



## April 24, 2019 In-House Counsel Conference Session Descriptions

**7:15-8:15 a.m.**

### **Ethics - Breakfast CLE**

#### **A Call for Action: Impairment in the Legal Profession & What YOU Can Do About it**

Impairment in the legal profession due to alcohol, drug use and mental health disorders has reached a critical stage. This session will discuss not only the warning signs of impairment, but also the resources available to address and treat this crisis. Special emphasis will be placed on the free, confidential services that Lawyers Concerned for Lawyers provides to Pennsylvania lawyers, judges, their family members and law students.

**Presenter:** Brian S. Quinn, Esq., Education & Outreach Coordinator, Lawyers Concerned for Lawyers of PA, Inc.

**SESSION I – 8:30-9:30 a.m.**

#### **Course 101 – “We Got Sued Over What?!”: Recognizing and Reducing Your Class Action Risks**

##### **Litigation – Drinker Biddle & Reath, LLP**

Our panel wants to help you never hear those five words from your client. This presentation will cover recent trends in consumer class actions so that you can stay apprised of the law and ahead of the plaintiffs’ bar. You will leave armed with a better understanding of why “gotcha” class actions have proliferated, of what activities can create class action risk, and of what the best practices are for avoiding—and, if necessary, defending—such suits.

**Presenters:** Michael Daly, Partner, Drinker Biddle & Reath; Katie Garayoa, Associate, Drinker Biddle & Reath; In-House speaker TBD

#### **Course 102 – Design Matters: Using Patents, Copyrights and Trade Dress to Maximize Protection of Industrial Designs**

##### **IP – Morgan Lewis & Bockius, LLP**

Industrial design is the process of applying ornamental design to useful articles of manufacture and associated packaging. The investment and attention given to ornamental design choice continues to grow even beyond traditional consumer products and now extends to nearly every product category including electronics, medical devices, computer interfaces, and military equipment. Fortunately, the surge in creativity in product design coincides with developments in the case law and practices that provide opportunities to apply different regimes to protect designs. Having a comprehensive IP strategy is critical to maximizing the term and strength of your IP protection. The panel will explore using patents, copyrights, and trade dress to develop a cohesive strategy to protect industrial designs.

**Panelists:** Rachel Fertig, Associate, Morgan Lewis; Kenneth Davis, Partner, Morgan Lewis; Kate Eary, Corporate Counsel, Gentex Corporation - **Moderator:** John Hemmer, Partner, Morgan Lewis

## **Course 103 – Advancing Value-Based Contracting for Prescription Drugs and Medical Devices**

### **HBP – Pepper Hamilton LLP**

Rising health care and prescription drug prices have dominated the headlines for months, as lawmakers and companies search for solutions that lower costs while preserving quality of care. One possible solution is value-based contracting, which ties price to outcomes. Payors, government and industry have endorsed using value-based contracting for prescription drugs and devices, but significant regulatory hurdles still exist. Presenters will use a case-study format to examine issues in value-based contracting, including contractual considerations.

**Panelists:** Barry Boise; Barak Bassman, Pepper Hamilton; Todd Lewis Mayover, Director of Legal Affairs, Syapse Inc.

## **Course 104 – Be a Deal-Maker Not a Sale-Breaker**

### **Contracts - LawGeex**

Lawyers are the ones getting the deal done. But in reality, many consider legal to be an obstacle. In fact, in-house lawyers are some of the smartest minds in the company with the unique ability to look at the business from a bird's-eye view. You have incredible data at your fingertips and unrivalled experience. This talk empowers legal to be more than a contract reviewer and more of a strategic deal-maker.

**Presenters:** Lucy Bassli, Deputy General Counsel, Snowflake Computing; Amy Manning, VP Customer Success, LawGeex

## **Course 105 – Fraud on Your Finance Department: Risks, Rules and Recommendations for Preventing Bank Account Frauds**

### **Banking – Duane Morris LLP**

Businesses are facing an ever-increasing risk of bank account fraud attacks, and the costs – including direct monetary losses, business interruption costs and costs of implementing fraud protection measures – can be significant. This presentation will examine trends in bank account frauds, offer insights and case examples of commonly targeted financial transactions, discuss applicable payment rules, and provide practical recommendations for reducing the risks of account frauds on your business.

