

Agenda

Contract Law Primer for Engineers

J. Carroll

- Reviewing the necessary elements of any contract
- Understanding contract “legalese”
 - Determining performance
 - What constitutes a breach of contract?
 - What are damages and remedies?
 - Liability-shifting contract provisions: warranties, guarantees and indemnities
- Making changes to contracts

Professional Liability Law

R. Storrs

- Reviewing the grounds for professional liability claims
- Identifying who can bring a claim
- Examining common sources of professional liability claims
- Reviewing defenses to liability claims
- Determining damages
- Participating in dispute resolution: arbitration, mediation, litigation
- Obtaining insurance coverage for professional liability claims

Professional and General Liability Insurance for Engineers

C. Smith

- Understanding business insurance coverage:
 - general liability vs. professional liability policies
- Additional insureds: obtaining certificates of insurance
- Understanding insurance policies:
 - Indemnities
 - Assignment
 - Insurance availability
 - Warranties, guarantees and certifications
- Recognizing and responding to claims

Intellectual Property Essentials for Engineers: Patents, Trademarks, Copyrights, and Trade Secrets

P. Burrus

- Securing ownership of your designs through patents, trademarks, copyrights, and trade secrets
- Leveraging your intellectual capital through licenses, franchises, and other technology agreements
- Policing intellectual property rights and preventing infringement
- Resolving intellectual property disputes

Cyber Security Issues for Engineers

M. Foree

- Cyber security threats and business exposure to data breaches
- Anatomy of a data breach or cyber attack and the spectrum of possible responses
- Coverage that is available under cyber Insurance policies
- Examples of actual cyber events, with lessons learned from those events

Developments in Federal and Georgia Environmental Law

A. Thompson

- Reviewing recent changes to and enforcement of:
 - Pollution prevention
 - Water quality enforcement
 - Stormwater permitting
 - Watersheds, wetlands, lakes and streams
- Reviewing recent and anticipated developments at the US EPA and the Georgia Environmental Protection Division

Engineering Law and Ethics

Atlanta, GA - Wednesday, September 25, 2019



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Learning Objectives

You'll be able to:

- Explain** the necessary elements of contracts and describe what constitutes a breach of contract.
- Review** the grounds for professional liability claims, and learn how to participate in dispute resolution.
- Evaluate** different types of insurance coverage and get tips on recognizing and responding to claims.
- Secure** ownership of your designs through patents, trademarks, copyrights, and trade secrets.
- Evaluate** possible responses to a data breach or cyber attack.
- Understand** state and federal regulations regarding pollution prevention, water quality enforcement, and stormwater permitting.



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- Understand** standard contract provisions
- Identify** common sources of professional liability claims
- Examine** professional and general liability insurance
- Learn** about intellectual property essentials, including patents and copyrights
- Explore** cyber security issues
- Discuss** developments in Federal and Georgia environmental law

Continuing Education Credits

Professional Engineers
7.0 PDHs



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Faculty

S. Jake Carroll is an attorney in the Construction Law and Tort and Catastrophic Loss practice groups of Freeman Mathis & Gary LLP, where he represents commercial and corporate parties in a variety of litigation and corporate matters. Mr. Carroll’s construction practice encompasses representing contractors, subcontractors, owners, architects, engineers, and sureties. He handles payment disputes, delay claims, and construction and design defect cases. Mr. Carroll also assists his clients in negotiating and drafting construction contracts. He is an active member of the Construction Section of the Atlanta Bar Association, and frequently authors articles on construction-related topics. Mr. Carroll represents the firm’s manufacturing sector clients in payment disputes and design defects, and assists with product recalls, consumer complaints and media inquiries. He also assists clients with negotiating and drafting supply and end-user agreements. Mr. Carroll is licensed to practice in both Georgia and Florida.

Richard J. Storrs practices law and serves as an ADR professional in Atlanta, Georgia, at The Storrs Law Firm. He has practiced construction law and commercial litigation in Atlanta since 1984. Mr. Storrs is known for being a creative and experienced mediator, focusing on resolving construction and commercial disputes. He also serves as a respected arbitrator in construction and commercial matters. Mr. Storrs also continues to represent clients in construction law matters, commercial litigation, and real estate issues. He also assists with forming and structuring organizations, drafting agreements, and avoiding disputes before they arise. Mr. Storrs has taught design and construction law since 2006, and he is currently an adjunct professor at the University of Georgia School of Law and Georgia State University College of Law. He has appeared at numerous seminars and has written extensively about construction law issues. His publications include authoring chapters since 2012 on no damage for delay clauses and surety law in the annual *Construction Law Update*. Mr. Storrs received his undergraduate and law degrees from the University of Georgia, where he graduated with honors and served as a notes editor of the *Georgia Law Review*.

