

Inside 4Q2011

- 2...Revenge of the Value Champions
- 3...Membership Corner!
- 4...Recent Chapter Events
- 5...Pictures from the ACC Washington Happy Hour at Le Grand at the ACC Annual Meeting in Denver
- 6...ACC News

FOCUS

President's Message

Susan Ephron

Greetings Washington Chapter ACC Members—

Is it just me, or does the pace seem to quicken as we get closer to the end of the year? There's a big push to get everything perfect for the holidays, complete work by year end, and get all our required CLE credits. I hope that the ACC has been able to help you with at least two of the three. The ACC website offers great legal resources including best practices, forms, policy statements, presentations and the Member-to-Member network which allows you to access a large online community of your in-house counsel peers. All of these resources are there to help you provide the best legal service to your clients.

We had a fantastic turnout at the ACC Annual Meeting. Nearly 50 chapter members made the trip to Denver for three days packed with CLEs and opportunities to network.

Closer to home our chapter has also had a full roster of events this fall. We hosted our first webinar on e-discovery strategies and tactics. LexisNexis lead us on a walking, eating and drinking tour through downtown. Kroll OnTrack hosted a lively discussion about social networking's impact on discovery and Susan Hackett, former ACC General Counsel spoke on Re-Engineering the Client-Counsel



Relationship. We also had a record number of volunteers attend Street Law training at Starbucks Center. All this, plus another CLE and our annual ethics dinner before year end.

It's too bad ACC can't help with Halloween costumes, Thanksgiving cooking or shopping for holiday gifts. We hope to see you soon at an upcoming event.

Susan Ephron
WACC Chapter President
Counsel, Safeco Corporate Legal

Revenge of the Value Champions

By Amar Sarwal, ACC Vice President & Chief Legal Strategist

Do you remember the end of the iconic movie, *Revenge of the Nerds*, when Lewis takes the mic from Gilbert and suggests that more of us are nerds than jocks? The pretty cheerleader exclaims she's a nerd too; most of the crowd joins Lewis, Gilbert and his nerd fraternity brothers in an effort to end nerd persecution, and the familiar strains of "We are the Champions" begin to play. Well, that cinematic moment was one of the formative experiences of my youth (I didn't get out much) and it came to mind when I was thinking about ACC's new [Value Champions](#) program, our new initiative to identify and celebrate law department and law firm leaders who incorporate value practices into their legal projects.

*I've paid my dues/Time after time
I've done my sentence/But committed no crime
And bad mistakes/I've made a few/I've had
my share of sand kicked in my face -
But I've come through*

Three years ago, ACC challenged the legal community to embrace [value practices](#) that are commonplace in every service industry, save one. While we heard some folks sing their hosannas, there were, and still are, folks who believe that the legal services industry can remain the same and still meet client expectations. Like the dinosaurs that were unaware of the meteor, the firms and law departments that continue with the old business model will not find the future climate hospitable. Wait a sec. Wrong analogy. Like the jocks who thought that they would continue to rule the campus on their terms. Sorry about that.

But, like Lewis and his new self-proclaimed nerd supporters, those of us implementing change are in a growing group. In fact, outside and inside counsel who focus on value practices, such as effective project management, value-driven fee arrangements and continuous improvement, are fast becoming the norm, not the exception. And, that's what the Value Champions program is all about. We'd like to shine a spotlight on them, so that the world can see their accomplishments and learn from them.

*I've taken my bows/And my curtain calls
You brought me fame and fortune and
everything that goes with it/I thank you all
But it's been no bed of roses/No pleasure
cruise*

*I consider it a challenge before the whole
human race/And I ain't gonna lose*

Of course, some value practices are easier than others. Some of them require the simple application of business principles from other industries. And, we want to identify and celebrate individuals who have employed those practices, because we believe their accomplishments can be replicated by our members and the rest of the legal community. But, of course, some projects are harder, more complex and more frustrating at times, because the ideas animating them are so novel. Think of the nerds' effort to beat the jocks in the fraternity competition. So, we'd like to celebrate innovative strategies as well. If you've tried something novel *or* something more garden-variety, please let us know about it. Our only requirement is that the submitted project has reduced legal spend, increased predictability and/or reduced the unwelcome types of legal issues confronted by the company over time.

