



**2019 PAJ FALL MEETING
BOG Meeting - Minutes**

Friday, October 25, 2019; 12:30 - 2:00 p.m.
The Thomas R. Kline Institute of Trial Advocacy

1. Political Consultant's Report- Timothy Persico

Timothy discussed the proposed changes to swap straight ticket voting in exchange for greater freedom for absentee voters. He stated that the parties involved are doing a step by step analysis to look at the pros and cons. He then discussed the Superior Court races, and smaller local election that could drive people to the poles in the counties around Philadelphia, and to a smaller extent in Erie and Allegheny counties.

2. President's Report- Sudhir Patel, Esq.

Sud began by talking about the Judicial PAC total raised to that date; he reported it as \$196,000 (actually \$195,000) and that the goal was \$200,000. He also mentioned the strategic case framing workshops, low LawPAC giving, and a potential TLA summit between regional TLAs, leadership, and PAJ.

3. Executive session- all BOG members

David Fallk made a motion seconded by Marion Munley to enter executive session, and all staff were excused. The Board unanimously voted to extend Executive Director and Chief Lobbyist David Tyler's contract, both in person and those voting via email. Thomas Baumann made a motion and Marion Munley seconded to end executive session and staff reentered.

4. Approval of minutes- Lawrence Kelly, Esq.

Lawrence asked for a motion to approve the minutes from the 2019 retreat; Lawrence Chaban made a motion which was again seconded by Marion Munley.

5. Legislative Report- David Tyler, Executive Director and Chief Lobbyist

David discussed ongoing auto limits talks, and that Laughlin from Erie has offered to sponsor. He also discussed the various workers' compensation bills at play, including the Tooley bill. Finally, he mentioned that PAJ had identified vacancies on lower courts in Philadelphia and one in Lancaster county where PAJ is working to fill them.

6. Comptroller's Report- Joshua Rosen, Esq.

Josh reported that at the end of September, PAJ had \$461,000 cash on hand, and the investments showed gains of \$86,000.

7. Financial Report and Presentation of 2020 Budget- David Tyler

David reiterated PAJ's goal of improving cash position, with the goal to not borrow forward. The goal set for this year was to get through October, but PAJ is on track to get through the end of the year with 2019 money, and projecting a \$300,000 gain by the end of the year. At the end of September, PAJ was up \$282,000 above budget, and up \$366,000 if investments are included. David then moved on to 2020 budget discussions. He stated that in writing it, he kept in mind conservative revenue estimates and expected projections. He noted in the budget proposal the increase in food and beverage, audio visual, and that PAJ hopes to continue to use free spaces due to ever-increasing costs. In total, the proposed budget for 2020 has 2.049 million dollars in revenue, and 2.1 million dollars in expenses,

similar to the 2018 budget in where prior to reimbursement from the reserve account there is a budgeted deficit. He mentioned that the deficit was driven by two one-time expenses, the polling consortium (where PAJ has in the past used unbudgeted money) and \$25,000 for Tobias Millrood Esq.'s AAJ President's Party. David then recommended that, because the budgeted was built assuming a loss, that PAJ earmark \$70,000 to cover the cost of the DT firm for 2020, but hold off until the end of 2020 to see if that transfer from the reserves is needed (similar to what was done in 2019). Thomas Anapol inquired further about the polling consortium, and David elaborated on its value, and that the cost is split between PAJ, PTLA, and other groups. There was discussion as to whether or not a deficit could be presented to the Board. David reminded members that 2018 had a budget deficit that was balanced by a withdrawal from the reserves. This withdrawal was built into the budget, similar as to what was done for 2020's proposed budget. There was further discussion as to whether or not it was prudent to withdraw such funds from the reserves. Thomas Anapol made a motion to approve the 2020 budget as presented by David with a \$70,000 earmarked transfer from the reserves to be voted on by the Board at a date in the future if necessary. The motion was seconded by Eric Weitz. The motion passed, with only two negative votes (Baumann, Chaban).

8. TLA Reports- various

Marion Munley gave a brief AAJ report. Joseph Messa gave a brief PTLA report. Larry Kelly gave a brief WPTLA report. Terrence Nealon gave a brief NEPATLA report.

9. Section Reports- various

Eric Weitz gave the Med Mal report, discussing the proposed venue rule PAJ hired an actuary to rebut the Milliman report. The actuary requested indemnification for any claims made against her as a result of her work rebutting Milliman. Eric Weitz made the motion to approve indemnification, and Chaban seconded, all voting were in favor.

The Amicus committee went next, and a discussion ensued about an opportunity that may present itself to weigh in on a matter relating to arguing non-economic damages. It was agreed that David Tyler would present to the board a memorandum discussing the issue / opportunity and allow a discussion to occur between more board members who were not present.

Sud Patel gave a brief Auto Law report, and mentioned tweaking the auto-law seminar, and providing an additional autolaw teleseminar. Paul Lagnese gave the Business Partner update, and noted that the program is doing well and continuing to prove necessary for revenue. Sud then briefly discussed upcoming membership events and thanked everyone for a successful Med Mal Philadelphia/ Daniel Purtell gave the Future Leaders update, and mentioned the possibility of a mentor program, a spring CLE, and engagement problem with younger attorneys. Tom Baumann gave a brief Workers Compensation update. Melanie Garner discussed the Women Trial Lawyers, and said the focus was on membership and leadership, and trying to do some of what the Future Leaders have done. Larry Kelly gave a membership update, focusing again on value through a general list serv. He also recommended that as PAJ members forward referral fees to the referring attorney, they ask the referring attorney to allow a portion of the fee to be deducted for their new membership in PAJ. David Fallk gave a communications report and discussed wanting to do a response to the annual "judicial hellhole" report.

10. Closing Remarks- Sudhir Patel, Esq.

After Sud's brief remark, Larry Kelly made a motion to adjourn the meeting, seconded by Tom Baumann.

Minutes taken by Faith Fogle