



# 73<sup>RD</sup> ANNUAL MEETING

APRIL 22 - 26, 2014

**Vancouver, British Columbia**



*Fairmont Pacific Rim*



# VANCOUVER 2014 - AN INVITATION

Dear ADTA Members, Spouses and Guests:

We are delighted to invite you to ADTA's 73rd Annual Meeting, April 22-26, 2014, in Vancouver, British Columbia, Canada. Vancouver is a spectacular city and our hotel and meeting venue, the Fairmont Pacific Rim, will be a beautiful setting for our annual festivities. Think "urban chic," surrounded by sun, sea and mountains! If you have not been to Vancouver, you are in for a treat!

Our Annual Meeting Hosts, Leon Beukman and Anita Parke, with the support of ADTA's Annual Meetings Committee, chaired by Jamie Hood, have done a splendid job of arranging a wide variety of events for your enjoyment. Our optional activities will include a visit to the Molson Brewery, a boat cruise in Vancouver's gorgeous harbor, tours up Grouse Mountain and to the famous Capilano Bridge, and a Vancouver Trolley Tour. (And perhaps a little shopping just blocks from the hotel? *Hmmm...*)

We will begin our annual celebration of ADTA Nation on Tuesday, April 22<sup>nd</sup>, and conclude with our Black Tie Gala at the Fairmont's Star Ballroom -- dancing to the tunes of the *Famous Players* band -- on Friday evening, April 25<sup>th</sup>. This is a day *earlier* than usual, allowing folks to get home on Saturday -- or even better, to extend the visit by relaxing an extra day or two at the Fairmont, or by joining a 3-day/2-night "post-trip" to Vancouver Island by ferry or seaplane organized by Michael Aylward -- a perfect way to cap off a memorable week!

President-elect Dan Balmert and the CLE Committee have created an impressive program that will answer everything you always wanted to know about expert witnesses, but were afraid to ask.

And, of course, we will have a Hospitality Suite which, as usual, will be *Second to None*. What would an ADTA Annual Meeting be without the Hospitality Suite? (Wait, don't answer that! We don't even want to know!!) (Did we say *Second to None*?)

Fill out the form and send it in, ADTA Nation! Get it done before December 31<sup>st</sup> and take the tax deduction *this year*!

*The Tradition of Excellence Continues*, in Vancouver, April 22-26, 2014 at the Fairmont Pacific Rim Hotel, Vancouver. See you all there!

David Zizik and Karen Baker  
*ADTA President and First Lady*  
*and*

Leon Beukman and Anita Parke  
*ADTA Vancouver 2014 Annual Meeting Hosts*

## Victoria Post Trip April 26 - April 29

For those looking to explore more of British Columbia we are planning a post trip and are seeking your interest. We will depart Vancouver on Saturday, April 26 by float planes from the water dock near the hotel for a 30



minute breathtaking flight across the water to the lovely capital of British Columbia: Victoria. We will transfer to the nearby lovely Fairmont Empress hotel. In the course of our stay, we will visit the spectacular Butchart Gardens and tour the BC Royal Museum and Craigdarroch Castle, along with optional whale watching and salmon fishing excursions. And what ADTA trip would be complete without hospitality and endless food and drink? Depart on your own Tuesday, April 29. **Check the box on the registration form to indicate your interest.**



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# MEETING AND EVENT SCHEDULE

## Monday, April 21, 2014

4:00 p.m. - 12:00 a.m. Hospitality Room

## Tuesday, April 22, 2014

8:30 a.m. - 3:00 p.m.	Executive Council Meeting	Opal Room
12:00 p.m. - 6:00 p.m.	Registration	3rd Floor Landing
Noon - Midnight	Hospitality Room	Emerald Room
5:00 p.m. - 6:00 p.m.	New Member Reception (Invitation only please)	Opal Foyer
6:00 p.m. - 7:30 p.m.	President's Reception Entertainment - PK3 Jazz Trio	Emerald Ballroom