*We are the champions - my friends/And
we'll keep on fighting - 'til the end
We are the champions/We are the champions
No time for losers
'Cause we are the champions - of the world*

Our deadline for submission is March 15, 2012. If you're in the legal community and you've ever cared about value enough to incorporate it into your day-to-day practice, turn up the volume on Freddie Mercury's classic and [join us](#) and submit a [nomination form](#). The legal services industry just won't meet client expectations until value persecution ends. We look forward to hearing from you.

ACC Value Champions Celebrate Value Champions

ACC Value Champions are law department and law firm leaders who have made great strides in improving the value of legal spending. By implementing pricing and other management practices advo-

cated as part of the ACC Value Challenge, you could be recognized as an ACC Value Champion.

Eligibility

- Law department leaders can be nominated (or self-nominate) for in-house team projects that did not involve a law firm or firms.
- Law department and law firm leaders can co-nominate firm/client partnerships.
- ACC membership or sponsorship is not required.

Demonstrate Your Leadership

Whether you achieved great results on a single matter, or over a multi-year, multi-dimensional effort, just define the scope and duration of the project and tell us about the results you achieved and how they were measured. For example, you can highlight results measured year-over-year, relative to hourly-based pricing, against an industry benchmark, and/or any other relative metric.

The story is important. Let us know what management tactics you used, bearing in mind that there are many ways to drive value. Innovation and collaboration (whether internal or between clients and firms) are also important, as is creating programs that others can replicate. If you have used or developed tools, templates, or dashboards, please share them as well.

Honors and Recognition

If selected, you will receive public recognition for your innovation and success. You'll receive an engraved, crystal "trophy," media exposure, profiling in ACC's member publication, *ACC Docket*, and the opportunity to present your value initiatives as part of an ACC educational program.

Process and Timing

Nominations are requested by March 15th. A panel of ACC staff and [ACC Value Challenge Steering Committee members](#) will review the nominations, and will contact nominees if additional information is needed. The ACC Value Champions will be announced in Spring 2012.

Membership Corner!

We would like to welcome our newest Washington State Chapter Members:

Cabrelle Abel, Senior Corporate Counsel, Drugstore.Com, Inc.
Britt, Bachtel-Browning, Counsel, Avista Corporation
Jill Ballo, Senior Attorney, Microsoft Corporation
Lyle Beaudoin, Attorney, Teck American Incorporated
Jembaa Cole, Corporate Attorney, Microsoft Corporation
Jennifer Farac, Commercial Counsel, Sierra Wireless
Garrett Ferencz, Director of Litigation/ Associate General Counsel, TrueBlue, Inc.
Vernon Francissen, Senior Attorney, Microsoft Corporation
Tyler Fuller, Associate General Counsel, Microsoft Corporation
Bruce Grant, Counsel, Philips Healthcare
Debora Jones, Director of Product Strategy & Counsel, Lighthouse Document Technologies
Danielle Kiersztyn, General Counsel, NoteWorld
Peter Ku, Counsel, Oxford Industries, Inc.
Yong Lee, Senior Attorney, Microsoft Corporation
Ned Locke, Corporate Attorney, Microsoft Corporation
Guy Manchuk, Corporate Attorney, Tri Marine Management Company
Donald Martin, Director of Contracts and Risk Management, Delta Western, Inc.
Shont Miller, Senior Attorney, Microsoft Corporation
Frank Morrow, Associate General Counsel, Microsoft Corporation