**Presenters:** Christopher J. Tucci, Senior Counsel, Litigation, PNC Financial Services Group, Inc.; Ryan E. Borneman, Lynne E. Evans, Duane Morris LLP; Jean Day, Senior Counsel, Litigation, TD Bank, N.A.

**Moderator:** Alexander D. Bono, Duane Morris LLP

## **Course 106 - Leasing Transactions: What You Need to Know and When to Seek Help**

### **Real Estate – Armstrong Teasdale**

Whether taking on a potential lease transaction in-house or working with outside counsel, a number of critical factors can impact the complexity of a deal. This session will explore key trends across industries, from purpose to size, as well as outline unexpected pitfalls to avoid, keeping in-house counsel on top of their game.

**Presenters:** Saul Mishaan, Partner, Armstrong Teasdale; Andrew P. Brucker, Partner, Armstrong Teasdale LLP; Erin Lavelle, Managing Director & General Counsel, Real Property Capital, Inc

## **SESSION II – 9:45-10:45 a.m.**

### **Course 201 – External Investigations: When is it Okay to Pretend?**

#### **Litigation – Dechert LLP**

When investigating possible unlawful activity by a third party, you may sometimes be tempted to “pretext,” i.e., to pretend to be someone you are not, for a disguised purpose. When is pretexting allowed under the law? Does it matter whether it is done by an outside investigator, rather than the company? Does the propriety of pretexting depend on the jurisdiction?

**Panelists:** Diane Siegel Danoff, partner at Dechert LLP and chair of Dechert’s Trade Secret Litigation practice; Srikala Atluri, IP Litigation Counsel, Hewlett Packard Enterprise

### **Course 202 – Using Social Media and other Hot Topic Ethical Issues: What to Look Out For Ethics – Reed Smith**

We will discuss ethical issues in-house counsel may be faced with in various aspects of their practice, including: the use of social media at work; investigations of litigants and opposing counsel’s claims; consumer forums and complaint handling that utilizes social media; and directing or overseeing outside counsel who use social media in preparing a company defense.

**Presenters:** Barbara Binis, Partner, Life Sciences & Health Industry Group, Reed Smith; Rachel Weil, Counsel, Life Sciences & Health Industry Group, Reed Smith; Jaimee Farrer, Investigations Counsel, Dispute Resolution and Prevention Group, GlaxoSmithKline

### **Course 203 – Finding the Pea: Who Has the Privilege in Corporate Investigations?**

#### **Corporate/Securities – Ballard Spahr LLP**

The questions of how to maintain the attorney-client privilege, who may assert it, and who may waive it are continually vexing ones for in-house and corporate counsel alike. These questions are particularly troubling when both the company and its executives are being investigated. We will present the straightforward dos and don’ts in corporate investigations and explain the effect your actions may have on government and civil litigation.

**Presenters:** M. Norman Goldberger, Practice Leader, Securities Enforcement and Corporate Litigation, Ballard Spahr LLP; John C. Grugan, Partner, Ballard Spahr LLP; Kelly L. Gibson, Assoc. Regional Director for Enforcement, SEC; Julie Laine, Sr. VP & Chief Compliance Officer, Comcast Cable and VP, Chief Transaction Compliance Officer and Sr. Deputy GC, Comcast Corporation

### **Course 204 – Data Privacy and Security: What Every In-House Counsel Needs to Know**

#### **IT/Privacy - BakerHostetler**

As massive data breaches make headlines and many states are enacting more stringent data privacy and security laws, in-house counsel need to be aware of the cybersecurity threats to their companies’ data and their legal obligations under international, federal, and state law. This presentation will discuss data security incident trends, the legal landscape of state, federal, and international data privacy and security laws, recent regulatory enforcement actions, best practices, and will provide both an in-house and outside counsel perspective.

**Presenters:** Eric A. Packel, Partner, BakerHostetler; Sara M. Goldstein, Associate, BakerHostetler; Danielle Wesley, Vice President and General Counsel, MRO Corporation

**Course 205 - Ensuring Pay Equity: A Practical Guide to Address Urgent Issues  
Employment & Labor – Cozen O’Connor**

Why do we see male/female pay differences, and what should we do about it?

