



2017 Annual Meeting  
July 9-14  
Fairmont Le Château Frontenac  
Québec City, Québec Canada

CLE GUIDE



# MONDAY, JULY 10, 2017

7:30 - 8:30 a.m. Levis  
CIVIL JUSTICE RESPONSE COMMITTEE  
BUSINESS MEETING

7:30 - 8:30 a.m. Place d'Armes  
TRANSPORTATION COMMITTEE  
BUSINESS MEETING

7:30 - 8:30 a.m. Jacques-Cartier  
Appellate Practice/Drug, Device and  
Biotechnology/Environmental and Energy  
Law/Product Liability/Toxic and Hazardous  
Substances Litigation/Trial Techniques and  
Tactics  
SCIENCE IN THE COURTROOM

Wide variation exists among the states and local courts as to how judges allow trial lawyers to use scientific studies in the courtroom. Some states view them as complete hearsay and will not allow their production to the jury at all, and some will allow only limited use in direct and cross or on slides. Others seem to recognize that such an approach makes it hard for experts to testify, and they allow the lawyers free use of literature with their experts. In some states, the lawyer has to get the opposing expert to admit the article is “authoritative” before using it on cross – a tricky proposition if the opposing expert is aware of that standard. The variation in rulings can mean the difference between a dynamite expert presentation with strong slides or a near-gutting of the testimony. This panel will help you maneuver the variations among the jurisdictions to most effectively use your experts.

**Speakers:** *E. Paul Cauley, Jr., Drinker Biddle & Reath LLP, Dallas, TX USA; James A. King, Porter Wright Morris & Arthur LLP, Columbus, OH USA; Douglas J. Moore, Irwin Fritchie Urquhart & Moore LLC, New Orleans, LA USA*

7:30 - 8:30 a.m. Montmagny  
Business Litigation/Insurance and  
Reinsurance/International  
BEYOND THE WORDS: GOOD FAITH AND  
SURROUNDING CONTEXT IN CANADIAN  
AND U.S. CONTRACT LAW

In three recent decisions, the Supreme Court of Canada changed Canadian contract law. In *Bhasin v. Hrynew*, the Court identified good faith as an “organizing principle” of contract law and created a duty of honest contractual performance. In *Sattva v. Capital Corp.*, the Court expanded parties’ abilities to use surrounding circumstances to interpret agreements. In *Ledcor v. Northbridge*, the Court considered (and narrowed) the rule in *Sattva* by limiting the consideration of surrounding context when interpreting standard form contracts. Our panelists will discuss these decisions and compare and contrast Canadian and U.S. contract law concerning good faith and surrounding circumstances.

**Speakers:** *Scott Campbell, Stewart McKelvey, Halifax, NS Canada; Sandra L. Corbett, QC, Field LLP, Edmonton, AB Canada; Charles J. Scibetta, Chaffetz Lindsey LLP, New York, NY USA*

Directly following this CLE program there will be a short Business Litigation Committee Business Meeting. Please stay if you are able.

7:30 - 8:30 a.m. Petit Frontenac  
Corporate Counsel/In-House and Law Firm  
Management  
THERE IS NO ‘I’ IN ‘TEAM’: EMBRACING  
THE VIRTUAL LAW FIRM

An oft-quoted expression in corporate counsel circles is: “We hire the attorney, not the law firm.” This is becoming an increasing reality in high-stakes litigation where a burgeoning in-house trend is to assemble a team of preferred attorneys from multiple law firms to function as one virtual law firm (VLF). Both inside and outside counsel will benefit from this panel presentation which will explore best practices for how to assemble and effectively manage (for in-house counsel) or participate in (for outside counsel) a VLF.

**Moderator:** *Shayna S. Cook, Goldman, Ismail, Tomaselli, Brennan & Baum, Chicago, IL USA*

**Speakers:** *Paula Allan, Fed Ex, Moon Township, PA USA; Wendy West Feinstein, Eckert Seamans Cherin & Mellott LLC, Pittsburgh, PA USA; Lisa M. Floro, Coloplast Corp., Minneapolis, MN USA*

7:30 - 8:30 a.m. Beauharnois  
Intellectual Property  
COMMONLY MISSED IP ISSUES LAWYERS  
CANNOT AFFORD TO OVERLOOK

Come on down to watch three IADC members who do not practice intellectual property law participate in a contest. The participants will be presented with short fact patterns and must be the first to hit the buzzer and correctly identify the intellectual property issue presented by the scenario. The purpose of the program is to educate the non-IP attorney about situations requiring the expertise of an IP attorney in a fun format. The program will also address common incorrect assumptions related to IP rights to address and dispel these myths.