Hossein Nowbar, Vice President & Deputy General Counsel, Microsoft Corporation
Karl Quackenbush, General Counsel, Valve Corporation
P. Amy Reischauer, Associate General Counsel, Drugstore.com, Inc.
Andrew J. Schultheis, General Counsel, Sterling Financial Corporation
Sofia Sheppard, Senior Counsel, RealNetworks, Inc.
Mary Sneidering, Counsel, Shainin, LLC
Jay Spencer, Business Analyst, Milliman, Inc.
Shawna Sweeney, Staff Attorney, Group Health Cooperative
Jean Thompson, Associate General Counsel, World Vision, Inc.
Mary Weiler, Associate General Counsel, Group Health Inc.
Mingzhu Yin, Corporate Attorney, Microsoft Corporation
Steve Young, Senior Attorney, Microsoft Corporation
Aliza Allen, J.D. (Legal Counsel), Lorig Associates LLC
Elizabeth Bekiroglu, Senior Counsel, Emergent BioSolutions Inc.
Aileen Cronin, Associate General Counsel, Managing Director, Privacy, Security & Environmental, Alaska Airlines, Inc.
Jean Dunkirk, Senior Counsel, Bechtel National, Inc.
Tony Gatterman, Counsel, salesforce.com, inc.
Sharon Glenn, Senior Corporate Counsel, T-Mobile USA, Inc.
Brandon Hollis, In-House Counsel, Nintendo of America Inc.
David Kris, General Counsel, Intellectual Ventures

Saloni Mavani, Senior Litigation Counsel, Clearwire
Elida Moran, Corporate Counsel, Sales & Operations, T-Mobile USA, Inc.
Samantha Pak, IP Counsel, The Boeing Company
Jarrett Payne, CEO, General Counsel, DreamCatchers Group Inc.
Melissa Reese, Corporate Counsel, Univar
Eileen Sun, Associate IP Counsel, Emergent Product Development Seattle, LLC
David Werblow, Corporate Counsel, e-Discovery, T-Mobile USA, Inc.
Gwenna Wootress, General Counsel, Northwest Trustee Services, Inc.

Is your legal department lonely? Are your colleagues stuck in their offices? Feeling isolated from the legal community? Join the Washington Chapter of ACC today and encourage your colleagues to do the same! Chapter membership is reaching new heights — we have 430 members from nearly 200 companies across the state, but we'd like to have more! Get access to the invaluable ACC InfoPAKs, the ACC *Docket*, and most importantly, opportunities to meet with other corporate counsel at Chapter CLEs and fun events! Contact Erik Anderson, Membership Committee Chair, at Erik.Anderson@LibertyMutual.com for more information.

Recent Chapter Events

October 3, 2011

Webinar by Ari Kaplan Advice from Counsel: Survey Results on Top In-house E-Discovery Strategies and Tactics

On October 3, 2011, Ari Kaplan, Esq., ABA Techshow keynote and Fastcase 50 honoree, shared his research findings of interviews with 30 senior lawyers and legal professionals within Fortune 1000 legal departments regarding a range of key e-discovery issues. In the webinar, Mr. Kaplan discussed foundational processes, tools and services to defensibly manage e-discovery, approaches to e-discovery with reduced budgets and headcount, best practices for e-discovery, and counsel opinions on next-gen technology for e-discovery. The webinar was insightful and easily accessible to all members. Mr. Kaplan was kind enough to make the presentation available to all members.

[Click here to view the presentation.](#)

October 6, 2011

CLE Presentation, by Kroll Ontrack, Washington Athletic Club

In case it wasn't clear from the 8:30 am start time and lack of cocktails, this was an event on social networking, not a social networking event. Andrea Gibson and Wayne Wong from Kroll

Ontrack led an informative discussion titled "Want To Be My Friend? Social Networking's Impact on Discovery." After sharing some interesting facts and trends about online social networking, Ms. Gibson and Mr. Wong walked the group through recent and developing case law, outlining risks and common misperceptions about social networking.

With the constant tinkering of privacy settings by social networking websites, the public seems lulled into a sense of privacy not currently supported by the law. Although the Stored Communications Act generally shields social network operators from having to respond to subpoenas, private companies and employees remain at risk of having to produce their messages, posts, and tweets. Courts have even ordered individuals to provide their user names and passwords. And don't think hitting the "delete" button saves you — social networking sites often retain deleted information, and the court could order you to authorize its production. All of this leads to tricky issues on preservation, collection, and production. Despite the early morning start time, the audience was engaged and *everyone* had something to contribute. Thanks to Kroll Ontrack for an excellent program.

