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the ABA.



FOCUS

WHERE LEADERSHIP COMES INTO VIEW

President's Letter

Gemma Dreher

Dear Members:

We are coming upon the end of 2020 and many of us are planning for a quieter holiday or year-end celebration than in year's past. I am never one to wish away time, but I do feel a sense of relief that this year will soon be over, and I am feeling quite optimistic about 2021. I was in a virtual conference recently for women in banking and one of the presenters stated that the pandemic and the election process this year have been unique and new for everyone in the United States, regardless of our age and our career experiences. She challenged all participants to think about what they have learned throughout the year as we have continued to operate in an uncertain and strange environment. Are we more resilient? Has our approach to working from home changed personally and for our organizations? Are we taking care of ourselves?

In thinking about these questions and reflecting on the past year, I consider what has helped me manage my professional and personal life through the ups and downs of 2020. There has been one constant aid across the various parts of my life: strong, accurate and unbiased communication along with factual and reliable sources of information. I feel very lucky to work for an organization that does an exceptional job of communicating with employees. I have said to other non-legal professionals that I am proud that my chosen profession

embraces ethical standards that include candor and honesty that we take very seriously. Attorneys who breach these rules of professional conduct are disbarred and it is very difficult to be readmitted to the practice of law. See, for example, this article from

With everything that we have experienced this year, I have a heightened awareness of this duty of truthfulness. Beyond our duties under the Rules of Professional Conduct, it is important that we are broadly aware of the information we are digesting and disseminating. It feels more difficult today than it has previously to ensure we are only sharing factual information. By way of example, I was very sad when Ruth Bader Ginsberg passed away. As a woman, mother, and attorney, my life is made better because of Ruth Bader Ginsberg. During this time, when words failed me, I devoured news and posts about RBG. I came across a post that stated that NBA players were wearing collars in honor of RBG. I immediately moved to push that bit of news out and our own Julie Duffy pulled me back. Turns out it was a hoax. I saw it on LinkedIn and it certainly looked genuine to me - NBA players that I recognized with RBG style lace collars over their uniforms. This example may be harmless, but it points to a broader issue in how information is disseminated through social media and what are considered reliable news outlets. NPR, the

New York Times, and Reuters to name a few, have retracted or deleted stories because they contained misinformation. Journalist are being fired

or resigning because of tweets that are offensive, racist or factually inaccurate. News outlets are being sued and are settling cases based upon poor, inaccurate journalism. To quote Prince Harry from this <u>statement</u>: "[W]e believe in media freedom and objective, truthful reporting. We regard it as a cornerstone of democracy and in the current state of the world – on every level – we have never needed responsible media more."

I wish the piece about the NBA players honoring RBG was true. I am happy that Julie realized it was a hoax. It was a great lesson in slowing down, taking the time to verify information and thinking objectively about what should be shared through social media and other outlets. It is central to our profession and critical in the current environment. For my part, I want to always ensure that I am only sharing truthful, accurate and objective content. As a profession, it is a standard we can set for others to observe and hopefully follow.

As for our Northeast Chapter, I am pleased to report the addition of new leaders to the Board. I want to first thank Ian Hecker for his remarkable service these last four years as Chapter Treasurer. He has looked after our finances with great care and precision

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and I could not be more grateful. He has turned over the Treasurer's reigns to Len Ho, a Board colleague, who has graciously agreed to serve as the Chapter's next Treasurer. Ian and Len are working hard to make the transition seamless. Additionally, Stephanie Lambert has assumed the Vice President's role and Alex Aferiat will be Secretary. I am looking forward to continuing to partner with her on our priorities for the Chapter in 2021. Other changes to our Board are listed in this newsletter.

I want to thank you our members for your engagement in Chapter activities in 2020. I hope you will continue to reach out to us via email or through our social channels to connect and provide feedback. It's through your feedback that

we can improve our member services to you. The Chapter welcomes you to become more involved in our committees and engage with us through the programming we offer as well as on LinkedIn or Twitter. Let us know if you would like to become more involved or if you have ideas for ways to grow engagement with our members. I hope the remainder of 2020 is positive for each of you and I am looking forward to continuing to serve you in 2021.

Communications Committee

Communications Committee and Newsletter Editorial Board: Stephanie Lambert (editor-inchief), Brian Ciaramicoli, James Coughlin, Kelly Whetstone, and Patrick Wu. Other contributor: Sharon Kamowitz.



Welcome New & Renewing Members

Please help us welcome the following members who joined within the last few months:

Zaihra Ahmed

HubSpot, Inc.

Eliza Bailey

BeiGene, Ltd.

Alanna Barton

BOX Exchange LLC

Juan Bellido

Humana Inc.

Valentina Bernhardy

Staples, Inc.

Alisha Bloom

Ingenious Med, Inc.

Sagar Brahmbhatt

Alexion Pharmaceuticals, Inc.

Benjamin Brown

Onto Innovation

David Bryson

Endurance International Group

Aaron Bullwinkel

Orsted

Erin Chrzanowski

Dassault Systemes Americas Corp.

Joe Colella

Entegris, Inc.

June Duchesne

OutSystems

Brian Garcia

Collegium Pharmaceutical

Mary Kate Geraghty

CIRCOR International, Inc.

Thomas Gunerman

Atlantic Broadband

Jeff Haigh

Chase Corporation

Margaret Hayes-Cote

Kevin Henry

Intarcia Therapeutics, Inc.

Nancy Johnsen

Counsel Per Diem, Inc.

Jacqueline Kepner

BI's Wholesale Club

Rossella Mercuri

Vantage Travel Services Inc

Carrie Moser

Attentive Mobile, Inc.

Kyle Pankratz

airSlate, Inc.

Julianne Perkins

CIRCOR International, Inc.

Lisa Roalsvik

Liberty Mutual Group

Nazli Saka

HubSpot, Inc.

