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FOCUS

WHERE LEADERSHIP COMES INTO VIEW

President's Letter

Karen Higgins Valentine

Dear Members and Colleagues,

As we welcome 2019, it goes without saying that New Year's resolutions and predictions for the year ahead are common American traditions. As for the latter, we share with you some of our Board predictions for 2019 in this newsletter. I am sure many of you share some of these sentiments, and it will be interesting to see how many of them prove true in the coming months. It also goes without saying that 2019 started out with unprecedented uncertainty...with the longest government shutdown in history. As I write this message, we are in a two week "reopening period," although by the time this newsletter prints, we will see whether another shutdown takes place. Despite resolutions, predictions or uncertainties, ACC Northeast is proud to continue to provide consistent, positive and educational networking and philanthropic opportunities for our members. We will continue these efforts throughout the year, and we hope to see many of you at upcoming Chapter events!

Now, rather than focus on resolutions or predictions - or lament on the unpredictability around us - I would like to share with you some personal and professional reflections I have as I look back on 2018 and ahead to 2019.

First, be true to yourself, but also be flexible and compassionate. As educated professionals and active citizens, we have all formed opinions, in part shaped by experiences. We are busy individuals, with critical roles advocating for our clients. But we are also citizens and human beings with "per-



sonal truths." Take time to reflect on yours. However, also remain cognizant of the fact that you are surrounded by individuals with different experiences, opinions, and "personal truths." Being true to oneself while also being flexible in learning additional factors that

may alter your opinions is an ongoing process. And being compassionate towards those with different views is not easy. If more forces in society learned these skills, I truly believe our world would be in a much better place.

Be confident, but self-aware. Again, as professionals and client advocates, confidence is something that we all try and exude to influence and advance our causes. But how does one emit confidence without appearing arrogant or condescending? We probably think we do a much better job at this than we do in reality. Besides making you a better corporate citizen, mastering this skill can also have a positive impact on your success rate. People don't like the arrogant, annoying guy/gal to be proven right. Aim to master the ability to be likeable and highly effective at the same time!

Seek and embrace opportunities, but appreciate what you have. As attorneys, many of us are highly self-motivated, methodical, and constantly pushing ourselves towards the next personal and professional goal post. This is especially the case at "New Year's Resolution" time. We should continue to do this. However, this trait also often leads to behaviors where we forget to appreciate and relish the "here and now." Take time to do this every day.

Surround yourself with positivity, but do not ignore negative forces that may need your intervention. Especially in today's current political and societal environment, it can be very difficult to not get overwhelmed with what needs improvement around us. And with the education, opportunities and resources we have as professionals, we have a civic obligation to try and make a difference. But we also need to make a positive impact - not just on the broader society, but on our business colleagues, families and friends. Surrounding yourself with, and emitting, positive energy is not always easy, but something to strive towards.

And finally, seek happiness. I always come back to this core goal. At the end of each day, and the end of one's life's journey, I believe this to be one of the most critical elements of life. Hopefully, practicing some of the above reflections will be of assistance.

As always, your Chapter Board is here to serve you, and our membership is here to create a collaborative positive environment for all. Let us embrace 2019 to move "onward and upward" together in all of our endeavors.

Communications Committee

Communications Committee and Newsletter Editorial Board: Stephanie Lambert (editor-in-chief), Brian Ciaramicoli, James Coughlin, and Patrick Wu. Additional contributors in Q4: Claudia Gilman, Sharon Kamowitz, and Robin Walker

Top 5 Legal Tech Trends to Watch in 2019

By K Royal, TrustArc.

Technology rules the world, and the legal world is no exception — from commodified personal data to artificial intelligence (AI) to security. So, what are the hottest legal tech trends we will see in 2019? To answer this question, we must review the growth of technology over the past few years.

I searched for an article written within the past 10 years, and found a 2011 piece from the [American Bar Association](#) entitled, “What’s Hot and What’s Not in the Legal Profession.” Privacy was not listed, much less cybersecurity. Yet, these have been driving forces in technology, particularly legal technology, for years now.

As technology has advanced, privacy and related fields (e.g., security, data protection, cybersecurity) have become the fastest growing areas of law. Here’s [how they have evolved](#) and what we might expect in 2019.

1. Security and fraud prevention

Protecting data, in any form, requires security measures. Additionally, there is an increased focus on cybersecurity. The number of breaches has been steadily increasing, including ransomware, malware, and corporate espionage.

Among the largest security risks in recent years was the [alleged infiltration of US companies](#) by Chinese hackers who installed microchips to server motherboards sold to many US companies. Whether the microchips actually did exist or not is not the main point; the crux was how the potentially impacted companies and the various government agencies responded. This incident also highlighted the heavy reliance US technological supply chains have on products from a handful of countries, including China.

With the [Internet of Things \(IoT\)](#) so prevalent, the supply-chain concern may have a huge impact on the security of devices, including infected personal devices connecting to work environments. This is aside from [employees stealing data](#), such as the [50 terabytes found](#) in the home



of former US National Security Agency employee, Harold Martin.

This level of technological manipulation has made fraud easier to commit. Companies are taking steps to prevent and identify fraud, especially with artificial intelligence (AI) capabilities, yet fraud will continue to grow.

