

Minutes of the WDMO Federal Practice Committee
November 17, 2010 – Kansas City, Missouri and Via Teleconference

Present in person: Tom Bender, Willie Epps, Brian Gaddy, Julia Kitsmiller, Lisa Nouri and Ann Thompson.

Present via teleconference: Todd Bartels, Marsha Fischer and Mike Oliver.

New Members with terms beginning in January also in attendance: Travis Poindexter and Lynette Siegel

The Federal Practice Committee for the U.S. District Court for the Western District of Missouri (the "Committee" or the "FPC") joined the Judges of the District for the Committee's annual luncheon beginning at noon at the Whittaker Courthouse. Brian Gaddy updated the Judges on Committee activities, reporting primarily on successful Community Outreach programs. Brian welcomed the incoming members and thanked those members with expiring terms: Todd Bartels, Tom Bender, Michael Berry, Aldo Dominguez and Denise Henning. On behalf of the Court en Banc, Judge Ortrie D. Smith thanked all the members and acknowledged the service of the departing attorneys. Judge Smith presented a plaque to Mr. Bender. [Appreciation plaques were mailed to those departing members that were not present in person.]

The business meeting of the Committee convened at 1:00 p.m. Mr. Gaddy asked for additions or corrections to the minutes from August 26, 2010. Hearing none, the minutes were approved.

Mr. Gaddy also thanked the outgoing members and welcomed the new members. Willie Epps as incoming Chair indicated that he would circulate possible meeting dates for the first in-person meeting in January. In planning the meeting date, he further indicated that he would coordinate with Chief Judge Gaitan's schedule. Discussion ensued about general meeting scheduling for the coming year. Mr. Gaddy noted that several telephonic meetings had been cancelled due to business being accomplished via email and that Mr. Epps might consider that when planning for the future. He also encouraged the Committee to continue to have at least one meeting per year at a divisional office location.

Ms. Thompson noted that there would be a bar reception in Jefferson City in 2011, and it would likely involve the opening of the new courthouse although a date has not been set. She will coordinate with Mr. Epps to ascertain whether a Committee meeting can be combined with other events in Jefferson City next year.

Ann Thompson also reported on new Community Outreach speaking requests and asked for volunteers for the December 16th event with Judge Maughmer. Mr. Epps agreed to speak, and Lisa Nouri agreed to act as his partner if it was a large crowd and as a back-up if the crowd

was small. Discussion ensued about how the presentations have gone and typical questions asked by the audiences. Mr. Gaddy asked Mike Oliver to contact Rodney Nichols and to attempt to solidify an opportunity for a Community Outreach presentation in Springfield with Judge Dorr or Judge England.

Regarding a Local Rule on E-discovery, Mr. Gaddy opined that he did not think the Court had chosen to pursue a new rule at this time. Discussion ensued, and Mr. Bender described his discussions with the Judges on the topic. No further work is being requested of the Committee on this topic at this time.

Mr. Gaddy then inquired as to whether any members had received comments or concerns from other bar members based on the email blast identifying the FPC members and their contact information and soliciting feedback. No substantive responses were reported. Discussion ensued about additional awareness and methods to obtain attorney feedback. Mr. Bender suggested having a handout or materials available at the Bench-Bar conference.

The meeting adjourned at 1:40pm.