More and more states have been paying greater attention to pay equity in workplaces. Perhaps you have heard that your competitors are being sued for alleged pay discrimination based on gender. As a result, you have become quite interested in conducting a pay audit. We will talk about how to proceed with such an audit, discussing potential pay equity issues using hypothetical data. Attendees will discuss potential problems that they have discovered and what they have done to address these issues. We will discuss potential ways to adjust pay rates for a group of employees and times when no pay adjustments are advised. In addition, we will discuss why pay adjustments have different impacts on the overall pay differences between men and women.

**Presenters:** Michael Hanlon, Partner, Cozen O’Connor; Rose Isardy, Senior Counsel, Entercom; Ted Anderson, Principal, VP and Senior Economist, Welch Consulting

**Course 206 – Emerging Contaminants: Managing Legal Risks Amid Regulatory Patchwork  
Environmental – Greenberg Traurig, LLP**

In recent years, increasing attention has been paid to per- and polyfluoroalkyl substances (PFAS), chemicals that were used in a wide range of industrial and commercial applications and have been shown to be pervasive in the environment. Health effects are not yet fully understood, and there are significant regulatory gaps. Although EPA recently announced a plan to take regulatory action, states have proposed a wide range of drinking water standards, creating a patchwork of state regulations and enforcement. Corporations face compliance challenges and potential liability exposure (known and unknown) in connection with these emerging contaminants. This program will address risks and uncertainties in the context of due diligence, successor liability, toxic tort litigation and government enforcement.

**Presenters:** Caleb J. Holmes, Shareholder, Greenberg Traurig, LLP; Kaitlyn R. Maxwell, Associate, Greenberg Traurig, LLP; Victoria Hollinger, Environmental Health & Safety Counsel, MC Corporation

**SESSION III – 11:00 A.M. – 12:00 P.M.**

**Course 301 – The Future of Funding and Litigating Cases: Litigation Finance & Blockchain Implications for In-House Counsel  
Litigation – Blank Rome LLP**

This panel will explore two emerging developments in the ways in which we fund and litigate cases now and into the future. Part I will involve a panel discussion of outside and in-house counsel as well as players in the litigation funding industry to discuss how private financiers of litigation are changing the landscape of how cases are litigated, and what the future holds as these types of funding arrangements become more common. Part II will provide an introduction to blockchain technology, a panel discussion of how it is starting to impact cases, and how blockchain could improve legal operations going forward as it becomes more widely adopted.

**Presenters:** Daniel Rhyhart Chair, Litigation Dept., Blank Rome LLP; Leigh Ann Buziak, Co-Chair, General litigation Practice Group, Blank Rome LLP; Lisa Fleischer, CLO, DeLage Landen Financial Services

## **Course 302 - Wearing Two Hats? Navigating the Dual-Hat Dilemma**

### **Ethics – Ogletree Deakins Nash Smoak & Stewart, P.C.**

While in-house counsel often perform multiple business roles, one of the top ethical challenges continues to be the dual-hat dilemma – who is the client, and when does the attorney-client privilege apply? Using hypothetical scenarios, this session will cover the latest ethical standards and duties relating to the dual-hat dilemma (including Model Rules of Professional Conduct 1.13, 1.7, 4.2, 4.3, and 8.4); examine potential conflicts of interest and privilege issues; and offer best practices for navigating this often problematic area.

**Presenters:** Donald D. Gamburg, Office Managing Shareholder, Ogletree Deakins Nash Smoak & Stewart, P.C.; Clark Whitney, Shareholder, Ogletree Deakins Nash Smoak & Stewart, P.C.; Thomas McKernan, CLO, Clemens Food Group

## **Course 303 – Combating Creative Legal Theories**

### **Environmental - Manko Gold Katcher & Fox**

Opponents of major industrial projects or commercial developments are increasing using creative legal theories and venues as a means to stop or slow down the projects. This session discusses these “alternative approaches” (including use of less rigorous injunctive standards before administrative agencies, unique “failure to warn” theories, citizen suit challenges under federal and state law, and class actions for annoyance and inconvenience damages) and the ways to combat them.