Many companies worry that the General Data Protection Regulation (GDPR) will impact their fraud prevention efforts due to its granting the individuals’ control over their personal data, such as access, rectification, and erasure. Preventing fraud is likely a valid reason to deny such rights, but companies must consider its programs, the information obtained and retained, and prepare defenses for its activities.

Many regulations now require protection for personal data, but often do not specify the security controls. The ones that do, such as the US Health Insurance Portability and Accountability Act of 1996 (along with its subsequent amendments, HIPAA), may be outdated (but there is a [current Request for Information](#) issued by the US Department of Health and Human Services addressing areas for HIPAA to be updated).

Instead, the standard generally requires reasonable security relative to the size of the company, its resources, the level and amount of sensitivity of the personal data, and the industry norms. This is a target in motion that will ebb and flow with the issuance of regulatory guidance, court decisions, publicized breaches, and technology growth.

Technological advances breed opportunities, for both good and bad actors.

2. Data governance

Often, people confuse data governance with data protection. Data governance is a much larger field, although a good data protection program includes good data governance and vice versa. Data governance is a programmatic concept that focuses on personal data from its inception to destruction — cradle to grave. Therefore, it comprises availability, usability, integrity, consistency, accountability (auditability), and security.

In many cases, companies developed data governance programs in specific data environments or for specific regulations, such as HIPAA, the US Sarbanes-Oxley Act, or various physician payment reporting requirements. Data governance is particularly challenging in an environment that has historically relied on paper documents, but a solid data governance program will help reduce document proliferation, both physically and electronically.

However, given the importance and vulnerability of corporate confidential data (the “crown jewels”) along with far-reaching personal data laws, like the GDPR and the California Consumer Privacy Act, companies should adopt a full-scale data governance program. We are seeing this happen specifically with the GDPR, where companies are creating data inventories and records of data processing activity.

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Data inventory, though tedious, is a fundamental element of data governance. How can companies protect what they don't know they have? Once there is a data inventory, companies should launch programs, such as data protection impact assessments, privacy impact assessments, vendor classifications and oversight, and retention and destruction policies and schedules.

Companies should invest in technology for these purposes, such as dynamic, user-friendly data inventory systems like the [TrustArc](#) Data Flow Manager, which links to DPIAs and vendor assessment tools. Other technology options include [Truyo](#), which offers robust solutions for automating data subject access requests and [Exego](#), which provides intelligent, automated analysis of unstructured data. A manual program in spreadsheets and paper only works for small companies with minimal data and vendors.

Certainly, a data governance program should come with someone to lead it. Whether the company needs a privacy officer, security officer, data governance officer, or information security officer, a [data protection officer \(DPO\)](#) is a determination the company needs to make.

Likely, it is a combination of roles that is required. The individuals chosen as DPOs must keep both privacy and security in mind. Multiple individuals may have the expertise, in whole or in part, to become or to assist the DPOs. Remember that the DPO is a role required under GDPR if a company meets certain thresholds.

If a company appoints a DPO voluntarily, even without meeting the thresholds, then the DPO and the company are held to the same standards as if a DPO were required. So be careful what title is used. But more importantly, be clear on the scope and responsibilities of the position.

Regardless of the role, the position must carry both authority and accountability within the data governance program. Accountability without authority to make decisions, maintain a budget, and execute the duties of the position makes it a position in name only — an empty suit — and is useless in building an effective data governance program.

3. Automation

Technology is both the goal and the tool to achieve it. Automation currently plays a key role in machine learning (or AI), marketing statistics, fraud detection and prevention, targeted behavioral ads, and much more. We will see this trend continue to grow.

We have seen automation in place to handle risk assessments for personal data, risk-based business acceptance, consumer and client self-service portals, contract lifecycles, and work process templates. By using automation, companies can easily scale up their efficiencies, serve more clients (internally and externally), and create outputs and metrics to determine the best use of resources.

AI can help manage large volumes of information quickly and be programmed to deliver necessary information, such as contracts. For example, with some software, such as the Exego platform mentioned above, you can check breach notification timeframes or limitations of liability clauses across 3,000 contracts within seconds.

Templates are one of the easiest ways to enter the automation workstream for in-house counsel. Most of us have standard agreements already, but what about automating flexible agreements that can easily suggest or adjust approved clauses, complete terminology changes, and attach the right geographical or product requirements to all necessary documents?

The software would also help the legal team to identify what clauses are consistently problematic across the client base. Once in place, those pesky conditional requirements could be automatically triggered to ensure vendor A got its audit report submitted or vendor B moved to a lower cost for a higher-quantity purchase.

Another area for automation focuses on individual rights to data. Automation can be used to handle intake requests, show the requestor what is available, and process requests according to a set of parameters. One could carry this further and have product teams input certain information, such as personal data elements (e.g., name, location, tax identification numbers) and geographies, and then generate a privacy notice.

An interesting aspect of automation is legal project management. This software is starting to be used more commonly in law firms, but there is no reason that it would not also help streamline the workday of in-house counsel. This particularly helps if counsel have project-type work with multiple actions by counsel to complete, such as implementing policies across multiple jurisdictions, mergers and acquisitions, and product development lifecycles. Given the increasing amount of work we are seeing in-house, tools to assist in organizing our workstreams could be useful.

