



Section of Litigation

Corporate Counsel CLE Seminar

FEBRUARY 17–20, 2011

Naples Grande Beach Resort ■ Naples, FL

Sponsored by the ABA Section of Litigation
Committee on Corporate Counsel



11 hours of MCLE credit, including 2.25 hours of ethics credit, have been requested in 60-minute states, and 13.2 hours of MCLE credit, including 2.7 hours of ethics credit, have been requested in 50-minute states.

PROGRAM HIGHLIGHTS

Why You Should Attend

Today more than ever it is critical to stay informed on the latest trends in the law. The recent economic tumult has changed the profession in fundamental ways. Inside and outside counsel alike will benefit from understanding how these changes affect litigation strategy, trial strategy, alternative dispute resolution, and risk management.

What You Will Learn

- Best practices for management of litigation to ensure cost-effective results
- Perspectives of inside and outside counsel and consultants on hot topics and trends
- Strategies for fostering key relationships with your corporate clients

Who Should Attend

- Chief litigation counsel and other in-house counsel looking to meet and learn from their peers and potential outside counsel
- Outside counsel interested in learning what is on the minds of their clients and potential clients
- Any lawyer wanting to get timely, relevant CLE in a collegial atmosphere

Special Discounts

- In-house attorneys receive \$150 off Section, ABA, or NonABA member rates
- Register two firm attorneys and bring an in-house attorney for free
- Three or more attorneys from the same firm/company can receive a 33% registration discount

Visit www.abanet.org/litigation/programs to learn more!

Thank you to our 2011 Committee and Seminar Co-Chairs

Committee on Corporate Counsel Co-Chairs:

Richard L. Horwitz, Potter Anderson & Corroon, Wilmington, DE

Countess W. Price, Monsanto Company, St. Louis, MO

Tracey Salmon-Smith, Bressler Amery and Ross, Florham Park, NJ

Seminar Co-Chairs:

Christopher J. Akin, Lynn Tillotson Pinker and Cox, Dallas, TX

Jeffrey Eglash, General Electric Company, Fairfield, CT

Elizabeth S. Fenton, Reed Smith LLP, Philadelphia, PA

Ghislaine A. Reid, Gibbons P.C., New York, NY

SCHEDULE—AT—A—GLANCE

THURSDAY, FEBRUARY 17, 2011

2:30 pm – 6:30 pm Registration

3:00 pm – 5:00 pm

Business Torts Committee Business Meeting
All seminar attendees welcome.

3:30 pm – 5:00 pm

Committee on Corporate Counsel
Business Meeting
All seminar attendees welcome.

5:15 pm – 6:30 pm CLE

Plenary 1: General Counsel Forum

6:30 pm – 8:00 pm Welcome Reception

FRIDAY, FEBRUARY 18, 2011

7:00 am – 3:00 pm Registration

7:00 am – 8:00 am Continental Breakfast

8:00 am – 9:15 am CLE

**Plenary 2: “An Ounce of Prevention:”
How In-House Counsel Can Prevent Bet-the-
Company Litigation**

9:30 am – 10:30 am CLE

**Breakout Session 1: Gotcha! Top Ten
Insurance Traps for Corporate Counsel**

**Breakout Session 2: Hidden Treasure:
Extracting True Value from Expert Witnesses**

**Breakout Session 3: Attorney-Client Privilege
“Landmines” for In-House Counsel**

10:45 am – 12:00 pm CLE

**Plenary 3: FCPA—Best Practices to Keep
Regulators Away**

12:00 pm – 1:15 pm

Corporate Counsel’s 13th Annual
Pro Bono Award Luncheon

1:30 pm – 2:45 pm CLE

**Plenary 4: How to Ethically Prepare Corporate
Witnesses for Deposition and Trial**

2:45 pm – 4:15 pm

Minority Trial Lawyer Committee Business
Meeting with a discussion on: *Two-Way Street:
Sharing Strategies for Successful Partnerships
Between In-House and Outside Counsel*
All seminar attendees welcome.

3:00 pm – 5:30 pm

Trial Practice Committee Business Meeting
All seminar attendees welcome.

3:15 pm – 6:00 pm

The Woman Advocate Committee Business
Meeting and Spa Networking Event
All seminar attendees welcome.