Jose Sierra

Syneos Health

Leigh Slayne

Jeffrey Smith

Deciphera Pharmaceuticals

Larry Weiss

Jessica Wenzell

Chris Zaetta

UnitedHealth Group

If you forgot to renew please email membership@acc.com.

More Than Coffee and Hoagies

By Joshua H. Shields

When Michael Eckhardt joined Wawa in 2005 from a law firm, the firm's partners teased him that he would soon get bored being an in-house lawyer for a coffee-and-hoagie shop. Fifteen years later, he can confidently say they couldn't have been more wrong.

Now Wawa's senior vice president – chief risk officer, general counsel, and secretary, Eckhardt has helped the iconic mid-Atlantic convenience store chain navigate class action lawsuits, restructure from a C corporation to an S corporation, and expand into the new market of Florida, which included designing and financing a tug-barge to bring gasoline from refiners in the Gulf.

He has worked on table top exercises on the company's key operational risks, and is now part of a team handling the evolving COVID crisis. He's anything but bored.

Associates are essential

Wawa, which has more than 36,000 associates in 900 stores across six states and Washington, DC, was declared an essential provider from the outset of the pandemic. Eckhardt and his team responded to a mix of local and state safety protocols and regulations while also adjusting to changing business demand.

The company, already known for its clean and tidy stores, implemented a "clean force" that sanitized customer touchpoints. It installed plexiglass immediately and instituted a company-wide mask and glove mandate by mid-April.

A PTO relief plan was rolled out to ensure every associate had two weeks of coverage in case they or a family member were exposed to the virus. That policy provided the flexibility to close a store if a case was confirmed in that store. "We close minute one," Eckhardt says, explaining that the stores undergo a deep clean and contact tracing for potential exposure before reopening.

Each Wawa store has prominent signage, including on the company's ubiquitous digital displays, that remind customers



about local mask ordinances. Associates are taught to de-escalate a situation if a customer does not comply; Eckhardt noted that industry groups strongly prefer the de-escalation method, which has been part of the Wawa training since 2018.

Eckhardt knows that the backbone of Wawa is its associates — in fact, associates own 40 percent of the privately-held, US\$10 billion company. "Corporate is there to support our store teams," he explains. Associates are automatically enrolled in an ESOP, or employee stock ownership plan, after they work for Wawa for one year, reach 1,000 hours of work, and are over age 18.

"When you walk into a Wawa, you're often talking to an owner," Eckhardt points out. Eight to 12 percent of an associate's wage is invested in the ESOP, leading to a long tenured workforce that provides opportunities that don't exist at other companies (and a chance for many associates to retire early).

When Wawa first expanded beyond the mid-Atlantic to Florida, the company moved whole store management teams, some with managers with over 20 years of experience, to open the new stores.

Embracing change while balancing short- and long-term risk

The company has not permitted recent operational challenges to detract from the company's focus on strategic risks. "As a management team, we're trying to balance the short-term goals of running the business and being there for our

community today, while also preparing for our future and constantly innovating," Eckhardt explains.

He notes that Wawa has teamed up with Tesla to install electric charging stations at certain Wawa stores as electric cars gain market share. With travel plans and commutes disrupted by the pandemic, Wawa is looking at non-fuel stores that have opened in metro centers like Washington, DC, Philadelphia, and Vienna, VA, to compete with fast-casual chains. The company is piloting a drive-through concept that will require a reworked menu to get customers through the line in the industry-gold standard of four minutes.

The company is embracing change in other areas as well, from meal delivery to digital connections with their customers.

Eckhardt credits Senior Legal Counsel Tara Gibbons for coordinating the legal review with the delivery app companies like Uber Eats and DoorDash to bring the chain's hoagies to customers. The option existed in about a third of stores before the pandemic, but Gibbons worked quickly to enable the Company's digital team to expand the option and answer other questions, such as how to deliver alcohol in jurisdictions where it's permitted.

The company can never rest on its laurels because of its competition. At breakfast, Wawa spars with McDonald's for breakfast sandwiches and Dunkin and

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Starbucks in the coffee market. At lunch, it's up against Subway or Chick-fil-a. And it's also competing for customers in the convenience store space with 7/11 and other regional brands.

Data protection is another area where the chain needs to carefully evaluate risk. Kathy Dickinson, Wawa's associate general counsel, works very closely with the marketing department to understand what technology is available for gathering and protecting data, while also being mindful that there is an "ick" factor to harvesting too much data.

In December 2019, Wawa announced a security incident that affected customer payment card information at its stores after discovering malware on Wawa's systems. Wawa made the announcement to its customers nine days after discovering the malware, removing it from Wawa's system, and notifying regulators.

The legal team has always needed to move swiftly to support innovation, which is a key pillar of Wawa's corporate ethos. What started as a convenience store and grocery in New Jersey morphed into a gasoline hoagie shop hybrid and is now becoming more focused on healthier food and products. The legal department will continue to support the business as it evolves.

Being prepared for "the bread truck"

Eckhardt draws on the tenure of his legal department — his direct reports have 44 years of Wawa experience amongst them, showing that it's not only the store associates who tend to stick around for

a long time. He knows that his team can step up if he's "hit by the bread truck" as they say around headquarters.

Eckhardt has always been familiar with Wawa; he grew up in Philadelphia, and moved to nearby Bucks County, PA, for high school, where Wawa stores seem to be on every other block. After becoming disillusioned by politics while an undergrad in Washington, DC, at American University, he had a conversation with an older friend who was pursuing law school. "It was one that made you think about your life and where I wanted to end up," he reflects.

Knowing that he wanted to be near his large family, which was back in Philadelphia, he decided going to law school in the City of Brotherly Love would give him the best shot at landing a job close to home after graduation.

After earning his degree from Temple, he worked at firms in Philadelphia until a fateful January day when the head of the labor and employment group walked into his office and shut the door. Instead of delivering bad news as Eckhardt expected, the partner urged him to apply for a position with Wawa.