## Wednesday, April 23, 2014

7:15 a.m.- 8:00 a.m. Delegate Breakfast Star Sapphire Foyer A&B

8:00 a.m. - 12:45 p.m. CLE Sessions Star Sapphire A&B

8:00 a.m. - 8:30 a.m. Opening Remarks; Introduction of Past Presidents; New Members/First Time Members and Sister Organizations  
David W. Zizik, ADTA President  
*Zizik, Powers, O'Connell, Spaulding & Lamontagne, P.C., Westwood, MA*  
F. Daniel Balmert, *Vorys, Sater, Seymour and Pease LLP, Akron, OH*

8:30 a.m. - 9:00 a.m. Identifying, Selecting And Retaining Experts  
Sandra Corbett, *Field Law, Edmonton, Alberta*

9:00 a.m. - 9:30 a.m. Get To Know Their Experts Before You Depose Them!  
A. Johnston Cox, *Gallivan, White & Boyd, P.A. Columbia, S.C.*  
Daniel B. White, *Gallivan, White & Boyd, P.A., Greenville, SC*

9:30 a.m. - 10:00 a.m. Preparing Your Experts To Testify  
Cary E. Hiltgen,  
*Hiltgen & Brewer, P.C., Oklahoma City, OK*

10:00 a.m. - 10:30 a.m. Coffee and Refreshments

10:30 a.m. - Noon Daubert: The Creation  
Daubert: Day One  
Daubert: Challenging The Experts Today  
Frank C. Woodside, III, *Dinsmore, Cincinnati, OH*  
Thomas J. Hurney, Jr., *Jackson Kelly PLLC Charleston, WV*

Noon - 12:30 p.m. To Preserve, Protect, And Appeal (Recognizing And Maintaining The Ability To Argue About Expert Testimony On Appeal)  
Robert N. Webner  
*Vorys, Sater, Seymour and Pease, LLP, Columbus, OH*

12:30 p.m. - 12:45 p.m. Closing Remarks for Day One

9:00 a.m. - 10:30 a.m. Spouse Breakfast Emerald A&B  
Noon - Midnight Hospitality Room Emerald Room

### Optional Activities:

1:10 p.m. - 4:15 p.m. Vancouver Trolley Tour  
(Trolley will stop at Granville Island for Lunch)

1:00 p.m. - 4:00 p.m. Molson Canadian Brewery  
(Transportation Provided - Lunch Included)

6:30 p.m. - 7:30 p.m. Reception/Tugboat Show Convention Center  
7:30 p.m. - 11:00 p.m. Dinner/Dance  
Entertainment - Groove N' Tonic



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# MEETING AND EVENT SCHEDULE

## Thursday, April 24, 2014

7:30 a.m. - 8:30 a.m.	State and Province Chair Meeting	Star Sapphire A&B
7:15 a.m. - 8:15 a.m.	Delegate Breakfast	Star Sapphire Foyer A&B
8:15 a.m. - 12:15 a.m.	CLE Sessions	Star Sapphire A&B
8:15 a.m. - 8:30 a.m.	Opening Remarks	
8:30 a.m. - 9:30 a.m.	<b>Medicare Set-Aside Issues for Defense Counsel: Practical and Ethical Considerations</b> <b>John J. Campbell</b> <i>Law Offices of John J. Campbell, P.C., Denver, CO</i>	
9:30 a.m. - 10:30 a.m.	<b>Reflections On Legal Ethics, Diversity, And Inclusivity</b> <b>Sheryl Willert, Williams Kastner, Seattle, WA</b>	
10:30 a.m. - 11:00 a.m.	Coffee and Refreshments	
11:00 a.m. - Noon	<b>The Importance Of Experts-The View From The Appellate Bench</b> <b>Chief Justice Robert Bauman, of the Supreme Court, Canada</b>	
Noon - 12:15 p.m.	Closing Remarks for Day Two	
Noon - 2:00 p.m.	<b>Past President's Meeting &amp; Luncheon</b>	Amber Room
Noon - Midnight	Hospitality Room	Emerald Room
<b>Optional Activities:</b>		
12:45 p.m. - 4:30 p.m.	<b>Grouse Mountain</b> <i>(Transportation Provided)</i>	
12:45 p.m. - 4:30 p.m.	<b>Capilano Suspension Bridge Park</b> <i>(Transportation Provided)</i>	
6:30 p.m. - 7:30 p.m.	<b>Diversity Cocktail Reception</b>	Emerald Room
7:30 p.m. -	Dine Around	