7:00 pm – 10:00 pm Networking Dinner

SATURDAY, FEBRUARY 19, 2011

7:00 am – 12:30 pm Registration

7:00 am – 8:00 am

Continental Breakfast and
subcommittee meetings

8:00 am – 9:15 am CLE

**Plenary 5: Staying the Course: Overcoming
Challenges over the Decades of a Legal Career**

9:25 am – 10:25 am CLE

**Breakout Session 4: Corporate Governance
2010: Don’t Get Caught in the Past**

**Breakout Session 5: Preventing the Runaway
Arbitration: Practical Strategies and Solutions**

**Breakout Session 6: E-Discovery Quiz Show—
Challenging Your E-Discovery Knowledge**

10:35 am – 11:50 am CLE

Plenary 6: A View from the Bench

12:00 pm – 1:30 pm Networking Luncheon

12:15 pm – 5:30 pm Golf Tournament

6:00 pm – 7:30 pm Networking Reception

SUNDAY, FEBRUARY 20, 2011

7:15 am – 11:00 am Registration

7:15 am – 8:15 am Continental Breakfast

8:15 am – 9:45 am CLE

Litigation Management Roundtable

9:45 am – 11:00 am

Committee on Corporate Counsel
Business Meeting
All seminar attendees welcome.

MODERATORS & SPEAKERS

Erin C. Asborno

*Forman Perry Watkins
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Yvette Ostolaza

*Weil, Gotshal &
Manges LLP
Dallas, TX*

Stephen A. Radin

*Weil, Gotshal &
Manges LLP
New York, NY*

Jonathan M. Redgrave

*Redgrave LLP
Washington, DC*

Lawrence D. Rosenberg

*Jones Day
Washington, DC*

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*Miller Nash LLP
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*The Prudential Insurance
Company of America
Newark, NJ*

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of Illinois
East St. Louis, IL*

Robin Winchester

*Barroway Topaz Kessler
Meltzer & Check, LLP
Radnor, PA*

PROGRAM INFORMATION

THURSDAY, FEBRUARY 17, 2011

2:30 pm – 6:30 pm Registration

3:00 pm – 5:00 pm

Business Torts Committee Business Meeting

All seminar attendees welcome.

3:30 pm – 5:00 pm

Committee on Corporate Counsel

Business Meeting

All seminar attendees welcome.

5:15 pm – 6:30 pm CLE

Plenary 1: General Counsel Forum

What's on GCs' minds? A dynamic group of GCs convene to share insights about their greatest concerns and challenges, and to exchange ideas and offer perspectives on advising their corporate clients, managing risks, controlling costs, and getting the most out of their relationships with outside counsel.

Moderator: Ronald L. Marmer

Speakers: Jonathan N. Eisenberg,

Steven L. Fasman, Daniel J. Goldstein,

Michele Coleman Mayes

6:30 pm – 8:00 pm Welcome Reception

FRIDAY, FEBRUARY 18, 2011

7:00 am – 3:00 pm Registration

7:00 am – 8:00 am Continental Breakfast

8:00 am – 9:15 am CLE

Plenary 2: "An Ounce of Prevention:" How In-House Counsel Can Prevent Bet-the-Company Litigation

Against the backdrop of BP, Toyota, and other incidents, corporate counsel must play a role in preventing rather than simply reacting to crises. What can be done to avoid the litigation, congressional inquiries, and reputational harm that accompany disasters? This panel will recommend ways to implement a system of risk management and create a culture of risk avoidance and accountability.

Moderator: Arvin Maskin

Speakers: Hilarie Bass, Paul L. Robinson,

Joyce Slocum, James E. Tyrell

9:30 am – 10:30 am CLE

Breakout Session 1: Gotcha! Top Ten Insurance Traps for Corporate Counsel

Insurance-related traps lurk in every case, even before suit. They can trip the most sophisticated law departments and counsel. Not spotting covered claims means lost insurance; notice/consent provisions can cause forfeitures; and insurer communications can be privilege minefields. Learn the traps, how to avoid them, and even how to set some.

Moderator: Mary Craig Calkins

Speakers: John G. Buchanan, Susan R. Chema, Anna D. Torres

Breakout Session 2: Hidden Treasure: Extracting True Value from Expert Witnesses

Expert witnesses are critical to victory. They can bring home the bacon or torpedo your case, either way generating huge bills in the process. Learn best practices on building the expert side of the case on all fronts: selection, supervision, communication, opinion development, getting the expert testimony-ready, cost control, and more.

Moderator: David Singh

Speakers: Kenneth Berman, Lynn S. McCreary, David Moes

Breakout Session 3: Attorney-Client Privilege "Landmines" for In-House Counsel

This panel focuses on the impact of recent developments in attorney-client privilege on in-house counsel, including (1) Death of "The Lawyers Made Me Do It!" defense; (2) Are communications from in-house counsel to corporate client giving legal advice always protected; and (3) Conflicts of interest in internal investigations.

