

welcome you to our

CLE PROGRAM & COCKTAIL RECEPTION

- 1:00 PM – 1:15 PM** **Opening**
- *Chris Maddux, Chair, Butler Snow and Peter Malanchuk, ACC TN President*
- 1:15 PM – 2:15 PM** **“Developing a Successful Trial Strategy in High Profile, Bet the Company Litigation”**
- *Panelists: La’Verne Edney and Orlando “Rod” Richmond, Partners, Butler Snow*
- 2:15 PM – 3:15 PM** **“The Ramifications of the Supreme Court Affirmative Action Decision on the Corporate World”**
- *Moderator: Wade Hinton, Chief Executive Officer and Founder, Hinton & Company Consulting*
- *Panelists: April Berman, SVP, Deputy General Counsel, Asurion; Melissa Spence, Partner, Butler Snow*
- 3:15 PM – 4:15 PM** **“The Coming Effect of Artificial Intelligence and Ethical Implications in the Legal Industry and In-House Departments”**
- *Moderator: J. Mitchell Carrington, Partner, Butler Snow*
- *Panelists: Allen Gibby, Sr. Counsel, Asurion; Brian McGovern, Executive Director, Corporate Legal and Claims, Mitrstech; Marcia Narine Weldon, Professor and Director of Transactional Skills Program, University of Miami*
- 4:15 PM – 5:15 PM** **“Exploring the State of the Corporate Counsel Profession and What to Expect in 2024”**
- *Keynote Speaker: Michael Rynowecer, President & Founder of BTI Consulting Group, aka “The Mad Clientist”*
- 5:15 PM – 5:30 PM** **Closing**
- *Chris Maddux, Chair, Butler Snow and Peter Malanchuk, ACC TN President*
- 5:30 PM** **Cocktail Receptions in Memphis and Nashville**



Butler Snow is a proud partner of ACC Tennessee and we are excited to host this year's Continuing Legal Education program in our Memphis and Nashville offices and virtually with attendees from across the United States. We share ACC Tennessee's commitment to providing educational, networking, and service opportunities for in-house counsel across our footprint. As a result, we think you will find our program today very helpful in understanding myriad challenges facing in-house counsel and believe that our speakers will provide great insight into navigating those.

Should you have questions or the need to explore a topic further, please do not hesitate to contact us at any time. Thank you for choosing to attend this year's program.

Christopher R. Maddux
Firm Chairman

Sherry Vance Allen
Chief Marketing &
Communications Officer

Larry Crawford
Partner, Commercial Litigation
Memphis, TN

J. Mitchell Carrington
Partner, Business Services Group
Nashville, TN

La'Verne Edney
Partner, Commercial Litigation
Ridgeland, MS

Orlando "Rod" Richmond
Partner, Commercial Litigation
Ridgeland, MS

Melissa Spence
Partner, Labor & Employment
Charleston, SC



Welcome and thank you for attending the **2023 Year End Corporate Counsel CLE**. Thank you to **Diamond Sponsor Butler Snow** for their partnership on this event and their continued generous support of ACC Tennessee.

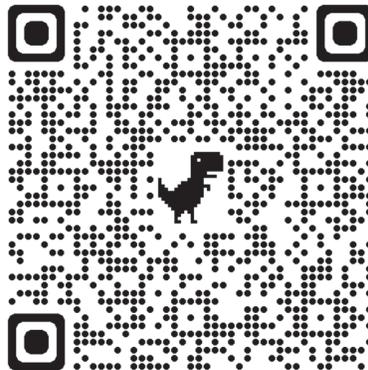
ACC Tennessee's primary responsibility is to our members. We strive to deliver a mix of education, networking, and pro bono service opportunities with the goal of fostering collegiality among the in-house counsel in the state of Tennessee. If you are not yet a member, please consider joining today at <http://acc.com>.

2024 will be an exciting year for ACC Tennessee with ACC Global's 2024 Annual Meeting coming to Nashville October 6-9, 2024. ACC Tennessee will be sharing more information about this event, including special opportunities for Tennessee members, throughout the year. Watch for information from ACC Global as the details are released early next year and use the QR Code below to sign up for our quarterly newsletter and regional lists if you are not already a member.

