

CORPORATE COUNSEL COLLEGE

APRIL 16 - 17, 2015 THE RITZ-CARLTON CHICAGO, ILLINOIS



Defending and Advising the Company: Strategies, Tactics and Solutions to Ever Changing Legal Challenges

HIGHLIGHTS

- Keynote Speaker Thom Tillis, United States Senator
- Attacked from All Sides: Defending the Company Against Simultaneous Actions by Regulatory Agencies, Attorneys General, and Civil Litigants
- Mediating the Complex Case: How In-House Counsel Can Drive More Effective Results
- The Ultimate Battlefield: Attack on Your Brand During Litigation and Trial - Strategies and Tactics for Defense and Counter Attack
- Spoliation: The Latest Effort By the Plaintiffs Bar to Focus Litigation on the Process Rather Than the Merits
- The Criminalization of Product Liability Law: How the Investigation of Product Recalls by Criminal Prosecutors Impacts Inside and Outside Counsel
- The Ebola Scare: Lessons Learned for all Employers

SCHEDULE

THURSDAY, APRIL 16, 2015

7:30 – 8:15 a.m. CONTINENTAL BREAKFAST

8:15 – 8:30 a.m. OPENING REMARKS

James M. Campbell, Corporate Counsel College Dean
Campbell Campbell Edwards & Conroy P.C., Boston, MA USA

Tripp Haston, IADC President
Bradley Arant Boult Cummings LLP, Birmingham, AL USA

8:30 – 10:00 a.m.

ATTACKED FROM ALL SIDES: DEFENDING THE COMPANY AGAINST SIMULTANEOUS ACTIONS BY REGULATORY AGENCIES, ATTORNEYS GENERAL, AND CIVIL LITIGANTS

This panel will explore the mosaic of serial enforcement by federal and state regulatory agencies, state attorneys general, and the plaintiffs bar; the growth in civil penalties; regulation through litigation; and how to achieve the appropriate enforcement balance.

Moderator: CONNIE LEWIS LENSING, FedEx Express, Memphis, TN USA

Panelists: CRISTINA C. ARGUEDAS, Arguedas, Cassman & Headley, LLP, Berkeley, CA USA; KOBI KENNEDY BRINSON, Winston & Strawn LLP, Charlotte, NC USA; TIMOTHY A. PRATT, Boston Scientific Corporation, Marlborough, MA USA; LISA A. RICKARD, Executive Vice President, U.S. Chamber of Commerce, Washington, DC USA; LUTHER STRANGE, Alabama Attorney General, Montgomery, AL USA

10:00 – 10:15 a.m. REFRESHMENT BREAK

10:15 – 11:45 a.m.

MEDIATING THE COMPLEX CASE: HOW IN-HOUSE COUNSEL CAN DRIVE MORE EFFECTIVE RESULTS

Mediation is the most often employed form of alternative dispute resolution yet many times in-house counsel simply defer to their outside lawyers and/or the mediator in preparing for and conducting the proceeding. This panel will address the question of how in-house counsel can play a more proactive role in the mediation process from start to finish and drive more effective results. *What are the best cases to mediate? When is the best time for mediation? How can pre-mediation submissions set the table for effective discussions? What role should in-house counsel play at mediation? What are the best techniques for dealing with challenging parties, lawyers, and management? How do you get the real decision makers involved in the process? Are there effective alternatives to traditional mediation?* Our distinguished panel will address

these questions and much more in an interactive session that will engage all in attendance.

Moderator: QUENTIN F. URQUHART, JR., Irwin Fritchie Urquhart & Moore LLC, New Orleans, LA USA

Panelists: JOHN PERRY, Perry Dampf Dispute Solutions, Baton Rouge, LA USA; PATRICIA E. RATNER, Electric Insurance, Beverly, MA USA; BRAD J. SAFON, Honda North America, Inc., Torrance, CA USA; ERIC WATT WIECHMANN, McCarter & English, LLP, Hartford, CT USA



11:45 a.m. – 1:15 p.m.