Moderator: Bruce A. Rubin

Speakers: Scott Barnard, Randy E. Hayman, Wendy S. Weingart

PROGRAM INFORMATION

10:45 am – 12:00 pm CLE

Plenary 3: FCPA—Best Practices to Keep Regulators Away

This program will provide practical tips to in-house counsel on how they can design and implement compliance programs and reviews to best comply with provisions of the Foreign Compliance Practice Act.

Moderator: Cheryl L. Haas-Goldstein

Speakers: Katherine M. Choo, Doug M. Lankler, Mark F. Mendelsohn

12:00 pm – 1:15 pm

Corporate Counsel's 13th Annual Pro Bono Award Luncheon

Please join us in congratulating this year's Pro Bono Award recipient. This award is presented to a company that has been nominated and recognized for their noteworthy commitment to pro bono work.

1:30 pm – 2:45 pm CLE

Plenary 4: How to Ethically Prepare Corporate Witnesses for Deposition and Trial

Litigators and in-house counsel will demonstrate how to ethically prepare corporate witnesses for deposition and trial based upon their experience in high-stakes litigation. Videotaped deposition testimony from high-profile cases will demonstrate the need for proper corporate witness preparation.

Moderator: Erin C. Asborno

Speakers: Susan G. Fillichio, Tonya L. Lewis, Marcia Narine, Yvette Ostolaza

2:45 pm – 4:15 pm

Minority Trial Lawyer Committee Business Meeting with a discussion on: *Two-Way Street: Sharing Strategies for Successful Partnerships Between In-House and Outside Counsel*
All seminar attendees welcome.

3:00 pm – 5:30 pm

Trial Practice Committee Business Meeting
All seminar attendees welcome.

3:15 pm – 6:00 pm

The Woman Advocate Committee Business Meeting and Spa Networking Event
All seminar attendees welcome.

7:00 pm – 10:00 pm **Networking Dinner**

SATURDAY, FEBRUARY 19, 2011

7:00 am – 12:30 pm **Registration**

7:00 am – 8:00 am

Continental Breakfast and subcommittee meetings
Come learn about the various subcommittees that the Committee on Corporate Counsel offers.

8:00 am – 9:15 am CLE

Plenary 5: Staying the Course: Overcoming Challenges over the Decades of a Legal Career

Three successful women in law, representing different career stages and generations, will discuss the challenges faced in each stage, and how they have overcome the challenges to be better and more successful lawyers—both substantively and in building their practices and leading their organizations. Discussion will also consider the ABA study “Diversity in the Legal Profession: The Next Steps.”

Moderator: Lucia E. Coyoca

Speakers: Hannah Berkowitz, Effie D. Silva, Kathleen L. Turland

9:25 am – 10:25 am CLE

Breakout Session 4: Corporate Governance 2010: Don't Get Caught in the Past

This program will explore new trends in corporate governance law and practice at the start of a new decade. Topics covered will include the extent to which rules governing director conduct and liability are changing, as well as new strategies in corporate governance cases and the impact these strategies have on boardroom behavior.

Moderator: Stephen C. Norman

Speakers: Koji Fukumura, Stephen A. Radin, Robin Winchester

PROGRAM INFORMATION

Breakout Session 5: Preventing the Runaway Arbitration: Practical Strategies and Solutions

Learn practical ways for in-house and outside counsel to prevent arbitration from becoming as expensive and lengthy as traditional litigation, from drafting the ADR clause and framing the issues through the hearing, award and confirmation. Topics include strategies for pre-hearing conference, discovery (including e-discovery and depositions), motions, experts, the evidentiary hearings, and use of technology.

Moderator: Patricia O'Prey

Speakers: Deborah Hankinson, Tonya J. Holt, Gilda R. Turitz

Breakout Session 6: E-Discovery Quiz Show—Challenging Your E-Discovery Knowledge

In a very dynamic and interactive format, e-discovery experts will push your knowledge of the most recent ruling and best practices to the limit. As a member of the audience, you will have an opportunity to weigh in on your thoughts of e-discovery trends.

Moderator: Robert R. Simpson

Speakers: Christin Bassett, Virginia Henschel
Jonathan M. Redgrave

10:35 am – 11:50 am CLE

Plenary 6: A View from the Bench

Using multimedia presentations, panel discussion, and audience participation, this program will provide views on successful high-stakes corporate litigation from several distinguished jurists with diverse caseloads. Topics will include selection of a corporate representative, discovery issues, mandatory settlement conference and/or mediation, jury selection, presenting corporations sympathetically at trial, compelling case themes, and appellate strategy.