The last example in this segment is online or phone helper bots. Your company may consider using these tools, and in-house counsel need to understand the technology (see the “Tech and data fluency” section below) for the benefit of the external clients, to prepare notices, and to comprehend any potential liability. But perhaps these technologies could also benefit in-house counsel in their duties.

4. Mobility

Mobile workforces and devices are certainly not new, but we are seeing the concept of mobility increase and impact even more areas of our professional and personal lives. Cloud services are ubiquitous, and the growing expectation is that one truly can work anywhere at any time with access to shared drives and real-time collaboration online available on any computing device.

Phones can now store up to a terabyte of data. In context, a terabyte is [roughly the equivalent](#) to 40 Blu-ray movies. This poses an increased security risk that in-house counsel can't ignore.

We see the complexity of the risk encompassing a company's mobile device management, data loss prevention, remote access, outsourced cloud services, audit trails, disaster recovery, back-up, data retention, and data and device destruction.

But let's take the hypothetical further by adding driverless cars, smart homes, and trackers (like mobile employee badges for easy access to satellite offices, hotel entry keys, and keyless cars). Will mobile devices

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sync with one's environment to facilitate a merger of work and life? Imagine leaving work with some tasks to do, perhaps a contract negotiation.

Enter your driverless car, where you take a call and the contract displays on an inside wall, muting traffic noises, and reflecting changes captured orally, noting who suggested what and who agreed. Dinner choices pop up on a side screen, so you can choose your meal to be delivered 30 minutes after arriving home, given current traffic conditions.

Once home, the dog's kennel unlocks, your call switches to the house phone, automatically muting on your side to give you time to get settled. The contract shifts to the screen of each room you walk into for seamless viewing. Your evening beverage dispenses, while the home temperature changes to "at home" settings. Meanwhile, your significant other is alerted that you have arrived home, dinner has been ordered, and you are scheduled to be on a call for another 20 minutes.

We enter a mobility ecosystem with a new infrastructure, perhaps built on existing technology and incrementally moving us from one state to another. Alternatively, the new infrastructure may change drastically, thanks to technologies that disrupt our

industries, as the mobile phone has done. We may not see the full-scale mobile ecosystem arrive in 2019, but the scenario above is imagined with, and based on, current, known technology.

5. Tech and data fluency

It's imperative to be fluent with technology and data and our devices must be fluent with each other — except where it should be prohibited. Common prohibitions would be set by the corporate data classification, where the most sensitive data— draft product development, strategic plans, and sensitive personal data — would be restricted to identified devices and not shared. Not being in tune with tech will jeopardize any efforts to protect proprietary code.

No longer can we afford to humor the attorneys who refuse to accommodate technology. Adoption lags if culture doesn't drive innovation. As in-house counsel, we do not drive innovation. Instead, we are typically pushed, pulled, or dragged along while the company innovates and we try to get the proper agreements and notices in place before calamity strikes.

The workplace is now multigenerational, but the differences between generations are the differences between being digital natives and digital immigrants. Our

always-on culture spills over into a profession that was always measured by time and methodical practices. Some of us, at any age, adapt well. Others need intensive training. Adapting will soon no longer be enough; we must be fluent.

In a [Legaltech News article](#), Mark Cohen, CEO of LegalMosaic was quoted:

"Law is now about collaboration of human resources as well as humans and machines. Many still regard tech as a necessary evil rather than a means to the end of providing customer-centric delivery."

Whether serving internal clients or external ones, counsel must be fluent in technology and data practices. Understanding these is as critical as understanding the client's business, product, or service.

Take advantage of available resources (e.g., online communities or peer-sourcing challenges), and use technology to keep your client informed. We have passed the age of periodic updates — we are "always on." We should accommodate in real time.

Author: K Royal is a technology columnist for ACCDocket.com, and director at TrustArc. [@heartofprivacy](#)

ACC News

ACC Xchange: The Mid-Year Meeting for Advancing Legal Executives

This reimagined conference (April 28-30, Minneapolis, MN) combines ACC's Mid-Year Meeting and Legal Operations Conference into one powerful event, delivering the trailblazing programs, content, training, and networking you need all in one place, at one time. Register today for cutting-edge mix of advanced-level education at www.acc.com/xchange.

Are you prepared to comply with new state privacy laws?

Rapidly growing data privacy regulations from California to New York make you

accountable for all third-party service providers that access, process, or store your company's personal data. [Download the case study](#) on Plaza Home Mortgage and the ACC Vendor Risk Service. Visit www.acc.com/VRS for more information.

2019 ACC Europe Conference: Early Rates End 22 March

Join your in-house colleagues from across Europe in Edinburgh 12-14 May for the [ACC Europe Annual Conference](#). This year's theme is *Being a Change Agent in Disruptive Times* and will have three dynamic programme tracks that will give you the opportunity to broaden the skills necessary to succeed in today's legal

environment. Early bird rates end 22 March. Register today at www.acceurope2019.com

2019 ACC Annual Meeting: Registration Now Open

Exceptional in-house lawyers make attending the ACC Annual Meeting a priority. Mark your calendars for October 27-30 in Phoenix, AZ for the 2019 world's largest event on in-house counsel. [Learn more](#).