**Speaker:** *Jennifer Haltom Doan, Haltom & Doan, Texarkana, TX USA*

8:45 - 10:15 a.m. Salle de Bal  
OPENING SESSION

10:15 - 11:30 a.m. Salle de Bal  
OPEN FORUM SPEAKER – SAMANTHA  
NUTT

4:00 - 5:00 p.m. Frontenac  
INTERNATIONAL COMMITTEE BUSINESS  
MEETING

**TUESDAY, JULY 11, 2017**

7:30 - 8:30 a.m. Place d'Armes  
EMPLOYMENT LAW COMMITTEE  
BUSINESS MEETING

7:30 - 8:30 a.m. Levis  
INTERNATIONAL ARBITRATION  
COMMITTEE BUSINESS MEETING  
**Respondent's Refusal to Pay its Share of the Advance on  
Costs – and Now?**

What can a plaintiff do in case the respondent fails to pay its share of the advance on cost? Advantages and issues of interim awards on reimbursement will be discussed. On the one hand it is a problem that respondents fail to comply with the agreement which includes – through submitting to the respective rules – the payment of the advance on cost for the arbitral proceedings. On the other hand we see a number of dubious, not to say frivolous, claims aiming at creating (financial) problems for the respondent. How shall arbitral tribunals handle this?

*\*This presentation will NOT be eligible for CLE credit.*

**Moderator:** Daniela Karollus-Bruner, CMS Reich - Rohrwig Hainz Rechtsanwälte GmbH, Vienna, Austria

**Speakers:** Dr. Philipp Behrendt, Taylor Wessing, Hamburg, Germany; Anna Cook, Bristows LLP, London, England; Junior Sirivar, McCarthy Tetrault LLP, Toronto, ON Canada

7:30 - 8:30 a.m. Jacques-Cartier  
**Alternative Dispute Resolution/Toxic and  
Hazardous Substances Litigation**  
**PLAN FOR SUCCESS: MEDIATION  
STRATEGIES FOR SUCCESSFULLY  
RESOLVING LITIGATION**

With the number of jury trials decreasing, mediation is *de rigueur* in nearly all litigation. As with trials, careful consideration of key strategic issues improves your chances of achieving the best outcomes for your clients. What type of mediator should you select? Should joint session opening statements be part of the mediation? When should you mediate? How do you engage the mediator to move the other side to the “zone of bargaining?” This panel of experienced mediators and advocates will discuss these and other key issues as well as strategies to employ to help you make sure your next mediation *est un succès*.

**Speakers:** Anthony W. Livoti, Murphy & Grantland, P.A., Columbia, SC USA; Bruce B. McIntosh, McIntosh & McIntosh, Cincinnati, OH USA; Erik W. Snapp, Dechert LLP, Chicago, IL USA

7:30 - 8:30 a.m. Montmagny  
**Business Litigation/Corporate Counsel/  
Product Liability**

**FOOD FIGHT: FSMA AND THE FDA'S  
NEW ERA OF ENFORCEMENT FROM THE  
PERSPECTIVE OF OUTSIDE COUNSEL, IN-  
HOUSE COUNSEL, AND A FORMER FDA  
OFFICER**

This program will focus on the new enforcement rights of the FDA, the upcoming deadlines for compliance with the new Food Safety Modernization Act, best practices for handling an FDA inspection, recalls, and responding to 483 letters in this new enforcement era. The panelists include outside counsel discussing recent interactions with the FDA and two recalls, a food safety consultant recently retired from the FDA, and an in-house counsel with a food manufacturer.

