

OADC OUTLOOK

A Publication of the Oklahoma Association of Defense Counsel

December 2016

OADC Outlook

Page 1

President's Message

Page 2

Brief Updates

Page 3

Nominations Wanted

For a complete list of all
upcoming functions go to:

www.OADC.org

Submissions should be sent to Skoshi Heron
at: Skoshi@GoBaker.com

Skoshi Heron
PO Box 5445
Edmond, OK 73083

Fax:: 405-415-7366

President's Message

by James Secrest III

It's been a memorable 50th year for OADC. From the summer meeting to our Trial School, Civility CLE, and amicus briefing in cases involving issues that significantly affect our clients and defense practice, we have had a busy and productive year. It has been my pleasure to serve as OADC's President during a very special year. I am proud of all that we have achieved, and I know our organization will continue its good work in 2017 under the leadership of incoming President Michael Carter and the officers and board of directors.

I invite you to join me, our officers, and board of directors at our Winter Meeting on January 20, 2017 at 21c Museum Hotel, where we will celebrate another year's accomplishments and welcome our new officers and board members. I hope to see you there!

OADC would not be the organization it is without the service and contributions of our members and their firms. We need our members to be engaged so we can continue our mission which began 50 years ago. We need your service as an officer or board member. We are currently accepting nominations for officers and board members. Please contact me if you are interested in serving OADC as an officer or board member. The experience will be enriching to you and your practice.

Thank you for a great year!

OADC

Winter Meeting

January 20th, 2017

21 C Museum Hotel

6:30 Cocktails

7:30 Dinner

To make hotel reservations:
Call Chris Woodrow @ 405.982.6920 and
reference the code ELEVATOR

Recent Case Notes

Amy Bradley-Waters

Pierce Couch Hendrickson Baysinger & Green, L.L.P.

In *Morton v. Watson*, 2016 OK CIV APP 71, the Court of Civil Appeals held that a hospital lien had priority over a health insurer's subrogation interest arising from its contract with the injured party. The Court specifically found that Oklahoma's hospital lien statute, 42 O.S. § 43, provides that a hospital lien is only inferior to an attorney's lien.

The Oklahoma Supreme Court in *Martin v. Gray*, 2016 OK 114, reversed a trial court ruling finding that Kansas law applied to a bad faith claim for an accident that occurred in Oklahoma. The policy was issued in Kansas, but the vehicle insured under the policy was garaged in Oklahoma. Prior to the accident, Plaintiff's parents notified their agent that their daughter had moved to Oklahoma to live with her grandmother, and that the vehicle would be garaged in Oklahoma. Plaintiff was injured in an automobile accident in Oklahoma. The Supreme Court held that the trial court should have applied the most significant relationship test to determine which state had the most significant contacts for the accident, in order to determine which state's law would apply to Plaintiff's bad faith claim. However, the case was not remanded to the trial court to make this determination, as the case was settled while the appeal was pending. Instead, the trial court was directed to dismiss the case after the mandate was issued.

Save the Date!

2017 Summer Meeting
Las Vegas

The Cosmopolitan - June 8 - 11, 2017

Nominations Wanted

2016 Outstanding Defense Lawyer

Candidate has demonstrated an outstanding commitment to the work of OADC and during 2016 has obtained one or more substantial litigation wins (not necessarily a defense verdict).

Nominations must include:

1. Candidate
2. Candidate's Firm
3. Person Nominating
4. Reason for Nomination

Send all nominations to Jim Secret III @ jsecret3@secresthill.com by **January 1**.

2016 Outstanding Young Lawyer

Candidates for the award must have demonstrated outstanding commitment to the work of OADC and during the 2016 year have one or more of the following:

1. Published Articles
2. Pro Bono Work
3. Work with Law Students
4. Community Service

Board Members

Three Positions Open 3 Year Terms

Requirements:

1. Participate in the monthly conference calls. These are set for noon and are usually the 3rd Thursday of the month, Feb. – May and July – Dec. They usually take about 30 – 45 min, sometimes less. No call in Jan. or June due to the other meetings.
 - a. Of course, there are times when work conflicts with the monthly call or the meetings. We ask that board members try their best to attend and be active; board members can be removed after 3 unexcused absences.
2. Participate/attend the winter meeting.
3. Participate/ attend in the summer meeting.
4. Be an active participant on a committee of your choosing.
5. Recruit OADC members.