Peter Malanchuk
Board President

Craig Webb
Programming Chair

Samantha Lunn
Executive Director



Developing a Successful Trial Strategy in High Profile, Bet the Company Litigation



Andrea La'Verne Edney

La'Verne is a member of Butler Snow's Pharmaceutical, Medical Device and Healthcare Litigation Group. She has over 25 years of experience trying cases in very difficult venues in state and federal courts as either lead counsel or co-counsel. Her trial experience includes cases involving commercial litigation, mass tort litigation involving pharmaceutical products, medical negligence, premises liability, and personal injury.

La'Verne completed her undergraduate education at Alcorn State University and earned her Juris Doctor from Mississippi College School of Law. She is AV-rated by Martindale-Hubbell and has been recognized by Best Lawyers in America. She is a Fellow of the Mississippi Bar Foundation (where she served as President in 2020) and is President-Elect of the American Board of Trial Advocates. She is a member of the Federation of Defense & Corporate Counsel (FDCC) and a Fellow of the American College of Trial Lawyers, the International Society of Barristers and the International Academy of Trial Lawyers.



Orlando "Rod" Richmond, Sr.

Recognized as one of *Benchmark Litigation's* 2019-2024 Top 100 Trial Lawyers in America, Rod is a Fellow of the International Academy of Trial Lawyers and American College of Trial Lawyers and an Associate of the American Board of Trial Advocates. He has over 30 years of experience and served as lead counsel or co-counsel in numerous jury trials in state, federal and military venues. He has tried at least 60 cases to verdict and handled numerous administrative proceedings. His trial practice over the past several years has primarily focused on mass tort litigation involving pharmaceutical products, toxic torts and environmental issues. In addition to his product liability practice, he also defends Attorneys General consumer protection litigation for clients in a variety of industries. Rod's litigation career began as a Marine Corps JAG Officer, and he

was nominated for Outstanding Young Marine Corps Lawyer for his work.

He is frequently called upon to prepare and try cases in challenging venues with significant amounts in controversy. *AmLaw's The Litigation Daily* profiled him as its Litigator of the Week, May 11, 2018, for his defense verdict in a bellwether Pradaxa® product liability trial, and *Law360* featured him as one of its 2016 Trial Pros. He is known for his courtroom presence, calm demeanor at trial and oral advocacy skills. He has extensive experience and success in converting medical, scientific and industry information into presentations that are easy for juries to understand.

In June 2020, Rod authored a two-column article in *Fortune* on diversity and inclusion. In part one, he discussed three issues that contribute to a law firm environment where diverse lawyers are minimized and ultimately leave law firms. In part two, he discussed potential steps firms can take to address bias and retention. *The Wall Street Journal* pictured and quoted Rod in a September 2020 article discussing diversity issues and why there are still so few black executives in America's top companies. His writing on diversity-related topics has also been published in *The American Lawyer*, *DRI's For The Defense*, and *Mississippi Business Journal*, among others.

Rod received his J.D. from Georgetown University and his B.A., *cum laude*, in Political Science from Jackson State University. Following law school, he clerked for the Honorable Herbert B. Dixon, Jr., District of Columbia Superior Court. He is admitted to practice in Mississippi.

The Ramifications of the Supreme Court Affirmative Action Decision on the Corporate World



Wade A. Hinton

Wade A. Hinton is an attorney, entrepreneur, and nationally-regarded expert on improving diversity and inclusion outcomes in the workplace.

He is the CEO and Founder of Hinton & Company, a business services firm with a focus on culture and leadership. Hinton & Company provides assessment, engaging leadership development sessions as well as bespoke leadership offerings to support an organization's cultural and engagement goals.

Wade's two decades of experience in the private and public sectors include service as the inaugural Vice-President of Inclusion and Diversity for the Unum Group, City Attorney for the City of Chattanooga, and Deputy General Counsel for Volkswagen Group of America Chattanooga Operations. Wade is also the founder of Board Connector and co-founder of Designation One - platforms connecting historically underrepresented talent to inclusive nonprofit boards.

Civically, Wade serves as a board member for Think Tennessee, the Chattanooga Chamber of Commerce, Tennessee Aquarium, and the Chattanooga State Community College Foundation. He is a member of Omega Psi Phi Fraternity, Inc. and the Rotary Club of Chattanooga. Previous board service includes Benwood Foundation (Chair), UTC Chancellor's Roundtable (Chair), Tennessee State University Foundation, and many more. Wade has also received gubernatorial appointed to state boards and commissions by three different administrations.