After starting his in-house role in 2005, he was promoted to general counsel in 2011. His role has expanded over the years. Wawa CEO Chris Gheysens promoted him to the company's 10-person management team in 2014 and created a legal and risk department, which includes quality assurance, risk management, safety, loss prevention, internal audit — "all the stuff nobody

seems to want," Eckhardt jokes. It's a job he relishes, and one that keeps him occupied with much more than coffee and hoagies.

Getting to know... Michael Eckhardt

Is there one thing that you miss from before COVID, and is there one thing that you don't miss?

As a family, we miss traveling terribly. We love seeing different parts of the country and different parts of the world. As baseball fans, we have attended games at all but five of the major league stadiums. We were planning to knock Toronto, Detroit, Cincinnati, and Cleveland off the list this summer. Hopefully this is a possibility next year.

I feel conflicted about my commute — while it's 35 minutes of driving through horse country, that is 70 minutes I get back every day. At the same time, I do miss it because it gave me the ability to plan for the day on the way in and decompress on the drive home. Now, because everyone thinks everyone is always working, you are getting texts at 6 am when you are trying to ride the Peloton for 30 minutes in the morning.

Do you have any free time right now?

My free time is in the morning. I will read the *Wall Street Journal* and ride on my spin bike. We're walking more as a family now and spending quality time together. There is always a positive side of any situation — we just need to look for it and we try to remind our two teenagers of that daily.

Week in Review

Legal Resources

ACC's Legal Resources Department is making it easier for you to share newly published resources with members by providing you with monthly updates. The below list of NEW resources is just a small sampling in ACC's Resource Library, where in-house counsel can access over 8,000 practical resources.

A few highlights:

- Holiday Season Wellness Checklist (United States), ACC Staff produced, Quick Overview. United States
- ACC Collection: Leadership Skills: ACC, Global
- What does the California Consumer Privacy Act (CCPA) Mean for Your Business? Member Author Lena Kempe, Quick Overview, United States

For questions or more information, please contact legalresources@acc.com.



ACC-Northeast Member Spotlight

Sean Fitzmichael Devlin General Counsel & Corporate Secretary, Feeney Utility Services Group

Please tell us a little bit about Feeney Utility Services Group and your role there. What are your responsibilities and what does a typical day look like?

Feeney is a CAI Capital Partners portfolio company and one of the largest providers of outsourced services for natural gas utilities in the Northeast and Mid-Atlantic U.S. The core of our business is replacement and maintenance of leak-prone distribution infrastructure, installation of new distribution capacity, and engineering services for customers such as National Grid, Eversource, and Avangrid.

As a legal department of 1, balancing workflow and priorities is a challenge. This is a roll-up-your-sleeves kind of role and I like it that way. I handle everything from speeding tickets to \$100m+ transactions to minor employment matters to high profile crisis management. My work intersects with all aspects of the business (the board, operations, commercial, finance, training, safety, compliance, and HR) and also encompasses a lot of traditionally non-legal areas such as digital marketing and website design (yes, you read that correctly). I'm a true corporate generalist though I have developed specialties due to the nature of our business. The variety and breadth of work keeps it interesting every day. There is no typical day, but I am grateful each day typically includes two meals with my family.

What was your career path? How did you get to where you are?

My career path to GC is an unusual one in that I went directly from law school to in-house. I was a summer associate in Baker McKenzie's Amsterdam office for my 1L and 2L summers and expected to join the firm as an associate following my graduation in 2010. The global economy had other plans. Like so many of my fellow graduates that year who found themselves without jobs, I had to scramble and leaned hard on my network. In the fall of 2010, I was introduced to the CFO of a small utility services business in Dorchester, MA. I started out part-time and was quickly offered a full-time position. As they say, the rest is history. Since then, Feeney has grown from 125 employees to over 1,300. It has been a great ride.

How did you get involved with ACC? Are there any particular resources or events that have been particularly helpful or enjoyable?

I interned 30 hours a week with the GC at MIB Group, Inc in Braintree, MA during my third year of law school. He introduced me to the ACC. When I joined Feeney, I was the company's first in-house attorney and had to invent the identity of the position on my own. Reading ACC resources, attending events, and speaking with experienced GCs about their roles has been invaluable for my growth and success. I've enjoyed paying it forward in a small way by being an active member of the ACC's Career and Practice Management Committee for the past few years.

How has COVID-19 affected Feeney Brothers and your role there? How has it affected you personally?

Early on, it was a challenge for our executive team to analyze potential impacts and develop plans because there was so much information to synthesize and the underlying assumptions were a moving target. Our team improved at anticipating as time went on and we were eventually able to mitigate many potential challenges while also capturing opportunities. As an essential business due to our work on vital utility infrastructure, we continued to operate though some municipalities such as Boston and Cambridge shut down non-emergency work. Safety is part of Feeney's DNA and our workforce successfully embraced necessary changes to protect each other and our families.

On the personal front, my mother passed away in March from ovarian cancer and we couldn't have a proper sendoff and closure with family and friends. Beyond that, we've been very blessed in terms of minimal health or economic impacts from COVID-19 that so many other folks are experiencing. My wife and I both worked from home for three months with our two children and nanny in our small house in Boston. The experience quickly moved our plans forward by about five years. We sold our house and moved to the suburbs. We have our pre-school aged children in a learning pod with their cousins. Definitely some silver linings.



Do you have any tips for in-house counsel that are new to their roles?

Without credibility, your *brilliant* advice sounds like muffled Morse Code. If you're wondering, that's the sound of you banging your head against the wall. Build credibility by *listening* to your internal clients to understand the drivers of the business and the realities of the many conflicting pressure points your internal clients face. The virtuous cycle of your influence on the business begins to spin when you start listening.

What are your interests and hobbies outside of work? What do you do to decompress and relax?

I collect books on political philosophy, history, and biographies that I plan to read some day and I play a little RISK online.

I mostly gravitate towards education for volunteer activities. I served on Colgate's Alumni Council for many years and now serve on The Westminster School's Alumni Executive Committee. For the past fifteen years, I've volunteered as the chairman of my college fraternity's charitable foundation. We raised over \$2 million a few years ago for academic scholarships and to refurbish an old private library c. 1877.

