



Dear Prospective Sustaining Member,

The Product Liability Advisory Council, or PLAC, is an organization at the forefront of helping product manufacturers and service companies stay abreast of issues that affect their business both today and in the future. The association was created to address the explosion of strict tort liability law in the 1980s, but its focus has broadened in response to the changes in the legal landscape since then.

PLAC's global, diverse, select network of legal professionals provide thought leadership and best practices to help anticipate and manage risk throughout the entire product life cycle. Our members are actively engaged in issues involving intellectual property, contracts, regulation, compliance, product recall, litigation, and ADR support.

We believe that PLAC's greatest value and unique characteristic is the commonwealth of more than 600 members, both in-house and in law firms, who are committed to helping companies navigate an ever-changing landscape of product risk management. We seek the best collective wisdom to address issues facing manufacturers, distributors and retailers. Our membership is composed of a cross section of domestic and multinational companies, and industries that range from heavy equipment to technology.

For more than 40 years we have advocated for our members in every appellate court in the nation. We have filed over 1,200 amicus briefs on behalf of our corporate members addressing issues of fairness and balance in civil litigation. Copies of these briefs, and other associated briefs, are available to our members through our online database. Our work spans areas such as expert evidence, punitive damages, preemption, personal jurisdiction, class actions, experts, and design defect/warnings.

We share cutting edge information online every day, at our semi-annual conferences, through our amicus program, webinars, alerts and online communities.

A limited number of Sustaining (outside counsel) members are carefully vetted from some of the best law firms around the world. Membership is held by the individual attorney, not the law firm. The Membership Committee reviews each application. Prospective members must maintain a substantial part of their practice in the product liability, regulatory or appellate areas exclusively for defendants. In addition, the applicant's firm cannot routinely represent plaintiffs in product liability matters. A letter of nomination must be submitted on the applicant's behalf by a corporate member of PLAC or by a partner at the applicant's firm who is currently a member of this organization. Membership fees are \$3,000 per year. We hope you will join us!

A handwritten signature in cursive script that reads "Kim Condon".

Kimberly J. Condon
Executive Director

5746 Union Mill Rd, #592
Clifton, VA 20124
703.264.5300
plac@plac.com
www.plac.com

Sustaining Membership Application

Applicant Information

Full Name: _____ Date: _____
First M.I. Last

Preferred Name: _____

Title: _____

Law Firm Name: _____

Website: _____

Work Address: _____
Street Address Suite #

City State ZIP Code

Firm Phone: _____ Direct Phone : _____

Cell Phone: _____ Email: _____

Assistant's Name: _____

Phone: _____ Email: _____

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**Other
Address:**

_____		_____
<i>Street Address</i>		<i>Suite #</i>

<i>City</i>	<i>State</i>	<i>ZIP Code</i>

Bar Admissions (State Court Only)

State: _____ **Date Admitted:** _____

Bar Number: _____

State _____ **Date Admitted:** _____

Bar Number: _____

State: _____ **Date Admitted:** _____

Bar Number: _____

Acknowledgement

If this application leads to acceptance into membership, I authorize PLAC (Product Liability Advisory Council) to enter me onto the membership rolls of the Association, and to bill me for membership dues of \$3,000.00 annually.

Signature: _____ **Date:** _____



MANAGING PRODUCT RISK FROM DESIGN TO LITIGATION

Sustaining Member Questionnaire

Please answer all the questions and provide the information requested. If you wish to attach a resume, or other documentation, please feel free to do so. However, do not answer questions by referring the reader to a section of your resume or to an attachment.

In addition to returning this completed questionnaire, a letter of nomination must be submitted on your behalf by a corporate member of PLAC or by a partner at your firm who is currently a member of this organization.

If possible, please send all information in digital form to kcondon@plac.com.

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www.plac.com



Sustaining Member Questionnaire

Name: _____ Date: _____

Please answer all questions completely. While you may attach additional information (resume, written articles, etc.), please do not refer the reader to those attachments as part of your answer. The answers to the questionnaire should be self-contained without reference to attachments. Please list the question, and then your answer.