## Friday, April 25, 2014

8:00 a.m. - 9:30 a.m.	Breakfast for Delegates, Spouses and Guests	Star Sapphire A&B
9:30 a.m. - 9:45 a.m.	Opening Remarks	Star Sapphire A&B
9:45 a.m. - 10:45 a.m.	<b>Clarence Darrow – An Overview of His Professional Life and the Ethical Principles On Which It Was Grounded</b> <b>Randall Tietjen, Robins, Kaplan, Miller &amp; Ciresi L.L.P.</b> Minneapolis, MN	
11:00 a.m. - Noon	<b>General Business Meeting</b> <i>Election of New Executive Council Members and Officers; Comments by Outgoing and Incoming Presidents; Report by Ed Birk on Ponte Vedre, 2015; We Prefer To Refer Award; Closing Remarks</i>	
<b>Optional Activities:</b>		
12:30 p.m. - 4:15 p.m.	<b>Harbour Boat Cruise</b> <i>(Short walk to the Dock - Lunch Included)</i>	
Noon - 11:45 p.m.	Hospitality Room	Emerald Room
6:30 p.m. - 7:30 p.m.	Cocktail Reception	Star Ballroom Foyer A&B
7:30 p.m. - 11:30 p.m.	Black Tie Dinner/Dance	Star Ballroom A&B
	Entertainment - Famous Players	

## Saturday, April 26, 2014

6:00 a.m. - 7:30 a.m.	Coffee and Pastries for Early Departures	Emerald Ballroom
7:30 a.m. - 10:00 a.m.	Farewell Breakfast	Emerald Ballroom



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# ADTA 2014 OPTIONAL EVENTS

## Vancouver Trolley

**Wednesday, April 23, 2014**

**1:10 p.m. - 4:15 p.m.**



Enjoy an ADTA customized Hop-on, Hop-off City Attractions Loop Tour. It is the easiest way to view Vancouver's most popular areas and a perfect way to spend your first afternoon in Vancouver: Downtown, Stanley Park,

Chinatown, Gastown, Granville Island and more! All stops are fully commented so guests will learn what makes our spectacular city so special. The Trolley will stop at Granville Island for lunch and allow you to enjoy the many restaurants, local shops with handcrafted leathers, artworks and candy shops.

A really neat place!

## Molson Canadian Brewery

**Wednesday, April 23, 2014**

**1:00 p.m. - 4:00 p.m.**



Canada is known around the world for our vast wilderness, thousands of freshwater lakes, and golden Prairie barley fields as far as the eye can see.

Our land is packed full of nature at its best. And it's from this land that we make our signature beer, Molson Canadian. Brewed without preservatives, Molson Canadian is proudly made locally in Vancouver and elsewhere in Canada. Enjoy lunch, tour and tasting!



## Capilano Suspension Bridge

**Thursday, April 23, 2014 12:45 - 4:30 pm**



Vancouver's oldest tourist attraction, originally built in 1889, stretches 450 feet (137m) across and 230 feet (70m) above Capilano River. Since then much has been added to the twenty-seven acre park. Of the many things to do, Treetops Adventure is the park's newest attraction - seven

suspension bridges through the evergreens taking you up to 100 feet (30m) above the forest floor. Take photos at the Totem Park and with the Capilano Tramps. It's all in a day's fun at Capilano Suspension Bridge.



## Grouse Mountain

**Thursday, April 24, 2014**

**12:45 p.m. - 4:30 p.m.**



Once a local ski hill, Grouse Mountain has developed into a year-round mountain recreation park that claims to be the number-one attraction in Vancouver. The Skyride gondola transports you to the mountain's 1,110m (3,642-ft.) summit. On a clear

day, the view from the top is the best around: you can see the city and the entire lower mainland, from far up the Fraser Valley east across the Strait of Georgia to Vancouver Island. In the lodge, Theater in the Sky shows wildlife movies. Visit online to note the various activities available. Various restaurant options.

[www.grousemountain.com](http://www.grousemountain.com)



## Harbour Boat Cruise

**Friday, April 25, 2014**

**12:30 p.m. - 4:15 p.m.**

Enjoy a unique Vancouver experience offering unparalleled panoramic views of the city skyline, and many of the area's most famous landmarks. Vancouver's only narrated tour of the inner-harbour. What better way to have lunch on a Friday afternoon?