I'm very much looking forward to my kids discovering their passions and cheering them on.

2020 has been an interesting and unpredictable year. Do you have any predictions for 2021?

St. John's upsets Duke in the first-round of March Madness.

Members share Annual Meeting thoughts:

The Annual Meeting was held virtually this year, ACC reported that 2477 in house counsel registered for the event. The Northeast Chapter had over 60 members participate in the Virtual Annual Meeting held October 12 - 16.

Here is what they had to say

As with most things this year, it was a different ACC Annual Meeting but it was no less interesting, informative, and engaging. Having it entirely remote and available on demand made it easy to watch the sessions that I was curious about without worrying about missing other sessions going on at the same time. I'm looking forward to the next Annual Meeting were we can hopefully be together in person again.

Patrick Wu Counsel, Staples

I was impressed by the ACC's ability to create this virtual event so quickly! I enjoyed the substantive programs and opportunities to connect with sponsors at the event. The opportunity to "chat" directly with the speakers and participants was a great addition. While an in person event is ideal, the ACC managed to find a silver lining in 2020 with this great virtual event.

Stephanie S. Lambert

AVP, Chief Compliance Counsel, NETSCOUT

"The Virtual ACC Annual Meeting allowed me the flexibility to join what I could and get a lot out of the sessions I chose to attend. I missed the time spent with friends and colleagues as I have at other meetings, but am not as tired as I have been after the last few meetings I attended in person! WITH (Women In The House) was another great event and the closing plenary session gave me much food for thought on carrying for myself and my teams in these hectic times."

Darci Teobaldi

Sr. Corporate Counsel, Thermo Fisher Scientific



"While I certainly missed networking with all of my friends and peers in person, ACC did a fantastic job of presenting a robust and informative virtual conference. I particularly enjoyed the sessions with breakouts, where I was able to directly interact with the presenters and attendees. And one bonus - I didn't gain the five pounds I normally gain at this event!"

Kelly Whetstone

Deputy General Counsel, Foreside Financial Group

Although navigating the virtual platform was a bit quirky, the sessions I attended were excellent. I highly recommend "Lost in Translation: Tech Speak for Non-Techies" now available in the Replay Café for all attendees.

Sharon S. Kamowitz, J.D., CIPP/US

President, Sharon Kamowitz Privacy & Compliance Consulting

"Although I missed bumping into colleagues and friends, having great food and fun drinks, I did enjoy the Annual Meeting. I thought the ACC and speakers did a nice job involving the audience in the presentations, using the chat feature, polling the audience or breakout rooms. I thought the programming was great, but my favorites were getting advice from Uber's Tony West and 3M's Ivan Fong."

Cristina Gonzalez

Chief Legal Officer, Staples

Particularly outstanding sessions at this year's Annual Meeting:

"The Fox and the Hedgehog: Leadership in Times of Crisis" -- wonderful keynote by Ivan Fong, GC of 3M

"Bringing the Power & Strength of Women to the Workplace"
-- an excellent panel discussion with in-house leaders

"I am These Truths" -- ACC's President and CEO, Veta Richardson interviewing Sonny Hostin -- interesting and compelling

Danette Wineberg

Adjunct Professor, UNH Law School

Annual Meeting presentations by Chapter Members



Stephanie S. Lambert AVP, Chief Compliance Counsel, NETSCOUT

International Business Challenges: You Need a Map to Keep Track!

"It was a great experience to share my expertise around current hot topics in an

international practice. My co-panelists made me realize we are all addressing the same concerns across the globe. The best practices in prioritizing issues were helpful to me as well as attendees."

Managing Conflict and/or Avoidance Within Your Team

"This panel generated a lot of questions from the audience about how to handle difficult conversations. These conversations have become more challenging as employees have moved to remote working arrangements. In fact, there is so much interest in the topic that the sponsor is going to hold a Legal Quick Hit on December 9 on Managing Conflict 2. So stay tuned!"



Scott A. Samuels, Esq. Senior Vice President, General Counsel BeiGene, Ltd.

I was not sure what to expect when I learned that ACC's Annual Meeting would be held virtually this year instead of in my former

hometown of Philadelphia. Not only was our panel on Information Governance well-attended, but much to my surprise, the attendees used the "chat" feature of Zoom to ask questions in real time and also to communicate with each other about the topics that we were addressing on the panel. This allowed for spontaneous interaction and participation, including the exchange of specific practices and ideas among the audience, which is just not possible during an in-person presentation. Overall, I was happy to participate in the panel and also enjoyed the other sessions that I attended, which also took advantage of technology by using break-out rooms, polls, and other tools. While I missed the usual in-person connections and networking that are the hallmarks of the ACC Annual Meeting (not to mention a Philly cheesesteak from Pat's!), I was impressed as always with the quality of the meeting.



Marissa Martin

Vice President, Associate General Counsel BrooklineBancorp, Inc.

Marissa Martin spoke on two panels at this year's virtual ACC Annual Meeting, Mindful Negotiations and So You Want to Join a Corporate Board? Marissa and Natalie Butto Wills offered one of the meeting's live and interactive sessions on the topic of Mindful Negotiations. Marissa and Natalie shared

their experiences about what mindfulness is, and, how it can be applied to negotiations both in the legal context, and in the context of our daily lives. The session included several interactive mindfulness exercises including an intention setting exercise, a breathing exercise, a movement exercise, and interactive breakout sessions. The exercises were designed to help attendees experience the immediate effects of incorporating small aspects of mindfulness into their practice. Marissa was glad to be able to offer one of the meeting's live session, "I'm now the Vice Chair of the Law Department Management Network and I, along with my 2019-2020 Communications Co-Chair, Amy Yeung, received the Network Member of the Year Award at this year's Annual Meeting. ACC Annual Meeting is always a great learning experience and a time to connect with other in house counsel across the country. I really enjoyed connecting on our live Zoom session, it was fun to see the lightbulbs going off in real time as attendees made connections with the concepts we were talking about."