- 1. To what extent is your law practice and that of your firm devoted to the defense of product claims?**

- 2. Please describe the nature and extent of your experience in product matters.**

3. Please list representative clients of your firm in product matters, and please indicate which of these are your personal clients.

4. Do you or your firm sometimes represent claimants in product matters? If so, under what circumstances?

5. Please list, with case names, important product-related litigation in which you have played some role, and please describe your involvement.

6. Please describe your education and training.

7. Please list your memberships in professional organizations and describe the ways in which you have participated in those organizations.

8. Please list any published papers you have authored and attach copies.

9. Please list any scholastic or professional awards or honors you have received.

10. Is your application being made in consideration of the resignation of another PLAC sustaining member at your firm? If so, please attach a copy of the conditional resignation of that sustaining member which specifically states that it will be effective upon acceptance of your application.

11. PLAC holds two conferences each year—one in the spring and one in the fall. We also plan other regional and virtual activities for our membership. Your participation in those events, were you to be admitted into membership, is important. Is it your intention to attend and participate?

12. The heart of PLAC's effort lies in the filing of Amicus Curiae briefs in the appellate courts. Will you, if admitted into membership, make a serious commitment to bring important cases from your jurisdiction to the attention of the Case Selection Committee and do so in a timely manner?

13. PLAC maintains an ongoing commitment to fostering a diverse and inclusive membership that reflects the best of PLAC's community of counsel and companies. With greater diversity and inclusion, our organization is more effective and brings more varied perspectives, experiences, backgrounds, talents and interests to the practice of law.

We are committed to fostering an environment in which each member of PLAC is not only supported, but able to thrive. Please confirm that you will support this commitment, and include any additional information that you would think would be helpful to the committee.

14. Please review the attached Membership Policy Certification and sign.

Signature: _____ **Date:** _____

Membership Policy Certification

Lawyers who routinely represent plaintiffs in product liability actions are ineligible for membership in PLAC. Lawyers who are members of firms which routinely represent plaintiffs in product liability matters are ineligible for membership.

It is the policy of PLAC that neither Sustaining members nor their firms will represent plaintiffs against Corporate members in product liability litigation involving death, personal injury, property damage, or economic loss. This is true regardless of the theory of law upon which the action is premised and regardless of whether, under a particular state's law, the action is regarded as a "product liability" action. The Policy does not apply to claims for contribution and/or indemnity arising out of product liability actions, or to product liability actions between Corporate members.

With respect to subrogation actions, the policy applies to Sustaining members as written. However, with respect to a Sustaining member's law firm, the policy precludes the regular and routine representation of plaintiffs in subrogation actions, but not the occasional representation. Additionally, with respect to those law firms of Sustaining members that do handle on occasion a plaintiff's subrogation action, it is the obligation of the Sustaining member to ensure that PLAC materials and access to the PLAC website is unavailable to the lawyers representing plaintiffs in those subrogation actions. Further, to the extent that a law firm of a Sustaining member represents a plaintiff in a subrogation action against a PLAC member, the Sustaining member is responsible to take reasonable steps to know that fact.

In situations where sustaining members are requested to represent a plaintiff in product liability litigation governed by this policy against a corporate member, they are required to abide by the following procedure:

1. A list of PLAC's Corporate members will be included as part of the Sustaining member's firm conflict of interest checks.
2. Before any litigation governed by this policy is initiated by a Sustaining member or his/her firm against a PLAC Corporate member, notice of the action will be given to the Corporate member.
3. The Sustaining member and the Corporate member should then attempt to resolve the matter between themselves.

4. In the event that satisfactory resolution of the matter is not attained, the Sustaining member or Corporate member may submit the matter to the PLAC Board of Directors for resolution in accord with the Board's judgment as to the best interests of the PLAC organization and its membership. The Board of Directors also reserves the right to determine, in its sole discretion, when the representation of subrogation plaintiffs has in fact become "regular and routine."
5. An opportunity to be heard will be provided to the parties.
6. The determination of the PLAC Board of Directors shall be final. Resolution of the matter may include voluntary withdrawal of a sustaining member from PLAC, or expulsion of the Sustaining member from PLAC.

I have read this certification, and my signature below affirms my and my firm's agreement to the terms of the certification.

Date

Signature

Name (please print)