Wade has been named a Top 100 Diversity Officer by DiversityFirst, one of 40 best advocates and business leaders under the age of 40 by both the National Bar Association and the Network Journal, respectively, and a Tennessee Bar Foundation Fellow and Tennessee YLD Fellow.

He has been awarded the Walter Williams Achievement Award, the Diversity Community Champion for Justice Award, the Urban League of Greater Chattanooga Whitney M. Young Award, the Chattanooga NAACP Thurgood Marshall Award, and the Tennessee NAACP 45 Under 45 Award and selected for programs such as Presidential Leadership Scholars, Leadership Tennessee, and Leadership Chattanooga. Wade was also a member of Harvard's inaugural Young American Leaders Program. His interest in foreign policy led him to be selected as a Marshall Memorial Fellow by the German Marshall Fund and was one of six Americans named to GMF Future of U.S. German-Relations Task Force.

Wade is a native of Chattanooga, Tennessee, a graduate of Emory University, The University of Memphis School of Law, and studied at Central European University in Budapest, Hungary. His most important role is being a father. He and his long-time partner Jana have one adorable daughter - Genevieve Silvia Eichel-Hinton. He also loves to travel, read, work out, and play golf when possible.



April Berman

April Berman is Senior Vice President and Deputy General Counsel at Asurion, the world's leading tech care company. Asurion eliminates the fears and frustrations associated with technology to ensure its over 300 million customers get the most out of their devices, appliances, and connections. April is responsible for Asurion's legal matters throughout the Americas as well as Asurion's enterprise compliance program. Prior to joining Asurion in 2005, April was in private practice with a focus on complex commercial litigation, employment, and franchise law. April received her JD from the University of Tennessee College of Law and holds both a BA in English and a BS in Political

Science from the University of Tennessee, Chattanooga. April is a Fellow of the Tennessee Bar Foundation, the Tennessee Bar Association—Young Lawyers Division, and the Nashville Bar Foundation and has been recognized as NBJ Best of the Bar—Corporate Counsel annually since 2018. She currently serves on the boards of Teach for America—Nashville and Chattanooga, ACC Tennessee, and Compassion Forward.



Melissa Fried Spence

Melissa Spence is a member of Butler Snow's Labor and Employment group, where she regularly counsels clients on compliance issues and represents employers before the Equal Employment Opportunity Commission, the South Carolina Human Affairs Commission, the U.S. Department of Labor, and in both state and federal court against lawsuits arising under Title VII, ADA, ADEA, FMLA, and the FLSA. She has extensive experience building proactive strategies that help clients avoid protracted legal disputes involving various labor and employment matters.

Charleston Business Magazine named Melissa a 2023 Legal Elite Winner in Employment – Defendant and Labor Litigation and *Best Lawyers in America*®

has recognized her for her exemplary work in Labor and Employment Law. She was previously recognized by *South Carolina Super Lawyers*® as a Rising Star in Employment Litigation and honored for her commitment to the Charleston community with inclusion in the *Charleston Regional Business Journal* 'Forty under 40' list in 2020. She is also a graduate of the Charleston Metro Chamber of Commerce Leadership Charleston Class of 2019.

Melissa serves as Membership Vice President of the Palmetto Society for Human Resource Management, Vice Chair of the South Carolina Bar Association's Employment and Labor Law Section, and she is a member of the Charleston Legal Access Board of Directors. Additionally, Melissa is a member of the International Association of Defense Counsel, South Carolina Women Lawyers Association, and Charleston County Bar Association. She received her bachelor's degree from Wofford College and earned her Juris Doctorate, *cum laude*, from Charleston School of Law.

The Coming Effect of Artificial Intelligence and Ethical Implications in the Legal Industry and In-House Departments



J. Mitchell Carrington

Mitch is a member of Butler Snow's Business Services Group. He focuses his practice on corporate and transactional matters and distressed transactions. Mitch's experience includes advising privately held businesses in sales and acquisitions in a variety of industries including technology, healthcare, energy, entertainment, and logistics.

He is active in a number of organizations, including the American Bar Association, Mississippi Bar Association, and Nashville Bar Association.

He obtained his J.D., *magna cum laude*, from the University of Mississippi and his B.A. in Political Science from Millsaps College. He is admitted to practice in Mississippi and Tennessee.