LUNCHEON AND KEYNOTE SPEAKER

THOM TILLIS

United States Senator, North Carolina USA

1:15 – 2:45 p.m.

THE ULTIMATE BATTLEFIELD: ATTACK ON YOUR BRAND DURING LITIGATION AND TRIAL - STRATEGIES AND TACTICS FOR DEFENSE AND COUNTER ATTACK

What is the best practice of the in-house team or the litigation team at trial when the company's biggest and best asset, its brand, is attacked? All corporations are exposed to the potential of attack on its brand, either in social media, at trial, or by government or criminal investigation. What are the major challenges and potential exposures to the business and its insurers? This panel will present this issue fully by identifying key practical and legal issues essential to fend off and defeat attacks to the corporate brand and by providing technical and practical insight into this issue in today's instantaneous media and social media world and the increasing risk of damage to the corporation's identity and its largest asset.

Moderator: MICHAEL J. WIGGINS, McDonald Toole Wiggins, P.A., Orlando, FL USA

Panelists: BARBARA Z. ASHLEY, Principal Litigation Counsel, Medtronic, Inc., Minneapolis, MN USA; PHILIPPA V. ELLIS, Owen, Gleaton, Egan, Jones & Sweeney, LLP, Atlanta, GA USA; VINCENT GALVIN, JR., Bowman and Brooke LLP, San Jose, CA USA; HOLLY GIBEAUT, Taser International Inc., Scottsdale, AZ USA; JOSEPH D. HEYD, The Procter & Gamble Company, Cincinnati, OH USA; DEBORAH C. PROSSER, Kutak Rock LLP, Los Angeles, CA USA

2:45 – 3:00 p.m.

REFRESHMENT BREAK

3:00 – 4:30 p.m.

SPOILIATION: THE LATEST EFFORT BY THE PLAINTIFFS BAR TO FOCUS LITIGATION ON THE PROCESS RATHER THAN THE MERITS

In several recent well publicized cases, the plaintiffs bar has successfully used a spoliation theory to drive costly discovery, to make in-house and outside counsel the focus of court hearings and trials, and to inflame the jury at trial. The plaintiffs bar seeks to expand the theory well beyond the particular plaintiff, product, and claim at issue in any given case. The panel will discuss their experiences where the plaintiff uses “spoliation of evidence” as yet another tool to make lawsuits about the litigation process rather than the underlying merits of the claim. The panel will identify and describe the ever changing tactics utilized by the plaintiffs bar and will describe the effective counter-measures.

Moderator: E. PAUL CAULEY, JR., Sedgwick LLP, Dallas, TX USA

Panelists: WENDY BUTLER CURTIS, Orrick, Herrington & Sutcliffe LLP, Washington, DC USA; CHRISTOPHER P. GRAMLING, Assistant General Counsel, Eli Lilly and Company, Indianapolis, IN USA; ALFRED R. PALIANI, General Counsel, Quality King Distributors, Inc./QK Healthcare, Inc., New York, NY USA; BRUCE R. PARKER, Venable LLP, Baltimore, MD USA; TODD I. WOODS, Deputy General Counsel, Nissan North America, Inc., Franklin, TN USA

4:30 – 4:45 p.m.

CONCLUDING COMMENTS FOR DAY ONE

James M. Campbell, Corporate Counsel College Dean
Campbell Campbell Edwards & Conroy P.C., Boston, MA USA

5:00 – 6:15 p.m.

COCKTAIL RECEPTION

FRIDAY, APRIL 17, 2015

7:30 – 8:15 a.m.

CONTINENTAL BREAKFAST

8:15 – 9:45 a.m.