**Presenters:** Robert Fox, Partner, Manko, Gold, Katcher & Fox; Kate Campbell, Partner, Manko, Gold, Katcher & Fox; Curt Stambaugh, Asst. General Counsel, Energy Transfer Partners

## **Course 304 – SEC Subpoenas, Inquiries, Formal Investigations & Enforcement Actions: Assisting the Company’s Response**

### **Corporate/Securities – Stevens & Lee**

The nature, scope and procedural process of an investigative inquiry by the Securities and Exchange Commission; Responding to an SEC subpoena, including electronic discovery issues and client advocacy; SEC investigative procedure in informal/formal investigations and filed enforcement actions (administrative proceedings and civil actions); The Wells process and negotiating with the SEC; Representation issues involving employees and company officers.

**Presenters:** William P. Thornton, Jr., Litigation Group Co-Chair & Securities Litigation Chairman, Stevens & Lee; Julie E. Ravis, Shareholder, Stevens & Lee; Marie Elena Ness, Chief Compliance Officer, Haverford Trust Company

## **Course 305 – International Data Protection**

### **International Law – Gowling WLG, Canada**

Data privacy is an increasingly international issue for companies with operations or clients and customers in other jurisdictions. This session aims to provide global insight on data protection laws and regulations, including management of an international data breach and other common multi-jurisdictional issues such as requirements for Data Protection/Privacy Officers, data sovereignty, and extra-territorial effect of foreign laws and regulations. Our speakers will provide guidance on how to avoid the various pitfalls of dealing with these issues across a range of jurisdictions.

**Presenters:** Helen Davenport, Gowling WLG, United Kingdom; Brent Arnold, Gowling WLG, Canada; Debra L. Bromson, Assistant General Counsel, AAA Club Alliance Inc.

## **Course 306 - Privacy and the Evolving Litigation and Compliance Landscape** **GC/CLO – Akin Gump Strauss Hauer & Feld, LLP**

Some of the most significant class action and individual lawsuits filed in federal and state courts across the country involve consumer, employee and patient privacy issues. Cutting edge technology offers businesses unprecedented access to valuable data, including personal identifying information, while creating a host of compliance challenges. This panel will discuss the privacy litigation landscape under a patchwork of state and federal laws and offer practical and business-oriented tips to mitigate risk. It will also touch upon areas of emerging risk, including the California Consumer Privacy Act, which has a private right of action and is scheduled to take effect in January 2020.

**Presenters:** Kate Deal, Partner, Akin Gump Strauss Hauer & Feld LLP; Kate Katchen, Partner, Akin Gump Strauss Hauer & Feld LLP; Meredith Slawe, Partner, Akin Gump Strauss Hauer & Feld LLP; Deb Carlos, VP & Deputy General Counsel, Comcast Corporation

## **Noon-1:30 p.m. - LUNCHEON KEYNOTE SPEAKER - LANNY DAVIS**

### **“The Challenges of ‘Legal Crisis Management’ - From Clinton to Twitter to Trump”**

Lanny Davis is co-founder and partner of the law firm Davis Goldberg & Galper PLLC and the public relations firm Trident DMG. Lanny represents individuals, countries, and companies in high stakes global crises, litigation, government investigations and crisis management. He has handled the cases of public figures from Martha Stewart to Dan Snyder, companies from Whole Foods to Starbucks, and political figures from President Bill Clinton to Representative Charlie Rangel. During the Clinton administration, Lanny served as special counsel to President Bill Clinton and was a spokesperson for the president and the White House on matters concerning campaign finance investigations and other legal issues. He has been a regular television commentator and political and legal analyst for MSNBC, CNN, CNBC, Fox, and network TV news programs and has published numerous opinion and analysis pieces in the New York Times, the Wall Street Journal, the Washington Post and other national publications. His “Purple Nation” column appears regularly in The Hill, The Huffington Post, FoxNews.com, The Daily Caller, and Newsmax. He can be followed on Twitter @LannyDavis.

## **SESSION IV – 1:45-2:45 p.m.**

### **Course 401 – In-House Litigation Counsel’s Role in Insurance Claims and Risk Management** **Litigation – Anderson Kill**

This session will examine in-house litigation counsel’s role in insurance risk management, with a focus on the following topics: Issues concerning the right to independent counsel paid for by the insurer when conflicts of interest arise; Concerns over settling cases or claims without insurer consent; Pursuing insurance coverage claims when faced with a denial of coverage or reservation of rights; Issues concerning the settlement of coverage claims; Litigation counsel’s role in obtaining and evaluation liability insurance coverage.