Global General Counsel Summit: London Calling

Are you driving the discussion on corporate sustainability? Positive financial performance, regulatory pressure, material risk, and shareholder expectations are some

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of the reasons why you should be. Join the critical conversation on “Driving Corporate Sustainability—the Expanding Role of the GC” with your fellow CLOs from around the world, May 22-24, in London, UK. [RSVP today.](#)

New to In-house? Are you prepared?

The ACC Corporate Counsel University® (June 26-28, Minneapolis, MN), combines practical fundamentals with career building opportunities, which will help you excel in your in-house role. Come to this

unrivaled event to gain valuable insights from experienced in-house counsel, earn CLE/CPD credits (including ethics credits) and build relationships and expand your network of peers. Register at ccu.acc.com.

Drive Success with Business Education for In-house Counsel

To become a trusted advisor for business executives, it's imperative for in-house counsel to understand the business operations of your company. Attend business education courses offered by ACC and the Boston University Questrom

School of Business to learn critical business disciplines and earn valuable CLE credits:

- Mini MBA for In-house Counsel, April 8-10, May 7-9 (Los Angeles location), June 3-5, September 9-11, and November 4-6
- Finance and Accounting for In-house Counsel, September 23-25
- Project Management for in-house Law Department, November 13-14

Learn more and register at www.acc.com/businessedu.

Welcome New and Renewing Members!

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

Alexander Gillis Smartsheet, Inc.	Mark Glowatz Teradyne, Inc.	Kara Brown Cabot Properties, Inc.	Marc Berman KLA-Tencor Corporation	John Schold Rebecca Ferrante Oxford Global Resources, LLC
Ellen Christo Revision Military Ltd	Samuel Ntonme Biogen	Louise McCarthy Perkins School for the Blind	Anne Liddy Hologic, Inc.	Jaclyn Piltch Analysis Group, Inc.
Sharon Morrison Liberty Mutual Group	Alison Looman Cambridge Associates LLC	Alejandra Carvajal Momenta Pharmaceuticals Inc.	Lori Freedman Organogenesis Inc.	Sharon Morrison Citrix Systems, Inc.
Michael Carenzo Hologic, Inc.	Lori Nickerson Hologic, Inc.	Joanne Norman Guaranty Fund Management Services	Mai-Khoi Nguyen-Thanh Boston Scientific Corporation	Elliot Mandel Liberty Mutual Group
Stephanie Molina Staples, Inc.	Michael Horne Staples, Inc.	Emiko Suzuki Textron Inc.	Samantha Elefant Liberty Mutual Group	If you forgot to renew please email membership@acc.com .
Rachel Berlin Liberty Mutual Group	Scott Hodgdon Boston Scientific Corporation	Tiana Stephens Analysis Group, Inc.	Ohsung Kwon Liberty Mutual Group	

“Leaders in the Law” Recipients

Nine Members of the Association of Corporate Counsel-Northeast Chapter Honored by Massachusetts Lawyers Weekly as 2019 In-House Leaders in the Law

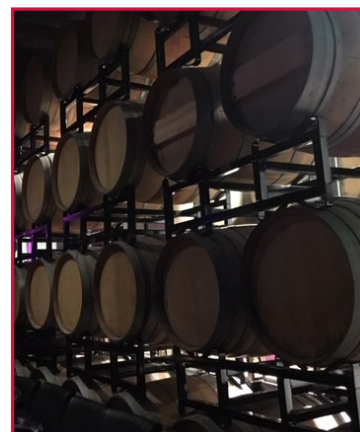
The Association of Corporate Counsel (ACC) - Northeast Chapter offers congratulation to nine of its members selected by Massachusetts Lawyers Weekly as [2019 In-House Leaders in the Law](#) for outstanding professional accomplishments in their field. In-House Leaders are general counsel and staff attorneys who are nominated by their colleagues, clients and other legal professionals for being leaders in the community and forward thinkers. Award recipients are selected by the Massachusetts Lawyers Weekly editorial department.

The following honorees, all ACC Northeast members, will be recognized in a [ceremony](#) at the Renaissance Boston Waterfront Hotel on March 6, 2019: Leonard Ho, Zipcar; Stephanie Lambert, Staples; Rachel E. Lerner, Hebrew Senior Life; Andrew S. Mullin, BAE Systems; Lisa Sheeler, Rhumblin Advisers; Lori B. Silver, Partners in Health; Robin A. Walker, Casebia Therapeutics; Jamie C. Whitney, State Street Corporation; and Damian W. Wilmot, Vertex Pharmaceuticals. Lambert, Walker and Whitney all serve as Members at Large on the ACC Northeast Board of Directors.

“We are proud to have these outstanding leaders and colleagues among our membership and our leadership,” said Karen Higgins Valentine, President of the ACC Northeast “These awards shine a light on the hard work in-house counselors perform every day, often behind the scenes as they shepherd their respective organizations through complicated legal issues. Not only are they valuable legal counsel, but also partners in the businesses they serve and strategists who understand how to tackle complex problems. We offer our hearty congratulations to all of them.”