## Diversity Cocktail Reception

**Thursday, April 24, 2014**

**6:30 pm - 7:30 pm**

Everyone is invited to ADTA's Diversity Reception to celebrate ADTA's continuing commitment to diversity and inclusion in our membership. Members of the Diversity Committee will be available to discuss the committee's goals, achievements and to toast our continuing efforts. Join us!



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# FRIDAY SPEAKER AND MORE EVENTS



## Friday Morning Speaker Randall M. Tietjen

Randall Tietjen is a partner in the Minneapolis office of the law firm of Robins, Kaplan, Miller & Ciresi L.L.P., where he has been practicing law for 20+ years. He practices mainly in the areas of business and intellectual-property litigation. He is a graduate of the University of Minnesota (B.A.) and

William Mitchell College of Law (J.D.), where he was editor-in-chief of the law review. After law school, he clerked for Judge C. Arlen Beam on the United States Court of Appeals for the Eighth Circuit, in Lincoln, Nebraska. His book "In the Clutches of the Law: Clarence Darrow's Letters" was published in June 2013 by the University of California Press. The book has been lauded by reviewers. Bryan A. Garner—the editor in chief of "Black's Law Dictionary" and a well-known authority on writing—called it the "best law-related book to have appeared in 2013."

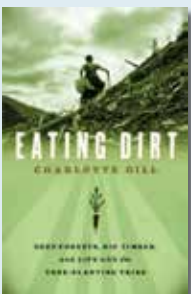
## Spouses and Guest Program

Melissa Bailey, Spouses' Committee Chair, is planning an organized walk each morning during the meeting. This could be throughout the city for an early morning review of the numerous retail stores or walking along the scenic water front. Be sure to join in so that you can partake a little more in the food and beverages throughout the meeting without the guilt feeling.

Diana Pennell will be leading the Spouses' Book Review Club on Thursday morning from 9:30 a.m. - 10:30 a.m. to review **Eating Dirt: Deep Forests, Big Timber, and Life with the Tree-Planting Tribe** by Charlotte Gill.

Winner of the BC National Award for Canadian Non-Fiction Winner of the 2012 Foreword Magazine Editor's Choice Prize Nonfiction Shortlisted for the Hilary Weston Prize Shortlisted for the Charles Taylor Non-Fiction Award

Charlotte Gill is the Canadian author of the short story collection *Ladykiller*, a finalist for the Governor General's Literary Award for fiction and winner of the Danuta Gleed Award and the B.C.



Book Prize for fiction. Her work has appeared in *Best Canadian Stories*, *The Journey Prize Stories*, and many magazines. She lives on the Sunshine Coast of British Columbia.

*Eating Dirt* is an extended postcard from the cut blocks—a vivid portrayal of one woman's life planting trees. This literary journey follows tree planters through a year on the job, through bugs and bears, remote camps and logging towns. It offers a glimpse into the unique subculture of those who work at one of the dirtiest jobs left on earth among the world's last giant trees. The story also traces the seasons of the forest and the remarkable life cycles of trees.

Charlotte spent seventeen years working in the forests of Canada. During her career, she encountered hundreds of clear-cuts, each one a collision site between human civilization and the natural world, a complicated landscape presenting geographic evidence of our appetites. Charged with sowing the new forest in these clear-cuts, tree planters are a tribe caught between the stumps and the virgin timber, between environmentalists and loggers.

Pick up your copy now from Amazon, Barnes & Noble or any of the leading books supply retail stores or online services and be ready to join the group for some good discussion.

## Other Optional Activities

### Biking [www.tourismvancouver.com](http://www.tourismvancouver.com)

No visit to Vancouver would be complete without a ride around the Stanley Park seawall. The flat, paved path is 10 kilometres (6.2 miles) in length and circles the entire park. It offers spectacular views of the North Shore mountains and Lions Gate Bridge. Pedal beneath the giant trees in the park.

### Hiking [www.tourismvancouver.com](http://www.tourismvancouver.com)

Considered one of the greatest urban parks in the world, Stanley Park offers hikers of all ability levels a variety of outdoor treks. The paved seawall has separated lanes for walking and biking, allowing for a leisurely sightseeing stroll along the park's coastline.