Moderator: Lawrence D. Rosenberg

Speakers: Hon. Mary S. Scriven,
Hon. Donald G. Wilkerson

12:00 pm – 1:30 pm Networking Luncheon
Co-sponsored by the Committee on
Corporate Counsel, Minority Trial Lawyer, and
The Woman Advocate Committees

12:15 pm – 5:30 pm Golf Tournament

Box lunches provided. Shotgun begins at 1:00 pm.

If you have signed up for transportation please meet in the lobby at noon.

6:00 pm – 7:30 pm Networking Reception

SUNDAY, FEBRUARY 20, 2011

7:15 am – 11:00 am Registration

7:15 am – 8:15 am Continental Breakfast

8:15 am – 9:45 am CLE

Litigation Management Roundtable

Is your outside counsel properly staffing the case? Do you agree with the cost-benefit decisions of your in-house contact? This animated roundtable format allows attendees to participate in a candid exchange among in-house and outside counsel about litigation management, inside/outside relationships, managing expenses, and better serving the client.

Moderator: D. Larry Kristinik

Speakers: LaTanya Langley, Tiffani Lee,
Victoria T. McGhee, Andrew E. Shipley,
Steven Tolliver

9:45 am – 11:00 am

Committee on Corporate Counsel
Business Meeting

All seminar attendees welcome.

GENERAL INFORMATION

Registration Fee & Hours

The registration fee allows registrants to attend all CLE programs. In addition, the fee includes program materials, continental breakfasts, and admission to the Thursday and Saturday reception.

The deadline for advance registration is **Wednesday, February 2, 2011**. After this date, registration will take place onsite.

Onsite Registration will take place during the following hours:

Thursday, February 17, 2011

2:30 pm – 6:30 pm

Friday, February 18, 2011

7:00 am – 3:00 pm

Saturday, February 19, 2011

7:00 am – 12:30 pm

Sunday, February 20, 2011

7:15 am – 11:00 am

For information regarding registration, please contact Tara Blasingame at (312) 988-5664. **To register online** visit www.abanet.org/litigation/programs.

Registration Cancellations

Requests for registration and social event refunds must be made in writing and received no later than **February 2, 2011**, in the ABA Section of Litigation office. Please email your request to Tara Blasingame, at blasingt@staff.abanet.org. There will be a \$50 administrative fee deducted from the refund. **Cancellations received after February 2, 2011 will not be refunded**; however, the Section will gladly accept substitutions for those unable to attend.

Airline Information

The Naples Grande Beach Resort is located 45 minutes from Southwest Florida International Airport (RSW). The American Bar Association has an online travel site where you can automatically receive ABA discounts from a variety of carriers and can view and purchase other low fare options including web fares. Access the ABA online travel service at www.abanet.org/travel.

Reservations can also be made with the ABA travel agent, Orbitz for Business at (877) 222-4185.

Transportation

Taxi service is available at the Southwest Florida International airport and has a flat rate of \$65 one-way. However, we recommend that you call a cab company in advance to make a reservation. To make a reservation, call Checker Cab Company at (239) 455-5555. If you would like to reserve a private sedan, visit Dolphin Transportation at www.dolphinnaples.com/ABA.html.

ABA members are entitled to special discounts on rental cars by calling Hertz at (800) 654-3131 and referencing the ABA group discount number 13000.

Hotel Information

To make a hotel reservation, please contact the Naples Grande Beach Resort, a Waldorf Astoria Collection, at (888) 722-1270 or (239) 597-3232 by **Friday, January 21, 2011**, and refer to the ABA Section of Litigation Corporate Counsel CLE Seminar to ensure the discounted rate of \$245 per night plus applicable taxes. All reservations are subject to availability. After January 21, the ABA discounted rate cannot be guaranteed. Hotel reservations must be cancelled 5 days prior to the scheduled day of arrival to avoid a one-night cancellation charge. Hotel rate includes complimentary in-room internet access and fitness center access.

Special Requests

If special arrangements are required for an individual to attend this seminar or an attendee has food allergies, please contact Tara Blasingame at (312) 988-5664.

MCLE Credit

Accreditation has been requested for this program from every state with mandatory continuing legal education requirements for attorneys. Please be aware that each state has its own rules and regulations, including its definition of CLE. Certificates of attendance will be available at the conclusion of the program for both attendees and speakers.