Join the Next Gen Committee

The Next Gen Group was formed in 2018 by in-house lawyers with under 10 years of practice. The group is designed to engage the newer class of corporate counsel with initiatives geared towards learning, developing and staying connected. The group held two successful networking events and is planning to branch out with more substantive learning opportunities. If you are interested in getting involved please reach out to NextGenNortheast@accglobal.com.



Photos from the The Fall Networking Event held at City Winery.

WOULD YOU BE INTERESTED IN VOLUNTEERING?

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! Here is a list of our current committees and their chairpersons. Contact Executive Director - Julie Duffy, President - Karen Valentine, or any ACC Northeast board member for more information.

Communications Committee
Stephanie Lambert

Diversity & Inclusion Committee
Robin Walker

Membership Committee
Kathleen Burke

Practice & Career Management Committee
Sharon Kamowitz

Pro Bono/Community Service Committee
Christine Hughes

Programs Committee
Helen Tsingos & Gemma Dreher

Women's Committee
Marisa Murtagh

LET US KNOW...

- What ideas do you have for program topics?
- How can we help you make the most of your ACC membership?
- Would you like to be more involved, serve on a Committee?
- Do you know someone interested in joining?
- Do you have some news you would like to share with your in-house colleagues?
- What types of networking event would you attend?
- Are you new to the area?

Email your comments to
juliesduffy@gmail.com

Recent Diversity & Inclusion Program Recap

Race and Boston Law: How Can We Fix Our Image and Our Reality?

Sponsored by Mintz Levin

November 8, 2018

Is the image that Boston is insular and racial issues are prevalent in the city an accurate one? Do you think the Boston legal market is closed to outsiders—those people not from the area? Is Boston still having difficulty attracting attorneys of color to work here? Are things worse in Boston than in other places? Is the media's negative portrayal of Boston justified or exaggerated?

These provocative questions and others were debated by an esteemed panel organized by the ACC Northeast's Diversity and Inclusion Committee and Mintz Levin on November 8. Callie Crossley, host of WGBH's *Under the Radar*, moderated this engaging panel discussion, which focused on answering the above questions and dove deep into addressing how attorneys of color can be integrated into the legal community.

While panelists actively discussed the perception versus the reality of the challenges involved in hiring—and retaining--attorneys of color, the

conversation quickly turned to ways to improve the culture and the practical steps that law schools, law firms, in-house legal departments, and individuals are currently deploying to foster change. Deans of local law schools suggested interested groups work together to find ways for diverse law students to gain more experience and direct access to lawyers. Bringing the community, law schools, law firms and corporations together to further diversity and inclusion initiatives was emphasized. The consensus was that the Boston community could be more welcoming to outsiders and it could also do more to reach out to the local community surrounding Boston to encourage careers in the law for students of color. For those lawyers of color already practicing, panelists thought law firms could collectively do more to support talented lawyers of color. Gone are the days when new lawyers should be left to “sink or swim” and instead support should be provided in areas of need for talented lawyers. Attendees left with plans to

continue this conversation with additional law schools and law firms in 2019.

Panelists who generously offered their insights to this important discussion included: Derek Davis, Executive Director of the Harvard Law School Center on the Legal Profession; James Hackney, Dean and Professor of Law at Northeastern University School of Law; Yalonda Howze, Member at Mintz Levin; Andrew Perlman, Dean and Professor of Law at Suffolk University Law School; and Robin Walker, Vice President, Head of Legal, Casebia Therapeutics. If you're interested in joining the conversation and sharing your ideas of how we as a legal community can work together to fix our image and reality of how we hire and retain attorneys of color in the greater Boston area, please share your ideas with us at northeast-administrator@accglobal.com. ACC Northeast looks forward to more member involvement at a follow-up panel in 2019. Stay tuned.



The Alternative Data Marketplace

Sponsored by Ropes & Gray
November 14, 2018

On November 14, 2018, Ropes and Gray hosted ACC Northeast's half-day Corporate Counsel Institute ("CCI"). Ropes partners, Ed Black, Mark Szpak and Heather Sussman presented, "*The Alternative Data Marketplace: How to Harness the Power of Third-Party Alternative Data and Successfully Manage the Risk*". The Ropes team of experts provided guidance and shared valuable insights with our members into one of the newest and potentially high-risk areas of law that in-house practitioners are encountering and seeking to manage. After explaining the meaning of the *alternative data marketplace*, the panel gave practical advice on business models and best practices for gathering, monetizing and using alternative data, highlighting legal developments, and addressing how these developments affect both public and private companies. Special attention was given to risks of non-compliance with US regulations (Department of Defense, Clearance Checklist, security threats), implications for trading of securities, insider trading and risks of inappropriate distribution or use of "*material non-public information*", as well as rules applicable to protecting personal identifiable health care and financial information. The Ropes team provided participants with a set of tools which counsel can use to address the risks of data market participation, demonstrating their expertise and understanding of the practicalities of in-house counsel's role and capabilities in setting up processes to manage and control these risks. With the benefit of time allowed by the half-day CCI format, participants broke out into industry-specific small groups for round-table discussions with the Ropes experts and deep dives into concerns of specific interest to member industries, including life sciences and financial services, among others. The half-day meeting concluded with a generous lunch provided by Ropes, during which ACC Northeast members had the opportunity to engage with the Ropes experts one-on-one.