Marissa also moderated a panel of three distinguished women who offered their insights on how in-house counsel can make the transition from the legal department to the boardroom. The group offered insights and advice on the difference between searching for a director role, and a legal role. In particular, the panelists suggested that attorneys seeking to become board members should focus on the broad experience they have in areas such as risk management, crisis management, and mergers and acquisitions.

Deanna Sheridan

General Counsel & VP at Spartan Race,



co-led a workshop entitled "Presence for Legal Executives".

"This was my first year attending the ACC Annual Meeting, and leading this workshop made it an even more fun and worthwhile experience. Stewart Hirsch of Strategic Relationships and I led a workshop to help legal executives identify how to incorporate certain skills into their daily interactions which build their executive presence. Our goal was to utilize the online platform as a value-add to the workshop

experience by maximizing the potential of the chat function and breakout rooms. We engaged in two role play scenarios and asked attendees to provide real-time feedback via the chat, and then split attendees into breakout rooms to discuss specific scenarios assigned to them, such as "presenting to the board" or "giving feedback to an employee". I was impressed with the level of engagement and feedback, and dozens of attendees stayed in the main room afterwards to ask questions and engage in discussion. It was truly a fulfilling experience, and I look forward to doing this again."

In Focus with Your Career

Networking During a Pandemic

By: Sharon Kamowitz, President of Sharon Kamowitz Consulting and Chairperson of the P & CM Committee

For many of us, networking can be challenging even in the best of times. But especially now, when we are all craving social interactions, networking can be a bright spot in your busy week. All you need is a phone, a computer, and a bit of creativity.

What is networking?

The Oxford English dictionary defines networking as: "the action or process of interacting with others to exchange information and develop professional or social contacts." Meriam Webster defines it as: "the exchange of information or services among individuals, groups, or institutions *specifically*: the cultivation of productive relationships for employment or business".

A combination of these definitions drives my interactions: "cultivating productive relationships with professional and social contacts." Thinking of professional contacts in terms of social interactions takes some of the stress out of networking activities for introverts like me.

Networking can be more than a jobhunting or selling tool if viewed as a two-way street. Consider what you bring to the table and how you may be able to help your connections. For example, perhaps you can introduce people who may benefit from a connection, or perhaps you can offer advice with a difficult problem. One never knows what will happen when people start talking.

So how can we network now and in the future?

Although we may not be able to meet in person right now, there are many ways in which to connect that will remain in place even when society creates a new, post-pandemic normal, possibly without handshakes and the exchange of business cards.

When we think of networking in the virtual world, many of us think first of LinkedIn. LinkedIn is a powerful tool for job search and other professional growth.1 But don't stop with creating a profile and searching for connections. Take the time to add a note with connection requests, and then once connected, look for opportunities to reach out in addition to quickly "liking" or commenting on posted updates. Use the LinkedIn messaging feature to get in touch or better yet send an email to start a conversation and schedule a phone call. Imagine you are in the office. Would you merely tell someone that you "like" their comment or wish someone "congratulations" in passing? Or would you spend a few minutes learning more and getting to know your colleagues?

Similarly, look for opportunities through the ACC or elsewhere to broaden your network. First, in virtual meetings, if you are comfortable doing so, turn on your camera and let people see your face and surroundings. A smile goes a long way in making connections, And who knows, maybe you will want to discuss a book that you see sitting on a participant's shelf. And then, note the other participants and consider reaching out to make a personal connection. Similarly, take the opportunity to follow-up with presenters after the session as you might do following an in-person seminar. You will often find contact information on the webinar materials and can often obtain email addresses through the ACC Member Directory or LinkedIn.

In addition, take a proactive approach to reading legal newsletters and the news in general. Look for reasons to connect. For example, was an article particularly informative? Let the author know your thoughts or pass it along to someone else. Was a former colleague recognized for an achievement? Reach out and congratulate them. On the flip side, was a coworker recently laid off? Offer to help by making introductions. And, don't be afraid to suggest a phone call or video chat if you want to learn more or get to know someone.

Finally, keep your expectations low and don't get discouraged if you don't hear back from others. Despite being on our devices all day, we all somehow manage to miss an email or two. Consider following up after a reasonable time has passed by, but then move on. You may just get a response when the time is right.



'To learn more about LinkedIn, the ins and outs of building a stellar profile, and using the various features, check out the Practice and Career Management Committee's recent webinar, LinkedIn for In-House Counsel- Leveraging Connections for Professional Growth https://www.youtube.com/watch?v=OtB2ekJr0Tw&feature=youtu.be; https://www.acc.com/sites/default/files/2020-10/2020-10-08%20Keystone%20Partners-LinkedIn%20for%20In-house%20Lawyers-PPTX.pdf

ACC-Northeast Webinar Recaps

Recent Supreme Court Rulings: Not Trump's Court Yet!

Sponsored by Mintz & D&I Committee September 17, 2020

On September 17th, the Diversity & Inclusion Committee and Mintz, hosted a virtual discussion, which highlighted recent United States Supreme Court cases. Robin Walker, Chief Legal Officer Goldfinch Bio facilitated the discussion, which included presentations by Susan Cohen, Mintz Member and Founding Chair of the Immigration Practice Group, Robert Miller, Faculty Director of the Rosette LLP American Indian Economic Development Program at Arizona State University, and Robert Volk, Director of Legal Writing & Appellate Advocacy Program at Boston University School of Law. The presentations covered recent Supreme Court cases, including Boston vs. Clayton County, a LGBTW workplace rights case, Department of Homeland Security vs Regents of the University of California, a Deferred Action for Childhood Arrivals case, and McGirt vs Oklahoma, a Native American tribal rights case. The discussion reviewed the intersectionality, history, and impact of these three Supreme Court rulings, which have a great impact on diverse communities.

