



## Final ACC TN Message From the President

Dear ACC Tennessee Chapter Members,

My two-year term as President of the ACC Tennessee Chapter is coming to an end. As I reflect on the past couple of years, I am struck by the similarities between being a leader of an organization and being a parent. There are moments when you think you've got it all figured out, times when you feel like you have no clue what you're doing, there is a lot of laughter, there's some disappointment, you have incredibly proud moments, you face unexpected challenges, you have to build up and encourage, but sometimes you have to be firm. I could go on and on, but you get the idea. I truly believe that when faced with adversity, be it as a parent or a leader, if you're able to narrow your focus down to the most basic of objectives, you've got a good shot at making the right decisions. As a parent, that focus is what's best for your child. As a leader, it's what's best for your organization. You surround yourself with good people, give it your best, and hope to look back with pride on what you helped build.

By maintaining our focus on always doing what's best for the Chapter and its members, ACC Tennessee has realized great success – “growing up” from when I began in a leadership role eight years ago when the Chapter was in its infancy to where it is today. Several great leaders have come and gone, but each has played an important role in the Chapter's development along the way. I am incredibly proud of all that the Chapter has accomplished, especially under its current leadership. In particular, I want to thank Scott Ellis for his steady guidance, Peter Malanchuk for his consistent reliability, Gulam Zade for seemingly knowing everyone and his willingness to do anything, Hunter Kitchens for his unwavering commitment and work ethic, Meredith Wooten for her candor and wit, April Berman for her pragmatic wisdom, the rest of the Board of Directors and Committee Chairs for volunteering their valuable time to drive results, our Executive Director, Melanie Gober Grand, for her ability to get things done (all while putting up with me), our Chapter Administrator, Emily Johannsen, for enthusiastically taking on anything, and our sponsors for their continued support and partnership.

Lastly, and most importantly, thanks to you, our members. You're the reason we do this. I hope you have watched this Chapter grow and can sit back like a proud parent and be pleased with the decisions we are making and the direction we are headed. It has been a true honor to serve you as your President, and I have every confidence that our Chapter will continue to mature and be successful in the future.

Now, please excuse me while I try to convince my two-year-old son to wear underwear and play Chutes and Ladders with my five-year-old son for the 12<sup>th</sup> time today.

With appreciation,

*Steve Cavezza*  
*President, ACC Tennessee*  
Senior Legal Counsel  
Mars, Incorporated

[Visit our Website](#)

## ACC TN Board Members COVID Moments

**Steve Cavezza, President**

Steve took a break from responding to COVID questions to mentor two future lawyers.



### **Peter Malanchuk, Middle TN Vice President**

The Malanchuks celebrated two birthdays during the pandemic. Ruby turned one on March 15<sup>th</sup>, the first weekend of the COVID-19 shutdown in Nashville. Romona turned five on 7/1 and had social distancing bike riding party for her and a handful of friends at a local park.



### **David Chamber, West TN Director**

The Chamber' family celebrated daughter, Maya's high school graduation. David created a beautiful patio table from steel, tile and copper while Amy Chambers showed her respect for others by wearing a mask.

### **Mickki Murray, West TN Director**

Fur sons, Charlie and Theo helped Mickki with

his work after signing NDAs, and promising not to notice anything that was colorful and moving.



### **Meredith Wooten, West TN Vice President**

Meredith Wooten and her family loved quarantining at their farm that they decided to give up city life and move there permanently!

### **Allison Cotton, Secretary**

Baby George celebrated his 1st birthday with a birthday parade instead of a party!



## **Chattanooga Update**



### **Brad Hendrix, East TN Director**

Greetings from Chattanooga!

I'm not sure I used the word "unprecedented" as much as I have in the past several months, but unfortunately, there's no better word to describe the challenges we have faced this year.

Here at my company, CBL, our business is commercial real estate. We are a real estate developer and landlord, primarily owning, operating, and managing large, regional shopping malls across the country. As you would expect, COVID-19 especially wreaked havoc over our entire industry, and CBL was no exception. At one point during the pandemic, CBL had 59 of 63 malls completely closed. At first, the closure orders began to trickle in, and then they came in waves. Keeping up with every order from the states and the cities and counties was a monumental task, but our CBL teams were up for the challenge.