THE CRIMINALIZATION OF PRODUCT LIABILITY LAW: HOW THE INVESTIGATION OF PRODUCT RECALLS BY CRIMINAL PROSECUTORS IMPACTS INSIDE AND OUTSIDE COUNSEL

The last several years can be described as the “Recall Era.” The United States Department of Justice is scrutinizing whether employees inside and outside General Motors’ legal department concealed evidence from regulators about faulty ignition switches, potentially delaying a recall of vehicles with the problem. The lessons to be learned as the result of the investigation are many and far-reaching. This panel will focus on the basis of the criminal investigations and the risks to

other companies of all types of being identified as a similar target for investigation. Areas that will be discussed include potential pitfalls in analysis of claims and data as well as the importance of collaboration with outside counsel. This program will involve critical information for all in-house lawyers and for all lawyers who advise product designers or manufacturers.

Moderator: CHRISTOPHER B. PARKERSON, Campbell Campbell Edwards & Conroy P.C., Boston, MA USA

Panelists: DOUGLAS S. BROOKS, Libby Hoopes, P.C., Boston, MA USA; THOMAS C. FRONGILLO, Fish & Richardson P.C., Boston, MA USA; JAMES E. JOHNSON, Debevoise & Plimpton LLP, New York, NY USA; JONATHAN R. STREETER, Dechert LLP, New York, NY USA

9:45 – 10:00 a.m.

REFRESHMENT BREAK

10:00 – 11:30 a.m.

THE EBOLA SCARE: LESSONS LEARNED FOR ALL EMPLOYERS

The Ebola crisis presented difficult issues for every employer and business. How should an employee or business associate be treated after having traveled to an affected area? What is the appropriate response to other employees who have questions about exposure to employees who may have been affected? How should your business prepare for non-medical problems created by such a crisis such as travel bans and event cancellations? What is the response to media coverage and public hysteria that causes harm to your company’s products and services resulting in the loss of sales, registrations, and other business activity? This panel will discuss the Ebola crisis, the lessons learned, and the best solutions, plans, and strategies to address the next public health or similar crisis.

Moderator: MOLLY H. CRAIG, IADC Immediate Past President, Hood Law Firm, LLC, Charleston, SC USA

Panelists: ROBBIN PAGE, FedEx Express, Memphis, TN USA; HILDY M. SASTRE, Shook, Hardy & Bacon L.L.P., Miami, FL USA; RONALD W. TAYLOR, Venable LLP, Baltimore, MD USA; ALDOS VANCE, Altec, Inc., Birmingham, AL USA

11:30 – 11:35 a.m.

CLOSING REMARKS

James M. Campbell, Corporate Counsel College Dean
Campbell Campbell Edwards & Conroy P.C., Boston, MA USA

Connie Lewis Lensing, Corporate Counsel College Dean-Elect
FedEx Express, Memphis, TN USA

COLLEGE GENERAL INFORMATION

Location

The Ritz-Carlton Chicago

160 East Pearson Street, Chicago, IL 60611 Phone: 1.312.266.1000 Fax: 1.312.266.1194
www.fourseasons.com/chicagorc/

The Ritz-Carlton Chicago (A Four Seasons Hotel) is set atop Water Tower Place, high above prestigious North Michigan Avenue, and it features exquisite décor, intuitive service, and one of the city's most acclaimed restaurants. The Ritz-Carlton Chicago offers a setting of unmistakable grandeur, ideal for business or for leisure.

Reservations and Room Rates

The room rate, which is subject to the current applicable occupancy and sales tax per room, per night, is \$270 for a Deluxe Room with a maximum of 3 adults per room. An additional charge of \$40 per night will be assessed for a 4th adult in a room. **In order to make your hotel reservation you must first register for the meeting with the IADC.** Once registered, a code will be generated by the IADC along with your registration confirmation that will allow you to secure a hotel room at The Ritz-Carlton. You must call the hotel directly and request the Reservations Department. Reservations must be made prior to Tuesday, March 24, 2015. Unused rooms held for this meeting will be released on this date. Any reservation requests received after March 24, 2015 will be accepted only on a space available basis at the group rate. Please note that the room block may fill before March 24, so we encourage you to register with the IADC so that you can make your hotel reservation early. Cancellations must be made at least 24 hours in advance of check-in to avoid forfeiture of first night room deposit. Check-in time is 3:00 p.m. and check-out time is 12:00 noon CST.