**Speakers:** Michael M. Landa, Former Director of the U.S. Food and Drug Administration's Center for Food Safety and Applied Nutrition, College Park, MD USA; Jackie Bryk Welch, Director & Managing Counsel – Litigation, The J. M. Smucker Company, Orrville, OH USA; Sandra J. Wunderlich, Tucker Ellis LLP, Saint Louis, MO USA

7:30 - 8:30 a.m. Petit Frontenac  
**Medical Defense and Health Law/Trial  
Techniques and Tactics**

**HOW TO DE-BUNK AND EXPLAIN  
PLANTIFF'S VODOO ECONOMICS TO  
JURIES IN CATASTROPHIC INJURY CASES**

This program will focus on effective strategies to challenge inflated economic damages and outrageous life care plans. The panel will discuss ways to effectively challenge and diminish the impact of catastrophic damage models in front of juries.

**Moderator:** Constance A. Endelicato, Wood Smith Henning & Berman, Los Angeles, CA USA

**Speakers:** Thomas J. Hurney, Jr., Jackson Kelly PLLC, Charleston, WV USA; Stuart P. Miller, Mitchell, Williams, Selig, Gates & Woodyard, PLLC, Rogers, AR USA; Bryant J. Spann, Thomas, Combs & Spann PLLC, Charleston, WV USA

7:30 - 8:30 a.m. Beauharnois  
**Professional Liability**  
**THE CYBER INSURANCE BROKER  
CONUNDRUM**

P.F. Chang's is reeling after a U.S. District Court ruled that its insurer is not obligated under its cyber policy to reimburse P.F. Chang's for \$1,900,000 in PCI fines. Bitpay was deceived by a hacker into transferring \$1,850,000 to the hacker's account. Imagine the shock of Bitpay when its cyber insurance carrier denied the claim. Why didn't the insurance agent or broker selling these insurance policies

point out the critical policy deficiencies and the importance of the application representations? Ignorance or lack of due diligence is the most probable explanation. Insurance brokers are unnecessarily exposing themselves to risks because they are selling cyber insurance endorsements and policies without fully understanding them or their client's cyber risk profile. With the avalanche of cyber breach claims, companies are pressuring their brokers to procure comprehensive cyber coverage. Companies are assuming that the purchase of a cyber policy provides complete financial protection. They assume wrong as do their brokers. When the cyber insurer rightfully denies coverage, insureds are looking to their insurance brokers to make them financially whole and are in turn triggering a new wave of litigation: errors and omission claims against the insurance broker. This program will unpack this new wave of litigation.

**Speakers:** *Richard Creel, RPLU, ASLI, MLIS, Risk Placement Services, Chicago, IL USA; Elizabeth S. Fitch, Righi Fitch Law Group, Phoenix, AZ USA*

8:45 - 10:15 a.m. Salle de Bal  
**SMART PRODUCTS: EVOLVING LIABILITY AND COVERAGE ISSUES**

*Sponsored by the Insurance and Reinsurance Committee, Medical Defense and Health Law Committee, Product Liability Committee, Technology Committee, and Transportation Committee*

**SPONSORED BY DISCOVIA**

***\*This program is eligible for technology credit in Florida.***

“Connected cars,” which are on the road today, merge the driver's digital world and means of transport. Self-driving vehicles, still years away from use by the general public, hold the potential to revolutionize the way people and goods move around. Smart products challenge traditional ideas of tort and product liability and the insurance coverage that should apply, loom as the cyber criminal's new frontier, and pose privacy challenges. This panel will explain these phenomena, explore regulatory challenges, potential litigation frontiers, and insurance industry responses.

**Moderator:** *Peter J. Pizzi, Walsh Pizzi O'Reilly Falanga LLP, Newark, NJ USA*

**Speakers:** *Kate Browne, Swiss Re Corporate Solutions, New York, NY USA; Timothy H. Goodman, Babst Calland, Washington, DC USA; Alma Murray, Hyundai Motor America, Fountain Valley, CA USA; Robert G. Smith, Jr., Lorange & Thompson, P.C., Houston, TX USA*

8:45 - 10:15 a.m. Frontenac  
**HELP! I'M REPRESENTING AN ASIAN COMPANY IN U.S. LITIGATION – WHAT DO I NEED TO KNOW?**

*Sponsored by the Business Litigation Committee and International Committee*

The increasing participation of mid-size and small Asian companies in global commerce makes it extremely likely that IADC members will be called upon to represent Asian clients in legal matters in the United States and around the world. But representing smaller Asian companies can pose significant challenges. Differences in cultures, legal systems, sophistication, and other factors can affect your ability to represent these clients effectively. Knowing what to expect and how to manage Asian clients is critical to the success of your case. Learn some of the unique characteristics of representing Asian clients and tips for addressing the challenges that arise in such representations from outside and in-house counsel with extensive experience managing cross border engagements involving Asian companies.