Then, if the pandemic wasn't difficult enough, just before midnight on Easter Sunday, an EF-3 tornado touched down approximately a half-mile from our corporate headquarters and caused over \$300 million in damage. Since our flagship mall, Hamilton Place, is located next to our headquarters (and since it was closed for the virus), we served as a staging area for hundreds of utility workers who worked night and day to restore services to our area. There is still much work to do, but it has been amazing to see our community's resiliency through this time.

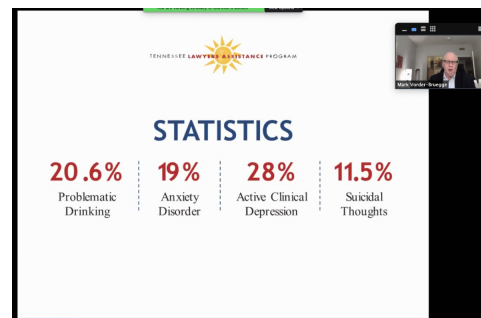
Like most of you, I could write a book about all of the challenges we encountered during this period, but hopefully, we will not have to face anything like this in the future. However, if we do, I know a group of people here in Chattanooga that are up for the fight.

As for my personal life, on most days, it felt like I was back in private practice preparing for a new jury trial each day – endless days, nights, and weekends (all at low, billable rates by the way...). The work just never stopped. I was in the office every day during the pandemic, but we are getting back to some sense of normalcy. It was great to slip away for a Father's Day whitewater rafting trip down the Ocoee with my family. It was fantastic – and we all survived.

I look forward when we can reconnect in person again, but until then, I hope you all stay well. - Brad

## ACC TN Health & Wellness Program Recap

By: Melanie Gober Grand, ACC TN Executive Director



The Association of Corporate Counsel has long recognized the importance of the health and wellness of its members. This year, in particular, ACC recommended its chapters hold programs offering guidance to its members about physical and mental health.

ACC TN recently sponsored a program with representatives from the Tennessee Lawyers Assistance Program. For over two decades, TLAP has held to its mission to protect the interest of clients and the public from harm caused by impaired lawyers or members of the

judiciary. TLAP assists impaired members of the legal profession (even law students) who struggle with substance abuse, stress, or emotional issues by offering referrals and tools to seek help confidentially. TLAP also educates the bench and bar to the causes or impairments affecting members of the legal profession and the available remedies.

If you recognize that a colleague is experiencing a problem and you want to help, but you are not quite sure what to do, contact TLAP. If you are experiencing stress, substance abuse, or other emotional health issues causing you family and work-related problems, contact the Tennessee Lawyers Assistance Program hotline. You can save your career if you do.

## Upcoming Chapter Events

Watch for registration information for the following upcoming virtual programs from our Three – Star Partners

### **September 9th**

Bradley:  
Contract Provisions and Pitfalls

### **September 23rd**

Fisher Phillips:  
ACC TN Employment Law Download:  
Compliance, Telework, Data Privacy, Immigration and More!

### **October 14th**

Merchant & Gould:  
Title: TBD

### **October 28th**

Chambliss:  
We're Not In Kansas Anymore - Where Are We Now?

### **November 11th**

Nelson Mullins:  
Title: TBD

# **SAVE THE DATE**

## **Virtual**

### **ACC Tennessee MBA in a Half Day**

Friday, December 11, 2020



## **A Word from Our Sponsors**

### **DOJ Issues Updated Guidance for Corporate Compliance Programs**

**By: Zachary Greene and Lynsey Barron**

**Three Star Partner - Miller & Martin PLLC**

[Read Full Article](#)



Zac Greene represents individual and corporate clients in business disputes and white collar criminal matters.

Zac's civil practice is focused on business litigation in state and federal trial courts and courts of appeal. He frequently represents commercial entities and financial institutions in matters involving breach of contract, negligence, fraud, unfair competition, securities, and government



Lynsey Barron is a litigation attorney with significant trial and appellate experience practicing in the areas of white collar criminal defense and government investigations, data privacy, and cybersecurity. As a former Assistant United States Attorney in the Northern District of Georgia assigned to the Economic Fraud and Public Corruption sections, she investigated and prosecuted matters involving bribery of public

regulation. He also represents public entities in constitutional litigation. Zac's diverse appellate experience includes briefing and arguing cases addressing contract law, antitrust law, public pensions, legislative procedure, legislative privilege, constitutional law, and civil rights.