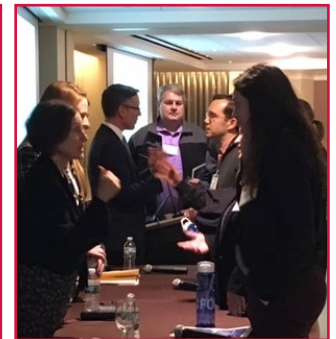


Avoiding a Mess: What Litigators Want In-House Counsel to Know When Drafting Contracts

Sponsored by Foley Lardner

December 5, 2018

As the saying goes, an ounce of prevention is worth a pound of cure. In a program entitled “Avoiding a Mess: What Litigators Want an In-House Counsel to Know When Drafting Contracts,” held at the offices of Foley & Lardner LLP on December 5, panelists applied this principle to a core component of in-house practice: contract drafting. Drawing on their experience litigating commercial disputes, litigators from Foley & Lardner identified key drafting considerations and common pitfalls, and suggested ways to construct a contract to mitigate the chances of a costly and disruptive contract dispute down the line. The presence of transactional and in-house counsel on the panel offered a well-rounded perspective on the topic, discussing the challenges posed in working with business clients whose focus is often on getting the deal done quickly. The panelists identified fundamental questions that should be considered at the outset. In particular, scope, remedies, and termination were identified as key issues. They also performed a deep dive into the utility of specific contract terms and how they have been interpreted by the courts. For example, one panelist stressed the importance of specifying any post-termination obligations in the termination clause, and panelists and attendees alike recommended including a mandatory informal dispute resolution clause to facilitate a “cooling off” period and provide an opportunity for a low-cost resolution. More generally, the panelists stressed the importance of clear contract drafting, providing a reminder that courts will generally enforce the agreement as written, and provided tools and insights to enable in-house counsel to structure their contracts in a clear and precise manner.



Clinic in a Box

Sponsored by Mintz Levin, Corporate Pro Bono, and Lawyers Clearinghouse

December 6, 2018

On December 6, 2018, ACC Northeast partnered with Mintz Levin, Corporate Pro Bono, and Lawyers Clearinghouse for the eighth annual Clinic in a Box program. This year, 40 in-house attorneys participated in the program, which was held at Mintz Levin's Boston office. Participants received CLE eligible training from Mintz Levin attorneys on anti-harassment policies and crisis management. After completing the training, the in-house participants met with and counseled 12 non-profit organizations on drafting new workplace policies or revising existing policies, and provided guidance on relevant issues related to each organization's policies. Clinic in a Box has been held annually since 2011, and has trained more than 280 in-house attorneys to assist more than 90 non-profit organizations – legal assistance that these organizations otherwise may not have been able to receive.



To GC or Not to GC

**Sponsored by P & CM Committee
December 11, 2018**

On December 11, 2018, ACC Northeast's Practice & Career Management Committee presented "To GC or not to GC: Pathways to Success in your In-House Career." The goal of the event was to explore the wealth of opportunities for attorneys in the corporate world, recognizing that some are driven to a specific goal, while others find that their careers develop by chance and through life experiences. The panel included attorneys in various stages of their career with backgrounds in large and small organizations. Participating were Chapter Board Member Tavares Brewington, Chief Compliance Officer, Leica Biosystems; Sean Devlin, General Counsel & Corporate Secretary, Feeney Utility Services Group, Chapter Vice President Gemma Dreher, Vice President and Senior Counsel, TD Bank; Chapter Board Member Paul Nightingale, Senior Vice President and General Counsel, HP Hood; and Anne Seggerman, Senior Regulatory Counsel at Coverys. The engaging discussion among the panelists and the audience touched on topics related to career paths, skills, job satisfaction, goals, and challenges. The discussion continued over food and wine at Barat House on campus of BC Law School.



MOSAIC Global Launch

**Sponsored by Shire
December 12, 2018**

On December 12, 2018, ACC Northeast and MOSAIC (Mentoring Opportunities Shared Amongst In-House Counsel) invited Chapter members to attend the global launch of MOSAIC, an organization that encourages in-house counsel to make a difference through mentoring engagements and "paying it forward." MOSAIC partners in-house lawyers with less experienced counterparts for a mutually beneficial mentoring relationship. The launch event was held at Chapter member company, Shire Pharmaceuticals' Cambridge office. ACC President and Chief Executive Office, Veta Richardson, and ACC Associate Vice President for Leadership Development and Advancement, Tori Payne visited from Washington D.C. and attended the launch event. For more information about MOSAIC, please visit <https://www.mosaicforlawyers.com>.



Upcoming Event

Mark Your Calendar and Plan to attend:

ACC Northeast offers a variety of programs, webinars and events designed for our members' unique interests. Keep your eye on the Chapter Events calendar on the [website](#) and be sure to attend a few or ALL of the Chapter Programs happening in 2019.