**Speakers:** *Simon Ekins, Fladgate LLP, London, England; Winston Gao, Tian Yuan Law Firm, Shenzhen, China; Kurt B. Gerstner, Lee International IP & Law Group, Seoul, Korea; Val H. Stieglitz, Nexsen Pruet, LLC, Columbia, SC USA*

10:30 a.m. - 12:00 p.m. Salle de Bal  
**INSIGHT INTO THE MIND OF A TRIAL LAWYER: AN INTERNATIONAL PERSPECTIVE (TRIAL TRACK SERIES - DAY 1)**

*Sponsored by the Medical Defense and Health Law Committee and Trial Techniques and Tactics Committee*

In the changing environment of trial practice, there is always something new to learn or try in order to better advocate for your client. Over two days, a special educational track will focus on key issues, techniques you can use immediately, and advocacy examples and tips from IADC members across the globe. Using a common fact pattern from a catastrophic injury case, IADC members will discuss modern trial preparation considerations and technology use in the context of those facts. The first day kicks off with a presentation of the intriguing fact pattern and a lively discussion of trial preparation and *voir dire* in the age of smart phones and social media. How does this technology impact juror persuasion and handling the jury panel effectively? Day 1 concludes with an entertaining demonstration of mock openings based on the fact pattern from Australian, EU, and U.S. lawyers, each putting their own jurisdictional spin on the presentation, including rules for what is allowed and customary procedures.

**Speakers:** *Pauline Arroyo, Holman Fenwick Willan, Paris, France; S. Stuart Clark, Clayton Utz, Sydney, Australia; Douglas J. Pomatto, Heyl Royster, Rockford, IL USA; Richard G. Stuhan, Shaker Heights, OH USA; Dan Wolfe, DecisionQuest, Inc., Chicago, IL USA*



10:30 a.m. - 12:00 p.m. Frontenac  
**HAS THE EUROPEAN COMMISSION  
TAKEN TOO BIG A BITE OF THE APPLE?**  
*Sponsored by the Corporate Counsel Committee and  
International Committee*

Recently, the European Commission ordered Ireland to recover \$14.5 billion of illegal state aid granted to Apple in the form of undue tax benefits, a record-breaking demand. The decision has put business relations between the United States and EU on edge. U.S. officials have criticized the approach of the EU in targeting multi-nationals such as Apple, Starbucks, and McDonalds. The Apple decision was called a “cheap money grab” and a “highly politicized ruling” that is “rooted in an erroneous interpretation of law.” The president of the European Commission said the law was applied “without discrimination and without bias.”

Those of us who believe in the future of the EU hate to see the European Commission acting outside its remit like in the Apple case and the other recent state aid cases. This abuse of public power from a European institute is exactly what leads certain countries to leave the EU.

**Speakers:** *Minos van Joolingen, Banning N.V., Hertogenbosch, Netherlands; John Linders, Banning N.V., Amsterdam, Netherlands; Dr. Liza Lovdahl-Gormsen, British Institute of International and Comparative Law, London, England*

## WEDNESDAY, JULY 12, 2017

7:30 - 8:30 a.m. Place d'Armes  
**INSURANCE AND REINSURANCE  
COMMITTEE BUSINESS MEETING**

7:30 - 8:30 a.m. Jacques-Cartier  
**Drug, Device and Biotechnology  
BRANDS, GENERICS, AND BIOSIMILARS –  
WHO'S LIABLE FOR WHAT AND WHERE?  
SPONSORED BY MRC**

This program will address the current law on innovator liability and “Mensing like” issues, expanded to include discussion of what may happen with biosimilars. What are the potential liabilities for brands, generics, and biosimilars? What differences exist among the U.S., Canada, and Australia? What are the problems perceived by in-house counsel and outside counsel? The panel will examine these issues, which are critically important to all who practice in this area.