### Kayaking [www.tourismvancouver.com](http://www.tourismvancouver.com)

Any day of the week on the water of Burrard Inlet you'll find, among the cruise ships and freighters, sea kayaks gliding along the shores. Vancouver's two most popular paddling destinations are equally unique. The placid waters of False Creek, ringed by bustling Yaletown to the north and Granville Island to the south - offers lots of sights on land and on sea!

### Whale Watching [www.vancouverwhalewatch.com](http://www.vancouverwhalewatch.com)

The waters that surround the Gulf and San Juan islands offer some of the most beautiful natural wonders in North America. And the chilly northern waters of the surrounding Pacific are a miraculous showcase of wildlife, with the orca whale being the star.

### The Vancouver Aquarium [www.vanaqua.org](http://www.vanaqua.org)

The numbers are amazing on their own. The Vancouver Aquarium is the largest marine wildlife museum in Canada. It is home to more than 70,000 animals!

### Museum of Anthropology [www.moa.ubc.ca](http://www.moa.ubc.ca)

MOA. A place of extraordinary architectural beauty. A place of provocative programming and vibrant, contemporary exhibitions. A place of active exploration and quiet contemplation. A place of world arts and cultures.

### The Lonsdale Quay [www.lonsdalequay.com](http://www.lonsdalequay.com)

Discover one of Vancouver's most popular destinations. Located on the shore of North Vancouver with a fabulous view of Vancouver's skyline and harbour with over 80 unique shops.

### Shopping

We are located in downtown Vancouver at the Fairmont Pacific Rim. Shopping is everywhere!

### Fairmont Pacific Rim Willow Stream Spa

Surrounded in views, the hotel spa offers nine treatment areas, including a couples' room with deep Japanese Zen tub, a Nail Spa, three lounges, a full fitness centre and spa terrace. Refer to ADTA when booking and receive a 20% discount.



# ADTA



# 2014





# REGISTRATION FORM

**ADTA**  
**73<sup>RD</sup> ANNUAL MEETING**  
**FAIRMONT PACIFIC RIM**  
**VANCOUVER, BRITISH COLUMBIA**  
**APRIL 22 - 26, 2014**

NAME \_\_\_\_\_ (BADGE NAME) \_\_\_\_\_

SPOUSE/GUEST \_\_\_\_\_ (BADGE NAME) \_\_\_\_\_

SPOUSE EMAIL (need for Spouse's Committee) \_\_\_\_\_

CHILDREN ATTENDING MEETING (INCLUDE AGES) \_\_\_\_\_

FIRM \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

BUS. TEL \_\_\_\_\_ EMAIL \_\_\_\_\_

EMERGENCY CONTACT NAME/NUMBER \_\_\_\_\_

- ☐ FIRST TIME ATTENDEE   ☐ NEW MEMBER   ☐ STATE CHAIR   ☐ REGIONAL CHAIR  
☐ Fairmont Pacific Club Member # \_\_\_\_\_   ☐ Interested in Victoria Post Trip \_\_\_\_\_

## ACCOMMODATION PREFERENCE

**ALL RESERVATIONS FOR THE HOTEL NEED TO BE MADE NO LATER THAN MARCH 5**

Fairmont Room (\$268) \_\_\_\_\_ Deluxe Harbor View (\$293) \_\_\_\_\_ Deluxe Fairmont Pool View Room (\$327) \_\_\_\_\_

Additional room types are available on a limited basis at higher rates. If you feel you need a different type of room, please indicate with a check mark and the ADTA office will contact you. \_\_\_\_\_. Reserve early as some rooms sell out quickly.

- **Listed room rates are inclusive of taxes. Room rate and Optional fees are quoted in American currency**

Arrival Date \_\_\_\_\_ Departure Date \_\_\_\_\_

Cardholder \_\_\_\_\_ Card Number \_\_\_\_\_ Exp. \_\_\_\_\_

-Each extra person sharing a room (3<sup>rd</sup> & 4<sup>th</sup> person) will be charged an additional \$30.00 (\$50.00 for Fairmont Gold) per night. There will be no charge for children up to and including the age of 18 years who share with their parents. Maximum occupancy per room (4/room).