**Presenters:** Finley Harckham, Sr. Litigation Shareholder, Anderson Kill; Arthur Armstrong, Shareholder, Anderson Kill; Jonathan Margolis, VP & Counsel, Toll Brothers

## **Course 402 – Reprimanded, Suspended or Disbarred: The Top Ten**

### **Ethics – McCarter & English, LLP**

In this presentation, we will discuss the real life situations that resulted in Pennsylvania-licensed lawyers recently reprimanded, suspended or disbarred. We will cover the facts and discuss the specific Rules of Professional Conduct violated by the lawyers, as well as the punishment meted out by the Pennsylvania Supreme Court. The presentation will focus on disciplinary cases applicable to in-house attorneys as well as those involving outside counsel that impact in-house counsel and their clients.

**Presenters:** John McAleese, Philadelphia Office Managing Partner, McCarter & English, LLP; Carl Sottosanti, Sr. VP, General Counsel of Penn National Gaming

## **Course 403 - You've Gotta Keep Up: U.S. Supreme Court Changed IP Law (in cases relevant to in-house)**

### **Intellectual Property – Stradley Ronon Stevens & Young LLP**

The panel will share insights about the impact of recent IP cases such as *Fourth Estate Public Benefit Corp. v. Wall-Street.com* (registration of copyright required before lawsuit); *Rimini Stree. v. Oracle* (“full costs” means costs not expenses); *Iancu v. NantKwest* (legality of USPTO seeking attorneys’ fees); *Mission Product Holdings v. Tempnology* (effect of bankruptcy on trademark licenses); *Helsinn v. Teva* (secret sales trigger “on sale” bar); *SAS v. Iancu* (PTAB must decide validity of challenged claims); *WesternGeco v. Ion* (patent owners can recover foreign lost profits); and *Return Mail v. USPS* (is government a “person” entitled to invalidate patents?).

**Presenters:** Mary Vanatten, Senior Corporate Counsel, Bristol-Myers Squibb Company; Rose Oskanian, Head of North America Intellectual Property, Principal, Draeger Medical Systems Inc.; Chris Lewis, Assistant General Counsel for Intellectual Property, Arkema Inc. - **Moderator:** Kevin Casey, Chair, Intellectual Property Group and Co-Chair, IP Litigation Group, Stradley Ronon Stevens & Young, LLP

## **Course 404 – Proactively Managing Employee Mental Health Issues**

### **Employment & Labor – Fisher Phillips**

According to a recent survey, half of all workers have experienced a mental health problem in their current job. According to the World Health Organization, mental health issues cost the global economy \$1 trillion in lost productivity. Navigating such laws as the ADA, the FMLA, and workers’ compensation can be especially challenging when dealing with mental health issues. This session will examine such issues as balancing the employee’s rights and privacy with company obligations and concerns and dealing with the stigma associated with mental health issues.

**Presenters:** Lori Armstrong Halber, Partner, Fisher Phillips; Amy Sutter, Senior Counsel, Comcast Corporation; Michelle Hammel, Counsel & Chief Ethics Officer, Delaware River & Bay Authority

**Course 405 – A Life Sciences Company Life Cycle: From Concept to Commercialization**  
**Health, Biotech & Pharma – Hogan Lovells US LLP**

Life sciences companies must navigate through several complex stages from the conception of an idea to the commercialization of a product. Each stage of the business life cycle of a life sciences company presents new challenges in a heavily regulated industry. Presenters will give an overview of the life cycle of a life sciences company, addressing important legal, regulatory and contractual considerations at each step of the process. The panel will also address unique challenges facing drug-device combination products in a growing and evolving market.

**Presenters:** Kelliann Payne, Partner, Stephen Nicolai, Senior Associate, Hogan Lovells US LLP and Alex Levit, Associate General Counsel, OptiNose

**Course 406 - Important Developments in Federal Criminal and Regulatory Enforcement Policy**  
**GC/CLO – Drinker Biddle & Reath, LLP**

The panel will cover recent developments in the enforcement policies of the Justice Department, SEC, CFTC and other regulatory agencies and discuss how they may affect your company.