Program Materials

Attendees will be sent a link to access program materials online two weeks before the seminar. Section members can access the materials one month after the seminar at www.abanet.org/litigation/programs.

Reach Us on the Web

Visit www.abanet.org/litigation/programs for information regarding the ABA Section of Litigation Committee on Corporate Counsel and all program updates.

Hotel Activities

Enjoy everything from deep sea fishing to golfing to walking along the three mile stretch of powdery sand at the Naples Grande Beach Resort, nestled on 23 beachfront acres. Please check with the concierge at the Naples Grande Resort for more information at (239) 597-3232. Enjoy a **20%** discount on spa treatments at the resort's Golden Door Spa. To make an appointment call Spa Reservations at (239) 594-6321 and reference the American Bar Association Corporate Counsel Seminar.

SPECIAL DISCOUNTS

- In-house attorneys receive \$150 off Section, ABA, or NonABA member rates
- Register two firm attorneys and bring an in-house attorney for free
- Three or more attorneys from the same firm/company can receive a 33% registration discount

Visit www.abanet.org/litigation/programs to learn more!

REGISTRATION OPTIONS*

ONLINE

Save \$50 when you register online!
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MAIL the form with payment to:

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Attn: Tara Blasingame
321 N. Clark Street
Chicago, IL 60654

FAX to: (312) 988-6234

*Registration will not be processed until payment is received.

THANK YOU

A special thank you to **LexisNexis** and **Navigant Consulting, Inc.** for their continuing support of the ABA Section of Litigation. An additional thank you to Meetings Sponsor **DecisionQuest** for their support of the ABA Section of Litigation.

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DECISIONQUEST

The ABA Committee on Corporate Counsel thanks the following law firm sponsors for their generous support of the 2011 CLE Seminar:

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The Committees thank all planning committee members for their hard work in coordinating the panelists, programs, and materials. Their efforts and outstanding ABA Section of Litigation staff support, along with the panelists' participation, made this CLE Seminar possible.

REGISTRATION FORM

ABA Section of Litigation Corporate Counsel CLE Seminar

FEBRUARY 17–20, 2011 ■ Naples Grande Beach Resort ■ Naples, FL

REGISTRATION DEADLINE: FEBRUARY 2, 2011

Name _____ ABA Membership ID# _____
(As it should appear on badge) (The number is above your name on the mailing label)

Company/Affiliation _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Email _____
(Providing your email allows you to receive communications and promotions from the ABA and its entities)

Accompanying Spouse/Guest _____
(As it should appear on badge)

Special Dietary Needs _____

REGISTRATION FEES

	Online	Mail/Fax/Onsite
Section of Litigation Member	\$495	\$545
First Time Section Member Attendee	\$395	\$445
Government/Academic/Public Service	\$365	\$415
Young Lawyer (age 35 or younger or in practice less than 5 years)	\$365	\$415
In-House Counsel Section of Litigation Member	\$345	\$395
ABA Member	\$659	\$709
<input type="checkbox"/> I am an ABA Member and would like to join the Section for \$55 and receive the Section Member rate	\$550	\$600
<input type="checkbox"/> I am an ABA Member and First Time Attendee and would like to join the Section for \$55 and receive the First Time Section Member rate	\$450	\$500
In-House Counsel ABA Member	\$509	\$559
Non-ABA Member	\$825	\$875
In-House Counsel Non-ABA Member	\$675	\$725
Law Student	\$25	\$50

TICKETED EVENTS

		\$/Person	Qty.	Total
Thursday, February 17, 2011	Welcome Reception	Complimentary	_____	\$ 0
Friday, February 18, 2011	Pro Bono Award Luncheon	\$45	_____	\$ _____
	Dinner	\$95	_____	\$ _____
	Dinner (Children 12 & under)	\$45	_____	\$ _____
Saturday, February 19, 2011	Networking Luncheon	\$15	_____	\$ _____
	Golf (_____ Handicap)	\$200 (lunch incl.)	_____	\$ _____
	Golf Transportation to and from the course	\$25	_____	\$ _____
	Networking Reception	Complimentary	_____	\$ 0

Is this your first time attending the Corporate Counsel CLE Seminar? Y N

TOTAL AMOUNT ENCLOSED \$ _____

METHOD OF PAYMENT (Please Check One)

Check enclosed for \$ _____ (Payable to American Bar Association, Section of Litigation)

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Corporate Counsel CLE Seminar

FEBRUARY 17-20, 2011

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