**Speakers:** *Sheila S. Boston, Arnold & Porter Kaye Scholer LLP, New York, NY USA; Deirdre Kole, Johnson & Johnson, New Brunswick, NJ USA; Scott Maidment, McMillan LLP, Toronto, ON Canada; Gregory Williams, Clayton Utz, Sydney, Australia*

7:30 - 8:30 a.m. Montmagny  
**International**  
**A LEGAL EARTHQUAKE IN FRANCE: THE  
INCORPORATION OF THE “IMPREVISION”  
DOCTRINE IN THE FRENCH CIVIL  
CODE AND A REASON TO REVISIT THE  
WORLDWIDE CONCEPT OF “HARDSHIP”**

The legal doctrine of “imprevision or hardship” allows for changes to be made in a contract when circumstances alter the balance of obligations resulting in an unequal burden on one of the parties. The panel will review the changes to the French civil code as well as the Québec and Louisiana civil codes, take a look at the codification of this doctrine under German law, and discuss how and whether this doctrine applies in common law jurisdictions.

**Speakers:** *Pauline Arroyo, Holman Fenwick Willan, Paris, France; Philipp Behrendt, Taylor Wessing, Hamburg, Germany; Young Seok Lee, Yulchon LLC, Seoul, Korea; Pamela McGovern, Aust Légal Inc., Montréal, QC Canada; Elizabeth Haecker Ryan, Coats Rose, New Orleans, LA USA*

7:30 - 8:30 a.m. Petit Frontenac  
**Trial Techniques and Tactics**  
**CATASTROPHIC EVENT, DEVASTATING  
EXPOSURE: A UNIQUE APPROACH TO  
FIXING THE WORST PROBLEMS**

Fighting the urge to “Deny-Defend-Delay,” this program will address a progressive approach to early resolution of the catastrophic loss claim that produces a fair outcome while avoiding the costs of protracted litigation.

**Speakers:** *James M. Campbell, Campbell Campbell Edwards & Conroy P.C., Boston, MA USA; Frank A. Lattal, Chubb Group, Hamilton, Bermuda; Jeffrey L. O'Hara, LeClair Ryan, Newark, NJ USA; Wade Martin, Morgan Stanley, New York, NY USA*

7:30 - 8:30 a.m. Beauharnois  
**White Collar Defense and Investigation**  
**TRUMP ADMINISTRATION WHITE  
COLLAR ENFORCEMENT AND  
PROSECUTIONS**

According to Charles Darwin, “It is not the strongest of the species that survive, nor the most intelligent, but the one most responsive to change.” This panel of experienced former DOJ prosecutors and white collar criminal defense practitioners will discuss the Trump administration’s criminal enforcement priorities, what is anticipated to change and what might stay the same, and how United States and international businesses should respond.

**Speakers:** *Peggy Kubicz Hall, Greene Espel P.L.L.P., Minneapolis, MN USA; Michael W. Magner, Jones Walker LLP, New Orleans, LA USA; Paul E. Pelletier, Pepper Hamilton LLP, Washington, DC USA; Jack W. Selden, Bradley LLP, Birmingham, AL USA*

8:45 - 10:15 a.m. Frontenac

## GENETICALLY MODIFIED FOOD: WILL THE WORLD'S FOOD SUPPLY BE BLESSED OR CURSED?

*Sponsored by the International Committee, Product Liability Committee, and Toxic and Hazardous Substances Litigation Committee*

This program will explore the pros and cons of organic food versus “genetically modified” food. How can we differentiate between the myths about the food we eat and the facts? Consumers are barraged by scientific-sounding warnings in the popular press that gene-altered substances can enter our bodies and wreak genetic havoc. The organic food movement has transformed the way many Americans think about food and has had a significant impact on food shopping. “No GMO” food advocates have significant influence in education and public policy. GMO advocates contend, however, that genetically modified crops taste better; take less time to mature; provide increased nutrients, yields, and stress tolerance; and have improved resistance to disease, pests, and herbicides. The program will seek to separate fact from fiction when it comes to biotechnology and American agriculture.