Basic Tech and Cyber Competency for In-house Counsel: A Virtual Roundtable

Sponsored by Day Pitney September 23, 2020

ACC Northeast along with Day Pitney held a virtual roundtable on basic technology and cyber competency for in-house counsel. Carrie Webb Olson and Steven A. Cash, partners at Day Pitney, joined Val Ilchenko, Data Privacy Officer at LogMein and Kermit Wallace, Chief Information Officer at Day Pitney, as panelists providing both a legal and operational perspective to the attendees. Panelists recommended that in-house counsel first understand the company's digital assets including its content, infrastructure and social media presence. They emphasized the importance of classifying the data in terms of what legal obligations exist for maintaining and disposing of the data. The panelists also reviewed best practices in security, including the need to practice a crisis response through a tabletop exercise. The importance of developing a communication plan for a cybersecurity crisis was emphasized both from an internal and external perspective. The role of the General Counsel in managing expectations was also reviewed.

Employee Non-Competition & Non-Solicitation Agreements: Traps for the Unwary: Putting in Place Effective Agreements & Steps to Take Prior to Enforcement

Sponsored by Verrill Dana October 6, 2020

Whether your company's sales are increasing or decreasing in the COVID-19 era, chances are your company has had to

adjust the size of its workforce to respond to changing market conditions. With the size of the workforce in flux, now is as good a time as any to revisit the legal landscape regarding noncompetition and non-solicitation agreements. On October 6, 2020, Verrill Dana and ACC Northeast presented a thorough primer on this topic in a webinar entitled *Traps for the Unwary:* Putting in Place Effective Agreements & Steps to Take Prior to Enforcement. Attorneys from Verill Dana, joined by in-house counsel, began by reviewing black letter law and contract considerations for establishing effective and enforceable agreements. The panelists distinguished the various types of restrictive agreements that can be used to protect an employer's legitimate interests - namely non-competition, nonsolicitation, and confidentiality agreements - and identified the benefits, drawbacks, and limitations of each. Next, the panelists offered recommendations on concrete, practical steps to consider taking when an employee leaves for a competitor. In a particularly interesting part of this discussion, the panelists emphasized the need to carefully consider sending cease and desist letters, noting that they have the potential to result in escalation. The webinar's third topic focused on the other side of the equation – what to consider when hiring employees subject to a restrictive agreement. One panelist noted that the relevant issue is the risk of a dispute, rather than the pure legal question of whether the restrictive agreement is enforceable. Accordingly, the panel stressed the importance of considering things like whether the former employer is a direct competitor, its resources and litigation history, and whether your company has hired multiple associates from that company. Lastly, the panelists reviewed recent developments and caselaw for each state in the Northeast, and noted special considerations related to COVID-19. For example, can a relaxed enforcement approach now impair your ability to enforce restrictive agreements post-COVID? The webinar closed with panelists presenting four key takeaways that all employers should keep in mind when dealing with non-competition and nonsolicitation agreements.

LinkedIn for In-house Lawyers: Leveraging Connections for In-house Growth

Sponsored by P & CM Committee October 8, 2020

LinkedIn is a powerful tool that can support you in every professional realm - job search, overall career development and lifelong learning. The key to unlocking LinkedIn's power is knowing how it works, optimizing it's networking capacity and seeing the benefits beyond looking up individual members' profiles and reading through news feeds. It's not surprising that lawyers were late bloomers to adopt LinkedIn, but in 2020 every professional is expected to have a presence on the platform, especially in our virtual 24/7 world.

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The ACC-Northeast and the Practice and Career Management Committee hosted a webinar with featured speaker, Colleen Torell, J.D., of Keystone Partners Legal, to help members gain perspective on how to improve their use of LinkedIn to support their goals. Ms. Torell first put LinkedIn in context of why we should embrace it as part of our overall networking efforts. She explained how to build a profile that stands out and maximizes your job search and networking presence. For example, she explained that use of an @ mention or hashtag can amplify the message in your post. She reviewed the types of user activities that can drive more profile views to maximize reach. Publishing original content and positively contributing to conversations were recommended as ways to influence and create a stronger presence on the platform. Professional development and lifelong learning opportunities, also present on the platform, were reviewed.

Contract Series Parts I & 2: Contract Review: Identifying Weaknesses, Strengths and Gray Areas to Get Ahead of Future Disruptions, & New Contracts: Pandemic Impact on Contract and Transaction Due Diligence

Sponsored by Bowditch & Dewey LLP October 20 & 27, 2020

During the last two weeks of October, Bowditch & Dewey LLP and ACC Northeast presented a two-part series of "bite-sized" webinars regarding the impact of the pandemic on commercial contracts and corporate transactions. Bowditch attorneys and two in-house counsel, leveraging their experience, provided guidance and best practices for managing contractual issues in the face of the COVID-19 pandemic. Each webinar concluded with a smaller breakout session to facilitate further discussion and networking among attendees.

Part 1, Contract Review: Identifying Weaknesses, Strengths and Gray Areas to Get Ahead of Future Disruptions, focused on existing contracts. Panelists stressed the importance of identifying your company's critical vendors and/or customers at the outset and prioritizing those contracts for review. The panel discussion then turned to the contract review stage, with panelists highlight-

ing clauses that may be particularly important in helping your company managing through the pandemic. Key terms included force majeure, of course, but also the termination rights of each party (any fees to get out?), notice requirements, ability to adjust price and/or service levels, and dispute resolution clauses. A good contract management system was flagged as a particularly helpful tool to facilitate this review. Looking forward, panelists recommended that in-house counsel take the opportunity to update templates, with these considerations in mind.