-All room rates are quoted exclusive of applicable state and local taxes, currently 6% and an occupancy tax of 3% per room per night.

**Your credit card number is collected for the purpose of reserving your room at The Fairmont Pacific Rim as ADTA will be making your room reservations. You will receive a confirmation number. Your credit card is only used for the room reservation. A check is required for payment of your registration fee.**

**RESPONSIBILITY** – ADTA and/or their agent representatives, and suppliers of service assume no responsibility for injury, death, damage, loss, or delay incurred by any person in connection with the conference, by reason of any event beyond the control of the operator, or loss occasioned by neglect, default, strikes, wars, hostilities, terrorism, civil disturbances or resulting directly or indirectly from acts of God. The ADTA reserves the right to withdraw any or all events at any time should conditions warrant, to refuse to accept or retain any person(s) as program participant(s), to alter or cancel the itinerary whenever the ADTA deems it necessary for the comfort, convenience or safety of the delegates or guests. The itinerary and price may be affected by alterations, local conditions, or by other causes. The right is reserved to cancel the conference prior to departure. In such case, full refund of all payments will constitute full settlement with the passenger. Any and/or all transportation companies herein mentioned shall have or incur no responsibility or liability to any traveler aside from their liability as common carriers.



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**2014**



**REGISTRATION FEE INCLUDES THE FOLLOWING:** President's Reception, Cocktails and Dinner at the Vancouver Convention Center, Diversity Cocktail Reception, Reception and Black Tie Dinner/Dance, Breakfast Daily, Farewell Brunch on Saturday, Hospitality Suite Daily, all meeting materials, audio visual equipment and coffee breaks. Spouses and registered guest's registration includes all of the above except meeting related costs, but do include private Spouse/Guest Breakfast with speaker on Wednesday and a Spouse/Guest Breakfast Voucher for Thursday.

<b>REGISTRATION FEES</b> <i>(each person)</i>	<b>BEFORE 2/10</b>	<b>AFTER 2/10</b>	<b>TOTAL</b>
Member	\$ 1,750	\$ 1,850	\$ _____
Spouse Attorney <i>(also member)</i>	\$ 550	\$ 650	\$ _____
Non-Member Attorney*	\$ 1,750	\$ 1,850	\$ _____
Spouse/Guest/Children over 18**	\$ 550	\$ 650	\$ _____
Emeritus	\$ 1,450	\$ 1,550	\$ _____
Emeritus' Spouse/Guest (Spouse/Children over 18)	\$ 450	\$ 550	\$ _____

## OPTIONAL EVENTS

**Registration fees and optional events are payable to ADTA by check only.**

____ Vancouver Trolley Tour Wednesday, April 23, 2014	____self	____spouse x \$25	\$ _____
____ Molson Brewery Tour Wednesday, April 23, 2014 <i>(Lunch Included)</i>	____self	____spouse x \$79	\$ _____
____ Grouse Mountain Experience Thursday April 24, 2014	____self	____spouse x \$58	\$ _____
____ Capilano Suspension Bridge Park Thursday, April 24, 2014 <i>(Lunch Included)</i>	____self	____spouse x \$70	\$ _____
____ Harbour Boat Lunch Cruise Friday, April 25, 2014	____self	____spouse x \$98	\$ _____

**TOTAL AMOUNT OF CHECK TO ADTA** \$ \_\_\_\_\_

\* Non-Member Attorney is an attending member spouse who is seeking CLE credit

\*\* Children's Meals: 13-18 pay half price on regular meals; 12 and under free

**CANCELLATIONS AND REFUNDS:** The ADTA registration fee is fully refundable, less a \$50 handling fee, provided that written notice of cancellation is received by Peggy Schultz, Executive Director, on or before Friday, March 21, 2014, after which time it is nonrefundable unless approved by a committee that comprises the current President, Treasurer and Executive Director.

**Δ"Optional" events are refundable up to 15 days prior to the meeting.**

**Mail Registration form and check to: Peggy L. Schultz, Executive Director**  
**4135 Topsail Trail**  
**New Port Richey, FL 34652**  
**Tel: 727-859-0350**  
**Fax: 727-236-3811**  
**Email: pschultz@adtalaw.com**

Be sure to make a copy  
of the front and back of  
the Registration Form  
for your records.



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