**Moderator:** *William A. Ruskin, William Ruskin Law, Rye Brook, NY USA*

**Speakers:** *Jay Byrne, President, v-Fluence Interactive, Saint Louis, MO USA; Timothy Pastoor, PhD, DABT, Founder of Pastoor Science Communications, Greensboro, NC USA; Mark Smith, Syngenta Crop Protection, LLC, Greensboro, NC USA; Ingrid E. VanderElst, Fasken Martineau DuMoulin LLP, Toronto, ON Canada*

8:45 - 10:15 a.m. Salle de Bal

## SEX, GENDER IDENTITY, AND THE LAW: A VIEW FROM THE BENCH AND THE BAR

*Sponsored by the Diversity Committee, Employment Law Committee, In-House and Law Firm Management Committee, and International Committee*

This program offers perspectives on legal issues surrounding sex reassignment and gender identity, as well as practical issues like changing one's name on legal documents or use of gender-specific bathrooms, legal protections “because of sex/gender” under the laws of Canada and the United States, and associational discrimination.

The panel of jurists and advocates will explore same-sex marriage, adoption, and gender reassignment issues such as restroom usage/religious objections in civil and common law

systems. They will also conduct a comparison between the “progress” of Canadian and U.S. courts in dealing with these issues in light of existing laws (statutes, civil codes, common law, and constitutional provisions).

**Moderator:** *Louis Charette, Lavery de Billy L.L.P., Montréal, QC Canada*

**Speakers:** *Honorable Robin M. Giarrusso, Civil District Court, New Orleans, LA USA; Honorable Cory Gilmore, Superior Court of Justice, Toronto, ON Canada*

10:30 a.m. - 12:30 p.m. Salle de Bal

## INSIGHT INTO THE MIND OF A TRIAL LAWYER: AN INTERNATIONAL PERSPECTIVE (TRIAL TRACK SERIES - DAY 2)

*Sponsored by the Medical Defense and Health Law Committee and Trial Techniques and Tactics Committee*  
**\*This program is eligible for Elimination of Bias credit.**

The second day of the trial track series begins with a federal judge who will discuss the concept of implicit bias and how we all need to keep that in mind as we select jurors and plan our cases. Listening to this presentation will be an eye opening experience. Next, mock closings will be presented by lawyers from Canada, England, and the United States...again with special flare from their native jurisdiction. The program will conclude with an educational and entertaining discussion from a panel of trial warriors who will provide tips on how they would approach a case like the example. You will walk away from this program with practical tips on trying the catastrophic case. This program and day one on Tuesday should not be missed!

**Speakers:** *Diane Fleming Averell, Porzio, Bromberg & Newman, P.C., Morristown, NJ USA; Roy Alan Cohen, Porzio, Bromberg & Newman, P.C., Morristown, NJ USA; Charles H. Cole, Lewis Brisbois Bisgaard & Smith LLP, Chicago, IL USA; T. Thomas Cottingham, III, Winston & Strawn LLP, Charlotte, NC USA; Honorable Bernice B. Donald, United States Court of Appeals for the Sixth Circuit, Memphis, TN USA; Susan E. Gunter, Dutton Brock, LLP, Toronto, ON Canada; William J. Perry, Carter Perry Bailey LLP, London, England; George E. Wolf, Shook, Hardy & Bacon L.L.P., Kansas City, MO USA*

10:30 a.m. - 12:00 p.m. Frontenac

## INSURERS AND INTERNATIONAL CLAIMS – TRAPS FOR THE UNWARY!

*Sponsored by the Insurance and Reinsurance Committee*

Insurance is a global business. Large risks can be spread across multiple carriers in different jurisdictions or reinsured internationally. What are the implications for insureds and insurers? Are obligations owed by the primary lead to followers or excess layers in other countries? How can documents be obtained or witnesses examined? Can judgments or awards

be enforced? The panel will examine all these questions and help attendees gain an understanding of different dispute resolution techniques and differing coverage concerns, which can be paramount to practitioners from the United States and internationally when advising their clients on these issues.