Part 2, New Contracts: Pandemic Impact on Contract and Transaction Due Diligence, focused on new contracts and the importance of a thorough due diligence process, especially in the context of the COVID-19 pandemic. The panelists discussed the need for heightened scrutiny on critical issues that may be affected by COVID-19, including conducting regulatory due diligence for the impact on your own business. Are any adjustments to the company's standard offerings necessary? Potentially impacted by any local shutdown orders? Following CDC and OSHA guidance? Have you reviewed any price gouging laws that may constrain your company's ability to increases prices? In conducting due diligence on new commercial transactions, the panel emphasized the importance of assessing the impact of COVID-19 on a counterparty's business. How are they likely to be affected? How significant is the impact on their customers? Is their revenue stream in jeopardy? Lastly, the panel discussed the pandemic's impact on contracts in the future, more generally. One panelist noted the possibility that companies will look to execute shorter and more flexible commercial contracts as a primary risk mitigation technique.

All Webinar Recordings are on ACC-Northeast Website

Materials and/or recordings are uploaded one week after each event/webinar. For your convenience, they will be posted under "Resources" at the following link: www.acc.com/chapters-networks/chapters/northeast/resources

NEXT GEN Committee Does Jimmy Fund Walk

On October 4th, 15 ACC Northeast Chapter members participated in this year's virtual Boston Marathon* Jimmy Fund Walk. Participation in the event was sponsored by ACC Northeast's Next Gen Committee. The pandemic has changed everything this year, including the format of the Jimmy Fund Walk, which is one of the Dana Farber Cancer Institute's fundraising events. The Next Gen team also met on November 5th, to share their experiences participating in the event, and the motivation for joining the team. The Next Gen team raised more than \$4,500, which goes directly to the Institute's unique 50-50 balance between cutting

edge research and compassionate patient care.

ACC-Northeast celebrates Community Service Month



ACC-Northeast Teams up with WeHero

ACC-Northeast members participated in a very unique virtual event in September.

Art For Social Equality is a program designed to serve as a connection point to educate communities on the intersection of art, culture and politics. Through artistic expression and engagement, it aims to empower communities, change the landscape and inspire new realities.



All 25 participants received an art supply kit which was delivered directly to their doorstep. The event featured a discussion on social justice and how to create the greatest impact possible. Each participant followed the instruction of an art instructor who helped each person create art that had a relevant message and meaning.





CLINIC IN BOX

NAVIGATING COVID-19 AS AN EMPLOYER

(Via WebEx)

— will be offered on lanuary 28th

8:30 AM - 12:00 PM EST

RESERVATION DEADLINE IS JANUARY 6TH

COMMITTEE MEMBERS/ VOLUNTEERS WANTED.

We are always looking for volunteers to help with our various committees and activities. Please let us know if you would be interested in volunteering a small amount of your time to help keep our chapter running strong. We will work with you to line you up with a project that interests you!

Communications Committee

Stephanie Lambert Patrick Wu

Diversity & Inclusion Committee
Robin Walker

Next Gen Committee lames Coughlin

Practice & Career Management Committee
Sharon Kamowitz

Pro Bono/Civic Engagement Committee
Christine Hughes

Programs Committee
Helen Tsingos

Women's Committee Marisa Murtagh

SOCIAL MEDIA INITIATIVES

We hope you have enjoyed our recent activities on Linked in and Twitter. Here is a rundown on what we have been posting. A few months ago we unveiled a series of video interviews with leaders in our field sharing relevant and timely information. We are calling this video series "Five Good Minutes" which is a conversation with ACCNE members speaking to specific issues and challenges for in-house practitioners. The idea is to give you some valuable information to consume while enjoying your first cup of coffee in the morning, or whenever it is convenient to you.

Another video/audio series we premiered is, "Ask the Experts" which is a Q&A format with industry experts speaking to relevant and specific topics for the membership during these unusual times.

Our goal is to continually share valuable content, to keep you engaged and up-to-date via our website, our webinars and the social media channels. If you missed any of the videos/audios, you can find them on our YouTube channel.



If you have other ideas, or want to provide feedback, please email us here: northeast-adminstrator@accglobal.com









We hope our online activities will help you feel a sense of connection and community. Please make sure to follow us:



LinkedIn: https://www.linkedin.com/company/acc-northeast/



Twitter: https://twitter.com/ACCNortheast

Around the In-House A Monthly Podcast brought to you by the P & CM Committee-NOW on iTunes

This Podcast series features corporate counsel at various stages of their careers from a variety of industries and backgrounds, discussing practice and career matters, along with tips for success. Topics may include team building and time management, efficiency and technology tips, career development, along with a few surprises. Alex Aferiat, Legal Counsel, Boston Consulting Group moderates the series. With beyond those pictured here, his most recent guests have been Craig Hiltz of Nuance, Bill Gabovitch of Primark US and Sarah Kmieciak of American Tower Corporation. If you would like to participate or have ideas for topics, please contact Sharon Kamowitz at sharon@kamowitz.com.



Being the GC!

With Paul Nightingale September 15, 2020

ACC Northeast Chapter President, Gemma Dreher sat down with Board Member/Past President, Paul Nightingale, General Counsel at Hood, for a "real time" virtual discussion on the journey to becoming a general counsel and taking on the role once you have arrived. Paul explained that one of the biggest differences in coming from private practice into an in-house role was that it was a completely different environment. He found himself working a great deal with non-lawyers, was expected to quickly become proficient in a wide range of practice areas, and was greeted with a



ACC Northeast Special Event

Being the GC!: A Virtual Discussion with Paul Nightingale and Gemma Dreher

THE PATH TO GC, WITH A DISCUSSION ON THE MOST IMPORTANT SKILLS AND BEST CAREER MOVES ALONG THE WAY

> THURSDAY, SEPTEMBER 15TH 12:30-1:30 PM ET

work pace that was often quite different than at a firm. Paul highlighted that in an in-house role, business expertise can be as important as legal knowledge. His greatest challenges of being a general counsel included the heightened pressure, the fact that "big messes" are often delivered directly to your desk, and the need to manage budgets and teams – which takes up to 30% of his time. When asked if he had tips for those that are new to in-house and aspiring to be a GC, Paul offered that it is important to develop relationships with senior executives and to take risks.