Feb 27, 2019 from 1:00 pm - 2:00 pm

WEBINAR - Mediation Before Litigation? Yes, You Can. Dealing with Multi Party Complex Business Disputes

Sponsored by JAMs

March 13, 2019 from 8:00 am - 10 am

Program at Sheraton Needham
Internal Investigations-What you really need to know

Sponsored by Ogletree Deakings

March 20, 2019 from 8:00 am -10 am

D & I Program in Boston
A Bridge Between Everyday Stress and Burnout-
How to Obtain a Balance in Life & Work

Sponsored by Mintz Levin

April 3, 2019 from 4:30 pm -7:00 pm

Program in Providence Rhode Island
Staying Ethical in an In-House Legal Environment

Sponsored by Locke Lord

Bring a Guest: Non ACC Members are allowed to attend one Program per year. Please invite your in-house friends and colleagues to any of the above.

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ACC-Northeast

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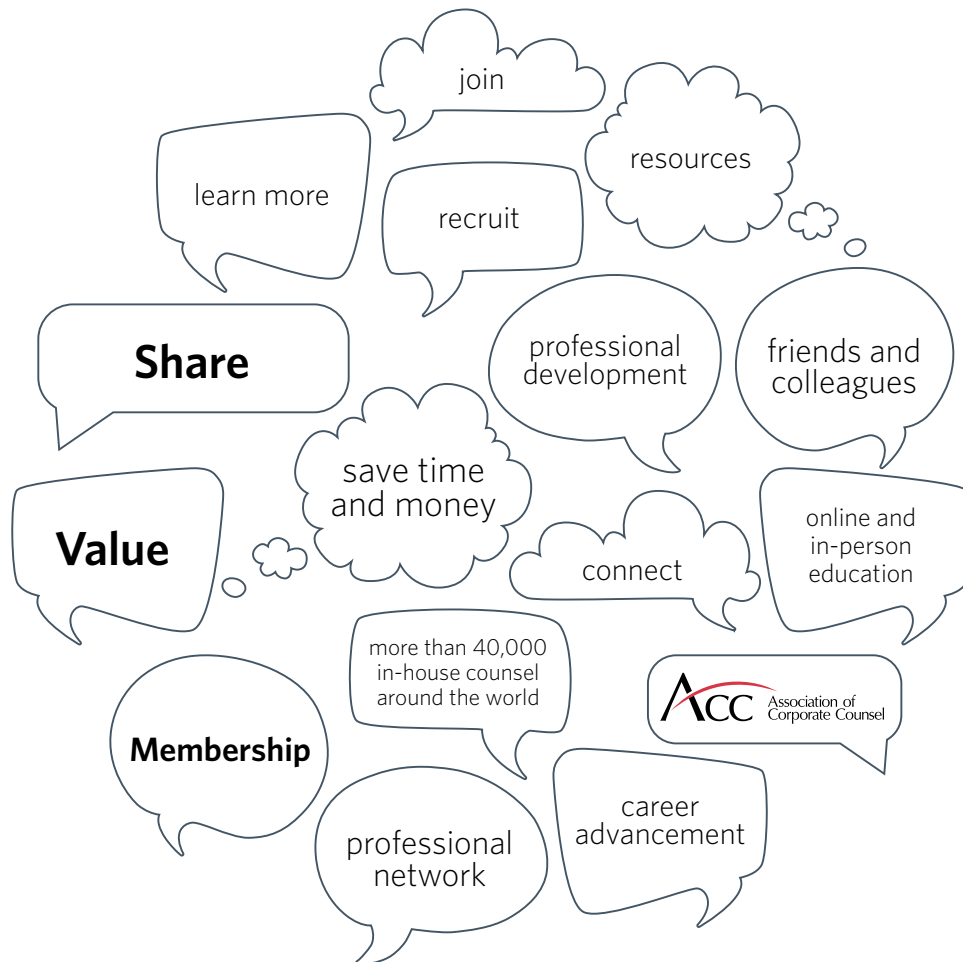
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....PLUS be able to attend ACC-Northeast Chapters Programs & Events in 2019. Please watch our website as we will announce our schedule in early January. Programs to include; Events in Maine & RI, Next Gen Networking, Practice & Career Management Programs, Diversity & Inclusion Programs and much much more..... Look forward to seeing you next year!

Resources for Lawyers

Lawyers Concerned for Lawyers works to promote well-being and resilience in the legal community, improve lives, nurture competence, and elevate the standing of the legal profession. LCL provides free and confidential mental health resources, addiction recovery support, and practice management services to lawyers and law students in Massachusetts. Find out more at www.lclma.org, or call (617) 482-9600 during normal business hours.

ACC Northeast Board of Directors Remembers & Honors their fellow Board Member



ACC Northeast shares our condolences with the family, friends and colleagues of Steve Reynolds following his passing in January 2019.

Steve served as the Vice President, General Counsel and Corporate Secretary at Sensata Technologies. Steve was an active Board member, served on the Sponsorship Committee and a good friend to many of our members.



Board Predictions For 2019

ACC Northeast Communications Committee asked the Board to offer their predictions for 2019 and beyond.....please take a look at what they had to say:

"I predict a Red Sox repeat."

