar will provide an in-depth look at the Federal Motor Carrier Safety Regulations (FMCSRs) relating to driver qualification, hours of service, and equipment maintenance, and will address how such regulations are used by plaintiffs to establish "safety rules" that bolster their negligence claims. Attendees will also learn about recent court decisions analyzing the extent to which an alleged violation of the FMCSRs by a motor carrier or driver can support a plaintiff's negligence claims and will take away practical pointers on how to best combat a plaintiff's use of such regulations.

**WEDNESDAY, MARCH 13, 2019**

**1:00 p.m. – 2:00 p.m. Eastern**

**12:00 p.m. – 1:00 p.m. Central**

**11:00 a.m. – 12:00 p.m. Mountain**

**10:00 a.m. – 11:00 a.m. Pacific**

### Who Should Attend

- Young attorneys and transportation specialists and practitioners who are new to trucking
- Practicing trial lawyers handling regulation-heavy trucking litigation
- Trucking industry representatives and claims adjusters seeking to enhance their knowledge regarding the FMCSRs and use of the FMCSRs by plaintiffs' lawyers

### What You Will Learn

- The FMCSRs often used by plaintiffs' counsel to establish "safety rules" used to support their reptile arguments
- Recent court decisions analyzing the extent to which a driver's or motor carrier's violation of FMCSRs supports a plaintiff's negligence claims
- Practical pointers on how to best combat a plaintiff's use of a driver's or motor carrier's violation of FMCSRs to support negligence claims

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### Speakers



**Jennifer Wood** is General Counsel and Director of Corporate Risk & Support for Sunset Transportation, managing corporate risk and compliance for Sunset Transportation. She is an attorney licensed in Missouri and Illinois with a background in trucking defense litigation. Her industry experience is complemented by her husband's 17 years' experience as a commercial truck driver.



**Patrick E. Foppe** practices in civil litigation and represents corporate clients and insurance companies in cases throughout Illinois and Missouri in both state and federal court. He frequently handles claims involving insurance defense, premises liability, personal injury, complex commercial motor vehicle accidents, products liability, wrongful death and general negligence. Patrick also conducts immediate response to serious accidents as part of Lashly & Baer's Rapid Response Team, which helps to achieve early evaluation of serious accidents and ensure the preservation of evidence. Patrick currently serves on the DRI Trucking Law Committee's steering committee and is chair of publications.



**Christopher E. Cotter** helps his clients navigate and solve legal problems. He primarily defends injury and business claims and advises on regulatory and compliance issues. Mr. Cotter has the capability to address a wide array of claims and legal issues, including, but not limited to, complex commercial motor vehicle accidents, issues involving unmanned aircraft systems (drones), transportation contract drafting and review, insurance coverage disputes, employer intentional tort claims, and regulatory compliance under the Federal Motor Carrier Safety Regulations. In addition, Mr. Cotter serves on Roetzel's Emergency Response Team to immediately address issues that may arise as a result of catastrophic injury events, industrial accidents, fires, and other catastrophes.

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