**Moderator:** *Elizabeth J. Bondurant, Womble Carlyle Sandridge & Rice, LLP, Atlanta, GA USA*

**Speakers:** *Rod S. Attridge-Stirling, ASW Law Limited, Hamilton, Bermuda; Mylène Côté, Liberty International Underwriters, Montréal, QC Canada; Julian Miller, DAC Beachcroft, London, England*

## THURSDAY, JULY 13, 2017

7:30 - 9:00 a.m. Salle de Bal

### 2020 FORESIGHT: WHERE IS OUR PROFESSION GOING – AND HOW SHOULD WE PREPARE TO GET THERE?

*Sponsored by the Corporate Counsel Committee, In-House and Law Firm Management Committee, and Technology Committee*

**\*This program is eligible for technology credit in Florida.**

The legal profession finds itself at a technological cross roads and all of us must adapt our business models and marketing practices to address the expected changes over the next decade. Advancements in technology and the use of artificial intelligence already have impacted nearly every industry. Our profession is joining this technological revolution as well with the rise of legal applications and artificial intelligence (particularly when coupled with the increasing availability and demand for legal process outsourcing entities that offer many of the services traditionally held by law firms).

Whether it's the online legal research tools or the use of e-Discovery vendors to assist with document review, we are using technology to perform jobs traditionally left to lawyers to complete. What happens, though, when contracts and legal briefs can be drafted by artificial intelligence or when arbitrations and mediations can be addressed by online dispute resolution providers? Similarly, how should we address the technological advancements in other industries? Will the advent of smart cars eliminate the need for motor vehicle negligence claims and the lawyers that handle them? And how should we market ourselves in this world-wide, online marketplace? Do any of the traditional marketing strategies still work? Or have the tried and true become tired and blue? These are just a few of the questions we must all consider—and address over the next decade.

This panel will discuss how to best utilize new technology and identify legal issues and new practice areas. Finally, and perhaps most importantly, the panel will offer guidance on marketing your firm as an industry leader in this new era where everything is but a click away.

**Moderator:** *John A. Olah, Beard Winter LLP, Toronto, ON Canada*

**Speakers:** *John Buckley, Power Plant Management Services, Charlotte, NC USA; Honorable Herbert B. Dixon, Jr., Superior Court of the District of Columbia, Washington, DC USA; Sally Schmidt, Schmidt Marketing, Inc., Edina, MN USA*

9:15 - 10:45 a.m.

Salle de Bal

### General Interest

#### MICHAEL MORTON

*Sponsored by the Social Justice Pro Bono Committee and White Collar Defense and Investigation Committee*

Michael Morton was born in Texas, grew up in California, and moved back to Texas in high school. While living in Austin, Michael was wrongfully convicted of the 1986 murder of his wife, Christine, a crime witnessed by his then 3-year-old son. He spent almost 25 years in prison before being exonerated in 2011 through the efforts of the Innocence Project, pro bono lawyer John Raley, and advances in DNA technology.

**Speaker:** *Michael Morton, TX USA*

11:00 a.m. - 12:30 p.m.

Salle de Bal

### LOSS OF INNOCENCE

*Sponsored by the Social Justice Pro Bono Committee and White Collar Defense and Investigation Committee*

In the wake of “Making a Murderer,” a former career federal prosecutor will lead a panel to discuss what has led to a substantial increase in the uncovering of wrongfully convicted criminal defendants throughout the United States. This panel will also examine issues of prosecutorial misconduct and overreaching, incentivized witness and expert witness perjury, witness identification problems, and the role of DNA.

**Speakers:** *Michael W. Magner, Jones Walker LLP, New Orleans, LA USA; Jane Pucher, Innocence Project, New York, NY USA; John W. Raley, Raley & Bowick, L.L.P., Houston, TX USA*

## FRIDAY, JULY 14, 2017

9:00 - 10:30 a.m.

Salle de Bal

### CLOSING SESSION

Please plan to attend our final general session. The traditional gavel will be passed from President Lay to President-Elect Kopon, and the Nominating Committee will present its slate of Board Members and officers for members to approve. Join us for this special event and be the first to congratulate the new IADC Board Members.

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International Association of  
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