Allen Gibby

Allen Gibby is Sr. Counsel at Asurion. He provides legal support to teams developing and implementing AI at Asurion, as well as to the product, privacy, and security organizations. In his career, he has advised private and public sector entities on the use of AI, privacy, and other issues at the intersection of technology and the law.



Brian McGovern

Brian McGovern is Mitrtech's Executive Director of Corporate Legal and Claims. In this role, Brian has worked with over 300 of the largest and best run legal departments in the world around their technology, process and people.

Prior to Mitrtech McGovern served as Senior Vice President, Chief Data Officer, Legal Operations at American International Group, Inc. where he led the transformation of the company's legal operations department and played a critical role in creating the organization, processes and technology architecture that reduced AIG's legal spend by over \$1.2 billion dollars. In that role, McGovern was the key business sponsor for the largest e-Billing Matter Management software roll out in the world, an industry leading innovator for legal reporting and analytics, data governance, business process management, and legal procurement.

Prior to legal operations, McGovern served as the company's Vice President and Global Head of Implementation and Process Performance Management where he led cross-functional teams to dramatically improve business processes in multiple functional areas, including legal, information technology, procurement and human resources. Prior to AIG, McGovern served in executive-level positions with Merrill Lynch, GE and Credit Suisse.

McGovern has been honored with the ACC Value Champions Award and by NY Law Journal as an Outstanding In-House Legal Department. He is a Lean Six Sigma Master Black Belt, and holds two patents with the United States Patent Office. In his spare time, he serves a variety of non-profits in his community.



Marcia Narine Weldon

Marcia Narine Weldon is the Director of the Transactional Skills Program and Faculty Coordinator of the Business Compliance and Sustainability concentration at the University of Miami School of Law, where she teaches regulatory compliance, corporate governance, and sustainability; business and human rights; transactional lawyering; and business associations. She also teaches design thinking and ethics and technology at the School of Engineering. In addition, she's the general counsel of a technology startup and the founder of an executive coaching and corporate training firm.

She has over thirty years of legal experience in a variety of settings. She spent several years in-house as the Vice President and Deputy General Counsel, as well as the Vice President, Global Compliance and Business Standards, and Chief Privacy Officer of Ryder, publicly traded, multinational Fortune 500 company. She oversaw the company's global compliance, business ethics, privacy, government relations, environmental compliance, enterprise risk management, corporate responsibility, and labor and employment legal programs. She also served as the head of human resources for one of the company's two divisions before being tasked with leading the development of the compliance, enterprise risk management, corporate social responsibility, and privacy programs. Prior to joining Ryder she practiced employment law at Morgan Lewis in Miami and commercial litigation at Cleary Gottlieb in New York. In addition to working at two of the largest law firms in the world, she has also served as compliance counsel and as general counsel of a boutique law firm.

She has been interviewed by or featured in the New York Times, Wall Street Journal, Washington Post, NPR, the Guardian, Newsweek, The Verge, Forbes, Agenda (Financial Times), Thrive Global, Lusa, and other news outlets around the world on compliance, corporate governance, artificial intelligence, and mental health in the legal profession.

In May 2011, she testified before the House Financial Services Committee in Congress on the unintended impact of Dodd-Frank Financial Reform on corporate compliance programs. In 2012, the US Secretary of Labor appointed her to the Whistleblower Protection Advisory Committee, where she served for five years. She also served as a Commissioner on the Miami-Dade Commission on Ethics and Public Trust from 2014-2017.

She earned her law degree, *cum laude*, from Harvard Law School, and her undergraduate degree, *cum laude*, in political science and psychology from Columbia University. She has been admitted to the bars of New York, New Jersey (inactive), Florida and the United States Supreme Court.

Exploring the State of the Corporate Counsel Profession and What to Expect in 2024



Michael B. Rynowecer

Michael B. Rynowecer is the President and Founder of The BTI Consulting Group (Wellesley, MA). He directs the longest-running benchmarking survey of corporate counsel in the world – now in its 23rd year. More than 400 companies rely on BTI research to benchmark their legal staffing and spending – along with management strategies and talent retention. Michael is a fixture in the business press and has authored more than 100 publications and 2 Amazon best-selling books. Michael advises legal departments and law firms along with most professional service firms. His clients include the best-run organizations in the world.