Ground Transportation

Average one-way cab fare to the hotel from O'Hare International Airport is \$40-\$50 and from Midway Airport is \$35-\$45. GO Airport Express provides service from both O'Hare and Midway airports to downtown Chicago for discounted fares. For more information, please visit the GO Airport Express website at www.airportexpress.com. During rush hour times, you may consider taking the Orange Line train (Midway) or Blue Line train (O'Hare) to the downtown Loop stations and taking a short cab ride to the hotel. (www.transitchicago.com)

Climate and Dress

When packing for your trip, please note that average temperatures in Chicago this time of year range from a high of 59 degrees Fahrenheit to a low of 42 degrees Fahrenheit. Business attire is recommended for the meeting.

Registration Fees and Procedures

IADC outside counsel members – contact your in-house clients today and invite them to join you at the Corporate Counsel College. Outside counsel members and partners of members can attend the College only if they are accompanied by a client. The package registration fee is \$1,675 (includes one outside counsel and one in-house client). Fee for first additional client: \$700; second additional client: \$650; third or greater additional client: \$600. For in-house counsel and insurance executive members and in-house counsel and insurance executive non-members who are attending on their own, the fee is \$750. Please fill out the registration form and send it to the IADC office or register online at www.iadclaw.org.

CLE Credit

Approximately 9 hours of general CLE credit in 60-minute states and 10.8 hours of general CLE credit in 50-minute states will be requested for accreditation from all mandatory continuing legal education jurisdictions.

CPD Credit (Canada)

The IADC is a Pre-Approved Provider of CPD Credit with the Law Society of British Columbia. The Quebec CPD Committee recognizes courses approved by other Canadian bars as approved in Quebec. 9 CPD credits are available for attendance at the Corporate Counsel College.

Cancellation Policies

Registration Fee: A CASH REFUND, less a \$150 processing fee, will be made if a written notice of cancellation is received by the IADC office more than thirty (30) days prior to the first day of the meeting. No reason for the cancellation need be provided for a timely notice of cancellation. NO CASH REFUND will be made if notice of cancellation is received by the IADC office thirty (30) days or less prior to the first day of the meeting. However, if special circumstances arise before the meeting which prevent attendance, a member may request a future meeting credit. The request needs to be in writing and submitted to the IADC office. It should be directed to the Finance Committee's attention and note the special circumstances which caused cancellation. The credit request can only apply to meeting registration fees (not air, hotel, activity, tour, or special event fees) and, if approved, will be valid for use toward any IADC meeting for one (1) year from the date of the meeting for which credit is requested. A \$150 processing fee will be deducted from the total future meeting credit. All future meeting credit requests will be considered by the Finance Committee and the decision of that Committee will be final.

A Special Note for the Disabled

The IADC wishes to ensure that no individual with a disability is treated differently from other individuals because of the absence of auxiliary aids and services. If you are in need of auxiliary aids or services or have any other questions about the Corporate Counsel College, please contact Melisa Maisel, Professional Development Manager, at mmaisel@iadclaw.org.

General Sponsors



Reception Sponsor



2015 CORPORATE COUNSEL COLLEGE REGISTRATION FORM

DATE: April 16 - 17, 2015 • LOCATION: The Ritz-Carlton, Chicago, Illinois USA

IADC OUTSIDE COUNSEL MEMBER AND CORPORATE CLIENT PACKAGE

\$1,675

IADC outside counsel members must bring an in-house client to attend. Fee includes registration for member and client.