With Danette Wineberg November 4, 2020

ACC Northeast Chapter President, Gemma Dreher sat down with Past Board Member, Danette Wineberg, retired General Counsel at The Timberland Company and current Adjunct Professor at University of New Hampshire School of Law, for a "real time" virtual discussion on changes that have occurred in her career of being general counsel and her thoughts on today's multi-generational workplace. Danette explained that interest in in-house roles has grown significantly since she first moved in-house. With that change so has the size and influence of in-house departments, where businesses now



ACC Northeast Special Event

Being the GC!: A Virtual Discussion with Danette Wineberg and Gemma Dreher

THE PATH TO GC WITH A DISCUSSION
ON WHAT MAKES AN EFFECTIVE
LEADER IN TODAY'S MULTIGENERATIONAL WORKPLACE

WEDNESDAY, NOVEMBER 4TH 12:30-1:30 PM ET

often involve their general counsel in a myriad of areas – legal and non-legal. Danette highlighted the importance of emotional intelligence. Successful in-house counsel develop relationships within the business and make the business want to go to them for advice. Danette shared the importance of balance – although that balance means a continuous give and take of your professional and personal lives rather than a 50/50 split. Danette also answered questions regarding the role of the GC in influencing the strategy of the company as well as her experiences as a female GC.

Lookout for More Being the GC! Events in January & March.

PRO BONO SPOTLIGHT

Cradles to Crayons is a nonprofit that provides essential items to children ages 0-12 living in low-income or homeless situations across Massachusetts. Get involved this winter and make a difference in the lives of vulnerable children by working on projects from your office or home. Participate in our Give Back with an Outfit Pack

Cradles to Crayons

initiative this Giving Season! Sign up to complete an Outfit Pack or a Pajamas, Socks and Underwear Pack and receive a shopping tag that represents a child we serve this winter.

Looking for a fun and engaging, service activity? Show a child you care and create inspirational notes that will be passed along to the children we serve. Bring a group together virtually for this family friendly activity or complete it independently.

To get started or to learn more, contact Derek McVay at dmcvay@cradlestocrayons.org

Committee Corner featuring Communications Committee

This quarter's Committee Corner features the Communications Committee. The Committee. comprised of Stephanie Lambert (Co-chair), Patrick Wu (Co-chair), James Coughlin, Brian Ciaramicoli, and Kelly Whetstone is focused on fostering more interest in programs, giving access to Board members, acting as informational resource for members, and integrating new members and members in neighboring states. One of the primary responsibilities of the Communications Committee is writing and assembling the quarterly Northeast Chapter FOCUS newsletter which you are currently reading. The newsletter covers chapter events from that quarter,

as well as features articles including member spotlights and topics affecting our chapter membership.

As the way we all work and communicate changes, the Communications Committee has been adapting as well. A key initiative of the Communications Committee is the chapter's social media presence and outreach. The Committee, together with its consultant, Cord Silverstein of Advocacy Social, work on social media strategy for the chapter to engage its members digitally. Through posting event notices and sharing useful articles on LinkedIn and Twitter, the Committee

keeps the chapter up to date. The most recent addition to the chapter's social media presence is YouTube. The Northeast Chapter's YouTube channel video series features, *Ask the Experts*, where members share their expertise on a specific topic, and *Five Good Minutes*, which are short interviews with members. If you have not yet subscribed, please take a look.

The Communications Committee provides a great opportunity to help ensure that your local ACC chapter provides the most value to its members and is looking for volunteers. If you are interested, please contact Julie Duffy for more information.

ACC-Northeast Salutes Outgoing Board Members

Special thanks should go to retiring Board members, Danette Wineberg, Kathleen Burke and Jim Peck. Danette was an active Board member spearheading the Advocacy Committee, Kathleen Burke helped develop the annual MP/GC Forum, served as president of the Chapter, and lead the Membership Committee and Jim Peck lead the Ethics Awards.



In-transition Membership

As a benefit of your ACC membership, you have the opportunity to continue your membership at a reduced price if you lose your in-house position. Offered to **existing members only**, ACC will waive your dues for up to one year, and offer a reduced membership rate for up to an additional two years if you are displaced but actively seeking a new in-house position. Current or recently lapsed ACC members should complete the <u>in-transition application form</u> and return it to us.

ACC welcomes individuals who are not members and in-transition to join for US\$385 annually.

Please ensure you meet the eligibility guidelines.

Direct questions to membership@acc.com or +1.202.293.4103, ext.360.

Career Development Resources and Coaching

ACC offers a team of highly experienced career coaches comes from a variety of professional backgrounds with an expertise in helping lawyers attain their professional development goals. Each of our coaches has had significant experience providing one-on-one coaching services in the legal profession. Find out more here.

All in-house counsel are eligible to receive a complimentary 30-minute session with one of our established coaches. Please feel free to reach out to the coach that best fits your needs

ACC provides members with career-long access to jobs and wellness resources, online and in-person education, career coaching and networking and global job opportunities. As your career grows, ACC grows with you. You can visit acc.com/career-development to learn more about the resources ACC offers including wellness training, career coaching, networking opportunities, education, and job seeking.

Recent Job Listings



Current Offerings:

Job Search Support Group

Meets twice each month on the 1st & 3rd Tuesday from 12pm – 1pm

ADHD Support Group

Meets weekly on Wednesdays from 9am – 10am

SuperMom Support Group

Meets monthly on the last Wednesday from 12pm - 1pm

Addiction Recovery Peer Support Meetings

Meetings formerly across MA are all now online, with at least two meetings per week

Professional Conduct Group

Meets weekly on Wednesdays from 1pm to 2pm (for attorneys facing the disciplinary process)

Immigration Lawyers Support Group

Meets monthly on the 3rd Friday from 2pm – 3pm

You can also find their most current flyers at this LINK.

We would like to acknowledge and thank our 2020 sponsors

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ACC Northeast Board of Directors

Note: New Officers appointed Oct 1, 2020.

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Wishing you a Happy Holiday and Safe & Healthy 2021