As chair of the firm's Crisis Management Group, Zac collaborates with attorneys in various practices to leverage Miller & Martin's deep corporate and dispute resolution experience to help clients prepare for and deal with business crises.

officials, insider trading and securities fraud, tax fraud, healthcare fraud, and other complex white collar crimes. She also represented the government in several oral arguments before the Eleventh Circuit Court of Appeals.

Lynsey is also an adjunct professor at Emory University School of Law where she teaches courses on trial advocacy and Federal Prosecution Practice. She clerked for Judge Beverly B. Martin on the Eleventh Circuit Court of Appeals.

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## Signature Requirements for an Enforceable Contract

**By: Practical Law Commercial Transactions and Tom Smolders**

**Volunteer Sponsor - Thomson Reuters**

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Tom Smolders is the director of Practical Law's Commercial Transactions and Law Department Services. Tom joined Practical Law from Stratasys, Ltd., where he was Corporate Counsel. Previously, he was senior counsel to the Neuromodulation division of Boston Scientific Corporation. Before that he was assistant general counsel at Quallion LLC, a banking and municipal finance associate at Liebler, Gonzalez & Portuondo, P.A., a general attorney at AAR Corp., and a capital markets associate at Jones Day.



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## High Hurdles to Class Actions Remain Even in the Time of COVID-19

**By: Kevin C. Baltz**

**Three Star Partner - Butler Snow LLP**

[Read Full Article](#)

Kevin C. Baltz is a seasoned litigator representing companies across a number of industries in commercial litigation, financial services litigation and trucking

litigation. He has successfully represented clients in contract disputes, fraud claims, wrongful foreclosure actions, trade secrets claims, and other business tort cases. Kevin also regularly serves as counsel in arbitration proceedings before the American Arbitration Association (AAA) and the Financial Industry Regulatory Authority (FINRA).



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## **E-Discovery Preservation: What to Consider as Offices Open Back Up from COVID-19**

**By: H. Barber Boone**

**Three Star Partner - Butler Snow LLP**

[Read Full Article](#)

H. Barber Boone is a member of Butler Snow's Commercial Litigation practice group and focuses his practice on issues including breach of contract, intellectual property, antitrust and employment issues, as well as a variety of other types of commercial and environmental litigation. Barber's practice includes matters with complex e-discovery issues, including records hold letters, handling issues relating identification, preservation and collection, managing the review and production of large volumes of documents, as well as analyzing large productions by opposing and third parties.



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## **Diversity at Work: Fortifying Your Inclusion Efforts in the Current Climate**

**By: Jennifer Robinson, Pamela Irons, and Joycelyn Stevenson**

**Three Star Partner - Littler**

[Read Full Article](#)



Jennifer Robinson



Pamela Irons

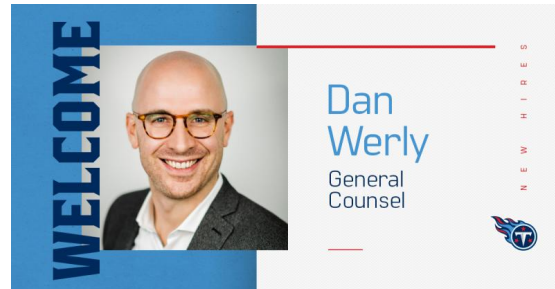


Joycelyn Stevenson

## Members on the Move

ACC TN would like to congratulate Dan Werly as being announced the new General Counsel for the Tennessee Titans.

Congrats, Dan!



## Looking to Make a Career Change?

Check out the Tennessee specific jobs on the  
Job Listings tab on the ACC TN website!

[Click Here](#)

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We are increasing our member engagement with you through our NEW social media platforms! Click on the LinkedIn and Twitter logos below to follow ACC TN for updates on ACC TN chapter news. Each social media platform you follow will enter you for a chance to win a pair of [Apple AirPods](#), so get following! ACC TN appreciates your support.



## ACC 2020 Annual Meeting

**IT. WILL. HAPPEN.**

The world's largest gathering of in-house  
counsel just got a whole lot easier to attend.  
[am.acc.com](http://am.acc.com) #ACCAM20



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