Paul Cushing

Legal Counsel

Partners Healthcare

"The Government will shut down again, Trump will not get his wall, and the Patriots will eat fast food after they win the Super Bowl."

Gemma Dreher

VP & Senior Counsel

TD Bank

"Great strides will continue to be made in the fight against cancer through the efforts of scientists, caregivers, fundraisers, and patients."

Sharon Kamowitz

Assistant Privacy Officer

Fresenius Medical Care North America

"As artificial intelligence and machine learning continue to gain traction in 2019, expect to see greater regulation of these activities, especially in the area of facial recognition."

Laurence Lewis

VP, Associate General Counsel

Care.com, Inc.

"The economy heads into a downward spiral by summer due to continued trade war and global tensions. President Trump is impeached by the House. Hillary Clinton considers running again for President but ultimately defers and throws her support behind Joe Biden. More corporate accusations surface around the #MeToo Movement igniting new shareholder activism."

Stephanie S. Lambert

Vice President, Associate General

Counsel & Assistant Secretary

Staples, Inc.

"I predict we will be spending a lot of time talking about Bob Mueller's findings. On matters that relate to our jobs, I think we will be dealing with more and more legislative and regulatory efforts aimed at combatting cybercriminals and protecting data privacy."

Paul C. Nightingale

Senior Vice President & General Counsel

HP Hood LLC

"Self-driving cars will become available for ride-sharing services."

Krish Gupta

Senior VP and Deputy General Counsel

DELL

"The Boston Red Sox will win the World Series again, claiming back-to-back titles and pushing the achievements of the dreaded New York Yankees further into the dustbin of ancient history!"

Jim Peck

VP and General Counsel

Cognex Corporation

"Sports – The Patriots will go to the SuperBowl and will win again (hopefully)"

Politics – RBG will have to step down and President Trump will appoint a new Supreme Court Justice

Entertainment – R Kelly will finally be charged for his crimes

Gov't/Business – The government shutdown will continue for at least two months and it will have a negative effect on the U.S. economy"

Robin Walker

Vice President, Head of Legal

Casebia Therapeutics

ACC Northeast Board of Directors

President

Karen Higgins Valentine

CLO & General Counsel
Constellation Pharmaceuticals
781-354-8153
Karen.valentine@constellationpharma

Immediate Past President

Jeff Levinson

VP and General Counsel
NetScout Systems
978-614-6086
jeff.levinson@netscout.com

Vice President

Gemma Dreher

Vice President and Senior Counsel
TD Bank
207-245-6452
gemma.dreher@td.com

Treasurer

Ian Hecker

SVP, GC & Asst. Clerk
Middlesex Savings Bank
508-315-5364
ian.hecker@middlesexbank.com

Secretary

Marisa Murtagh

VP and Counsel
Global Treasury
State Street Bank and Trust Company
617.664.0672
mmurtagh@statestreet.com

Board of Directors

Brian Berube

SVP & General Counsel
Cabot Corporation
617-342-6175
brian.berube@cabotcorp.com

Kathleen F. Burke

General Counsel
MKS Instruments, Inc.
978-645-5574
kathleen_burke@mksinst.com

Tavares Brewington

Chief Compliance Officer
Leica Biosystems
617-914-7139
Tavares.brewington@biogen.com

Paul G. Cushing

Legal Counsel
Partners Healthcare
857-282-1974
pcushing@partners.org

Claudia J. Gilman

Founder and Principal
Novara Global Consulting LLC
617-312-2003
claudia.j.gilman@gmail.com

Charles J. Gray

VP and General Counsel
Teradyne, Inc.
978-370-1189
Charles.gray@teradyne.com

Krish Gupta

Senior VP and Deputy GC
DELL
508-293-6654
Krish.gupta@dell.com

Christine Hughes

VP and General Counsel
Emerson College
617-824-8908
christine_hughes@emerson.edu

Laurence Lewis

VP, Assoc. General Counsel
Care.com, Inc
781-795-7215
llewis@care.com

Sharon Kamowitz

Assistant Privacy Officer
Fresenius Medical Care North America
781-699-4623
Sharon.kamowitz@fmc-na.com

Stephanie Shores Lambert

VP & Assoc. General Counsel
Staples, Inc.
508-253-2035
stephanie.shoreslambert@staples.com

Paul C. Nightingale

Senior VP & General Counsel
HP Hood LLC
617-887-3035
paul.nightingale@hphood.com

James W. Peck

VP and General Counsel
Cognex Corporation
508-650-6374
Jim.peck@cognex.com

Helen Tsingos

Senior Counsel
Velcro
617-921-1060
htsingos@velcro.com

Robin A. Walker

Vice President, Head of Legal
Casebia Therapeutics
857-270-5100
robin.walker@casebia.com

Jamie C. Whitney

Senior Vice President and Senior
Managing Counsel
State Street Bank and Trust
617-664-7788
jcwhitney@statestreet.com

Danette Wineberg

Adjunct Professor
UNH School of Law
603-770-5505
dwineberg@comcast.net

Executive Director

Julie Duffy

617-480-8413
juliesduffy@gmail.com