IADC MEMBER OUTSIDE COUNSEL INFORMATION

NAME		NAME ON BADGE	
FIRM NAME			
BUSINESS ADDRESS			
CITY	STATE	ZIP	COUNTRY
BUSINESS PHONE		BUSINESS FAX	
EMAIL ADDRESS			
U.S. STATE BAR NUMBER(S) FOR ALL STATES WHERE LICENSED		U.K. SOLICITOR IDENTIFIER NUMBER (if applicable)	

IN-HOUSE CLIENT INFORMATION

NAME		NAME ON BADGE	
COMPANY NAME			
BUSINESS ADDRESS			
CITY	STATE	ZIP	COUNTRY
BUSINESS PHONE		BUSINESS FAX	
EMAIL ADDRESS			
U.S. STATE BAR NUMBER(S) FOR ALL STATES WHERE LICENSED		U.K. SOLICITOR IDENTIFIER NUMBER (if applicable)	

INSURANCE EXECUTIVE AND IN-HOUSE COUNSEL ATTENDEE

\$750

For in-house counsel and insurance executive members and non-members who are attending on their own or for additional clients attending with an outside counsel IADC member. For members bringing additional clients, the fee for the first additional client is \$700; second additional client is \$650; and third or greater additional clients are \$600 each.

NAME		NAME ON BADGE	
COMPANY NAME			
BUSINESS ADDRESS			
CITY	STATE	ZIP	COUNTRY
BUSINESS PHONE		BUSINESS FAX	
EMAIL ADDRESS			
U.S. STATE BAR NUMBER(S) FOR ALL STATES WHERE LICENSED		U.K. SOLICITOR IDENTIFIER NUMBER (if applicable)	

TOTAL AMOUNT ENCLOSED \$ _____

PAYMENT

Complete and mail or fax form with payment to: IADC, 303 West Madison, Suite 925, Chicago, IL 60606 or fax to 1.312.368.1854.

Check/Money Order (Payable to the IADC in USD) AMEX Visa MasterCard

Number: _____ Expiration Date: _____ Security Code: _____

Name on Card: _____

Signature: _____

If you wish to pay by wire transfer, please contact the IADC for routing information.

Please note: You must register for the meeting prior to reserving rooms at the hotel. You will receive a code with your meeting confirmation that will allow you to reserve a room at The Ritz-Carlton. Questions? Call 1.312.368.1494.



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COLLEGE ADVISORY BOARD

A special thanks to each of the members of the Advisory Board for their effort and expertise in making this Corporate Counsel College possible.

James M. Campbell, Dean

Campbell Campbell Edwards & Conroy P.C.,
Boston, MA USA

Connie Lewis Lensing, Dean-Elect

FedEx Express, Memphis, TN USA

Tripp Haston, IADC President

Bradley Arant Boult Cummings LLP,
Birmingham, AL USA

Joseph E. O'Neil, IADC President-Elect

Lavin, O'Neil, Cedrone & DiSipio, Philadelphia, PA USA

Alfred R. Paliani, Vice President of Corporate

Quality King Distributors, Inc./QK Healthcare, Inc.,
New York, NY USA

**Sarah Grider Cronan, Corporate Counsel
Committee Chair**

Husqvarna Group, Charlotte, NC USA

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CHICAGO, ILLINOIS USA

Who should attend?

In-house counsel responsible for hiring
and managing outside counsel
Senior insurance industry executives
Corporate compliance officers
Senior executives and counsel to non-profit corporations
Heads of corporate governmental relations departments
Heads of litigation departments
Experienced outside defense trial counsel

The IADC Corporate Counsel College is designed to be an interactive and dynamic learning experience that takes advantage of the vast knowledge and experience of panelists, in-house corporate counsel, and the outside counsel attendees. While each session will follow a slightly different format, panelists and moderators will share their experiences and what they learned. The moderators will engage the audience and panel members in a spirited and educational discussion about the issues, sometimes posing hypothetical situations to stimulate further discussion.