[Click here to view the program materials.](#)

October 14, 2011

Street Law Training Starbucks Headquarters

On October 14, 2011, 29 Washington ACC members and their colleagues gathered at Starbucks headquarters to prepare for the annual Street Law moot court program. Washington ACC members from Costco, Safeco, Starbucks, Clearwire, Microsoft, T-Mobile, Boeing and several other local companies participated in the training. A representative from Street Law, Inc. provided the group an overview of the program and shared strategies to teach high school students civil law topics. The volunteers also joined one of three teams: Contracts, Litigation/Torts, or Sexual Harassment. Each team will prepare lessons and visit the students in their classroom at Chief Stealth High School to teach the topics. The program will culminate with a moot court workshop to be held at Safeco's headquarters in early December.

October 24, 2011

Pictures from the ACC Washington Happy Hour at Le Grand at the ACC Annual Meeting in Denver



Board Members and Contacts

President & Treasurer

Susan Ephron

Safeco Corporate Legal
206-473-5835
Susan.ephron@libertymutual.com

President Elect

Brad Toney

Classmates Media Corp
206-301-4877
brad.toney@classmates.com

Vice President

Heather Deranek

OnRequest Images, Inc.
206-774-1491
heather.deranek@onrequestimages.com

Secretary

Michelle Marchant

Clearwire Corporation
425-216-7815
michelle.marchant@clearwire.com

Board of Directors

Erik Anderson

Liberty Mutual Insurance Company
206-473-6099
Erik.Anderson@LibertyMutual.com

Al John

The Boeing Company
425-342-5705
allen.john@boeing.com

Mark Maroon

Starbucks Coffee Company
206-384-5075
mmaroon@starbucks.com

Saloni Mavoni

Clearwire Corporation
425-636-5910
saloni.mavoni@clearwire.com

Johann Thaheld

Attorney
360-301-0445
archerjft@hotmail.com

Skip Volkle

Marine Resources Group, Inc.
206-332-7990
svolkle@marineresourcesgroup.com

Chapter Administrator

Nerissa Lawford

ACC Washington
713-375-2736
Nerissa@amchouston.com

ACC News

It's Alive! — Get Your Member-to-Member Mobile App Today

Download ACC's Member-to-Member mobile app today and stay connected with the largest online community of in-house counsel on the go. Just a click away, you can get updated ACC announcements, find members through the membership directory, participate in eGroup discussions, and build your own contact list. There's also an entire section within the app dedicated to ACC's Annual Meeting. This app is compatible with iPhone, Android, and BlackBerry devices. Download it today at www.acc.com/m2m.

Business Education for In-house Counsel: Mini MBA

Enhance your business management skills at the Mini MBA for In-house Counsel program. A two and a half-day program co-sponsored by ACC and the Boston University School of Management, it is designed to sharpen your knowledge in critical MBA disciplines including accounting, finance, strategy, and organizational behavior. Multiple program dates are available for you to choose from: Mar 5–7, 2012, Boston; Apr 25–27, 2012, Los Angeles; Jun 4–6, 2012, Boston; and Jun 6–8, 2012, Boston. For more information on this program and other programs developed by ACC and BU, visit www.acc.com/businessedu.

Get Back to Basics at Corporate Counsel University®

Are you new to in-house or looking for ways to sharpen your basic in-house practice skills? Attend ACC's Corporate Counsel University® (May 20–22, 2012, Los Angeles, CA) to jumpstart your career. At this program, you will learn practical tips that can be applied to your work immediately and earn up to 12 CLE/CPD credits. Topics range from law department management to finance and accounting. To learn more, visit ccu.acc.com.

Show the C-Suite You Know Value

Develop techniques to effectively structure value-based fees and drive efficiency at ACC's Legal Service Management Workshop (February 28–29, 2012, Dallas, TX; or May 2–3, 2012, Minneapolis, MN). At this two-day, intensive executive workshop, through a blend of instruction and business school style case analysis, you will learn to improve value in legal spending and develop skills to thrive professionally. Space is limited to 50 law department and law firm leaders in each workshop. Learn more and register at www.acc.com/legalservicemanagement.