**Presenters:** Mary Hansen, Partner, Drinker Biddle & Reath LLP, and Antonio Pozos, Partner, Drinker Biddle & Reath LLP; Beth Diffley, Partner, Drinker Biddle & Reath LLP; Kate Pytlewski, Vice President, Deputy General Counsel, EPAM Systems Inc.

**SESSION V – 3:00-4:00 p.m.**

**Course 501 - Forensic Investigative Analysis**  
**Litigation – Citrin Cooperman**

This program will demonstrate useful tips and techniques on how in house counsel can collaborate with forensic accountants to interpret data that may assist in determining whether fraud, corruption, financial irregularities and or criminal activities have occurred in a company. From the perspectives of a forensic accountant and in-house counsel, participants will learn how to effectively lead a forensic investigation from start to finish through real world examples.

**Presenters:** Colleen Vallen, Citrin Cooperman; Caroline Henrich, VP & General Counsel, Henkels & McCoy

**Course 502 – The Role of Internal Investigations in Ethics and Compliance Programs**  
**Ethics – Schnader Harrison Segal & Lewis LLP**

Using the opioid crisis as a backdrop, this panel will dissect internal investigations from the perspective of government regulators, in-house counsel, and outside counsel. Topics will include red flags and external pressures that can result in an outside investigation, elements of successful compliance programs, and effective navigation of an internal investigation. Ethics issues in the course will focus on: preservation of the attorney-client privilege; avoiding conflicts of interest; and navigating the relationships among general counsel, outside counsel and investigators, and corporate compliance officers.

**Presenters:** Pat LePore, Chief Compliance & Privacy Officer, Main Line Health; Laurel Gift, Partner and Chair of the Internal Investigations, Ethics & Compliance Group at Schnader; Randall Hsia, Partner at Schnader Harrison Segal & Lewis LLP



**Course 503 - Arbitration Clauses and Class-Action Waivers.**

**Contracts – Obermayer Rebmann Maxwell & Hippel**

We will discuss recent developments in arbitration clauses and class-action waivers, as well as considering and exploring compelling arbitrations and special considerations with respect to same. We will also discuss class action waivers and arbitration agreements in the employment context and consider the pros and cons of having employees sign them.

**Presenters:** Matthew Green, Partner, Obermayer Rebmann Maxwell & Hippel; Neal Dittersdorf, General Counsel, Privacy Officer & Corporate Secretary, iCIMS

**Course 504 – Global Data Governance and Compliance**

**IT/Privacy – Borden Ladner Gervais**

This panel will explore the regulatory frameworks, industry trends and best practices pertaining to the management and control of customers' personal and non-personal data by organizations. Specifically, the panel will discuss the risks associated with poor data governance and the specific challenges created by the application of multiple legal frameworks (EU, California, Canada) such as the implementation of data subject rights and data breaches. The panel will also explore emerging industry trends and best practices regarding data governance mechanisms, aimed at ensuring compliance with privacy legislation, restricted use and confidentiality obligations.

**Presenters:** Elisa Henry, Partner, Borden Ladner Gervais; Jeff Ramage, Sr. VP & General Counsel, United Biosource; Peter Han, Senior Counsel, IQVIA

**Course 505 – Rocky Steps – Rising to the Challenge of the U.S. Labor Shortage**

**International Law – Womble Bond Dickinson**

With national and regional unemployment rates hovering around 4%, U.S. businesses are struggling to acquire and retain foreign talent. As they look for creative solutions to this challenge, in-house counsel serves a critical role in crafting the legal structure to implement these solutions, while ensuring compliance with U.S. immigration and employment laws. This panel will explore solutions being implemented so that you and the business you support come out on top – like Rocky.

**Presenters:** Jennifer Cory, Partner, Womble Bond Dickinson, Charlotte Office; Lisa Strauch Eggers, Chief Legal Officer, College Avenue Student Loans

**Course 506 - From Instagram Takeovers to User-Generated Content: Analyzing Issues arising in Social Media.**

**GC/CLO – Cozen O'Connor**

Social media is often on the cutting edge of legal issues, but these issues aren't always very obvious. The law is largely the same, but the application of it to the ever-evolving world of social media can be murky and, at times, hazardous. This session will take an in-depth look at current legal issues facing companies utilizing social media. While this discussion will include IP issues, it will go broader and beyond the basics.