Cooper Smith is a CRIS Broker and vice president of Greyling Insurance Brokerage where he negotiates and places coverage for large design firms, contractors, and law firms. He works with mid-sized to large clients, many with global exposure and complex insurance programs. In addition to being well versed in professional liability, property/casualty, and executive risk practice programs, Mr. Smith has negotiated a wide range of large and complex project-specific policies for professional liability, pollution liability, and builders risk programs. He performs risk management consulting for clients including preparation and presentation of educational seminars, compilation and analysis of risk surveys, recommendation of and coordination with legal counsel, and answering various client questions concerning insurance and risk issues impacting the construction and engineering industry. He holds the construction risk and insurance specialist (CRIS) professional designation from the International Risk Management Institute (IRMI). Mr. Smith is a 2005 graduate of the University of Georgia, where he majored in risk management and insurance. He was a member of the Insurance Society and the Gamma Iota Sigma Honors Fraternity.

Seminar Information

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Philip H. Burrus of Burrus Intellectual Property Law Group, LLC, worked with Motorola, Inc. from 1997 through 2005. Serving as senior patent counsel, he was solely responsible for the intellectual property prosecution and portfolio management of the Energy Systems Group, a \$700 million business. In 2005, to answer the needs of in-house counsel across Atlanta, he founded the Burrus Intellectual Property Law Group. He has extensive experience with intellectual property prosecution, as well as portfolio development and management, for businesses both small and large. With degrees in engineering, business and law, as well as experience as an entrepreneur, Mr. Burrus brings a broad and dynamic perspective to intellectual property issues. He is licensed to practice in Georgia, North Carolina, Washington, D.C. and before the US Patent and Trademark Office. Mr. Burrus was named a “Rising Star” in 2010, 2011, and 2012 by *Georgia Super Lawyers* magazine, and previously served as the chair of the Intellectual Property Section of the State Bar of Georgia.

Matthew N. Foree is Of Counsel in the Commercial Litigation and Construction Litigation National Practice Sections of Freeman Mathis & Gary, LLP and is also a member of the firm’s Data Security, Privacy, and Cyber Liability practice team. His construction law practice includes the representation of design professionals, contractors, owners, and other clients in all types of construction disputes, including breach of contract and design defects. In his data security, privacy, and cyber liability practice, Mr. Foree advises and represents businesses in a variety of matters relating to data security and privacy laws. He has experience helping businesses respond to data breaches and comply with notification laws involving inadvertent disclosure of information. He also represents businesses in litigation matters related to data security and privacy.

Andrew M. Thompson is a partner in Smith, Gambrell & Russell, LLP’s the Environmental/Land Use Practice and is a member of the Sustainability Practice Group. His practice includes environmental and commercial litigation in state and federal court, as well as in state administrative court. He has represented and advised clients in connection with a range of environmental and commercial issues, including defending enforcement actions by the U.S. EPA and state environmental agencies, toxic tort litigation, Clean Water Act permitting and compliance, insurance coverage litigation, hazardous waste, groundwater contamination, environmental cleanup and emergency response and other environmental matters. Mr. Thompson serves as an adjunct professor at Emory University School of Law teaching a course in water law and environmental litigation. He is a board member for the Turner Environmental Law Clinic at the Emory School of Law, a member of the Metro Atlanta Chamber of Commerce Environmental and Sustainability Committee and a member of the Defense Research Institute Toxic Torts and Environmental Law Section. He is on the advisory board of Chattahoochee Riverkeeper, Inc. and is a Class of 2012 graduate of the Institute for Georgia Environmental Leadership. Mr. Thompson received his J.D. degree, with distinction, from Emory University School of Law, where he was a notes and comments editor of the *Emory Law Journal*.

Additional Learning

Webinar Series

Stormwater Infiltration

- **Infiltration and Soil: Water Science**
Thurs., August 8, 2019, 11:00 AM - 12:30 PM CDT
- **Infiltrating Stormwater and Maximizing Infiltration**
Thurs., August 8, 2019, 1:00 - 2:30 PM CDT
- **Improving Infiltration with Low Impact Development Techniques**
Fri., August 9, 2019, 11:00 AM - 12:30 PM CDT

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Registration

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