**Presenters:** J. Trevor Cloak, Member, Cozen O'Connor; Chanel Lattimer, Associate, Cozen O'Connor; Scott Schwartz, General Counsel, Dansko, LLC

## **SESSION VI – 4:15-5:15 p.m.**

### **Course 601 – What In-House Counsel Should Know About Patent Damages and Recent Changes in Apportionment, and How the Changes Affect their Business**

#### **Intellectual Property – Akin Gump Strauss Hauer & Feld, LLP**

Whether to understand potential liability or to determine if a suit is worth the fight, patent damages are an important consideration in patent infringement lawsuits. This panel will provide in-house counsel with a background on patent damages and discuss the requirements to apportion reasonable royalty damages. In light of three seemingly conflicting 2018 Federal Circuit opinions, we will debate the future of apportionment law and provide recommendations for companies to shield damages experts from Daubert challenges

**Presenters:** Jenna Marie Pellecchia, IP, Akin Gump Strauss Hauer & Feld LLP; John Wittenzellner, Counsel, Akin Gump Strauss Hauer & Feld LLP; Teri Evans, Patent Counsel, Comcast Cable

### **Course 602 - Ethical Issues for Company Counsel Arising from Representation of Company Stakeholders**

#### **Ethics – Hangley Aronchick Segal Pudlin & Schiller**

This session will explain the ethical issues and risks of jointly representing a company and its stakeholders (e.g., officers, directors, shareholders, employees). We then will explain how these issues come up in a variety of contexts, including in investigations, shareholder disputes, derivative litigation, employment disputes, etc. We will conclude with several best practices for how to navigate representing/advising individual stakeholders of a company.

**Presenters:** Jason Levine, Partner, Hangley Aronchick; Michele Fenkel, Partner, Hangley Aronchick; Jerry L. Mitchell, Chief Litigation Counsel, AmeriGas Propane, L.P.; Josh Romirowsky, Associate Counsel, AmeriGas Propane, L.P.

### **Course 603 – Overview of Complex Commercial Sale Processes in Bankruptcy**

#### **Banking – Flaster/Greenberg PC**

This presentation will cover: Overview of asset sales under section 363 of the bankruptcy code; Valuation and assumption of contract and lease rights in bankruptcy sales; Role of in-house counsel and management in facilitating and managing a sale.

**Presenters:** William J. Burnett, Shareholder, Flaster Greenberg PC; Harry J. Giacometti, Shareholder, Flaster Greenberg PC; Damien N. Tancredi, Attorney, Flaster Greenberg PC; Thomas J. Durling, General Counsel, Advanced Sports Enterprises, Inc.

### **Course 604 – Software-as-a-Service**

#### **Corporate/Securities - CSC**

(“SaaS”) applications help companies of every size reduce their IT costs, increase internal efficiencies, and enhance the customer experience. In this session, learn about obligations and regulations pertinent to your business, how to conduct a SaaS security assessment and an operational risk assessment. Learn best practices and what key questions you need to ask during every security review.

**Presenters:** Helena Ledic, Assoc. GC, CSC; Pete Wakiyama, Partner, Pepper Hamilton LLP; Maryjane Hall, VP & Assistant General Counsel, Federal Home Loan Bank of Chicago; John Bates, General Counsel & Chief Information Security Officer, Clarity Insights

**Course 605 – How to Get Ready for the California Consumer Privacy Act (CCPA)**

**IT/Privacy – Saul Ewing Arnstein & Lehr LLP**

The CCPA is a stringent privacy law that goes into effect on January 1, 2020 and has the potential to drastically affect how businesses across the United States collect and use personal information. The presentation will cover the following topics:

- The basic principles of privacy law
- The key features of the CCPA: who is impacted, what data is protected, what rights are granted
- The steps a business should take to comply

**Presenters:** Leslie Cox, Privacy Officer – Assistant General Counsel, Olympus Corporation of the Americas; Katherine (Kathy) Dickinson, Associate General Counsel, Wawa, Inc.; Alexander R. Bilus, Partner, Saul Ewing Arnstein & Lehr LLP

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