

NOW IN ITS 33RD YEAR!

National CLE Conference®

January 6th - 10th, 2016 • In Vail, CO



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**EARN CLE
WHILE YOU SKI!**

THE VERY BEST LEGAL EDUCATION ...

- Top-notch speakers - among the best lawyers, judges and experts in the country
- Cutting edge topics
- Opportunities for open discussions
- Outstanding resort location

8 SUBSTANTIVE AREAS OF LAW TO CHOOSE FROM ...

- Bankruptcy
- Civil Litigation
- Employee Benefits
- Environmental Law, Land Use, Energy and Litigation
- Family
- Health
- Intellectual Property
- Labor & Employment

**PLUS, Law Practice Management
and Business Law Session
Options are Now Available.**

**NEW
THIS
YEAR!**



**Convenient early morning and
late afternoon CLE schedule!**

18-21 CLE CREDITS - INCLUDING ETHICS!

Accredited in Most MCLE States

**DISCOUNTED LIFT
TICKETS & LODGING!**

Visit www.nationalcleconference.com or call toll-free 888.860.2531 today!

GENERAL INFORMATION:

Top-Notch Legal Education – 8 Substantive Areas of the Law Plus a Law Practice Management Track and 2 Business Law Bonus Plenary Sessions

All presentations are live, and feature some of the best lawyers, judges and other experts from throughout the country. Our early morning and late afternoon schedule provides 18-21 hours of continuing legal education credit per program while at the same time allowing you ample time to enjoy Vail.

Network with Other Lawyers

Breakfast and après ski are more than just meals. They provide you an opportunity to meet and network with outstanding lawyers from across the country. Make new contacts and new friends!

Savings

We expect to bring over 600 participants to Vail, including lawyers, spouses, children and guests. The result is a significant savings for you on rooms, transportation, ski lift tickets, equipment rentals, and more.

ABOUT THE LAW EDUCATION INSTITUTE:

The Law Education Institute was established in 1980 by Attorneys James J. Podell and Peggy L. Podell for the purpose of presenting outstanding continuing legal education programs. Long active in Bar activities, Jim and Peggy developed the National CLE Conference® into one of the preeminent programs in the country.



Their insistence on high quality speakers and programming has resulted in ABA sections and numerous State Bar and other associations co-sponsoring the programs. It is in the memory of Jim Podell that CLE in Colorado, Inc., continues the tradition of this Conference.

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HEADQUARTER HOTEL INFORMATION:



Vail Marriott Mountain Resort & Spa
715 West Lionshead Circle • Vail, CO 81657

The Vail Marriott Mountain Resort is nestled at the base of Vail Mountain, just 150 yards from the Eagle-Bahn Gondola. The Marriott Resort offers relaxed lodging featuring all the hospitality and charm of a European ski and spa resort. It is the destination of choice for those seeking the exceptional. Additionally, the Marriott Resort is also easily accessible from Vail/Eagle County Airport, which is just 34 miles away.

Online room reservations are now just a click away!

Discount lodging is available for conference attendees starting at \$299/night plus tax. Rates are listed below. Please reference the group name National CLE Conference®. To make your reservation with the Vail Marriott Mountain Resort (or to modify or cancel your reservation) go to: <https://resweb.passkey.com/go/33rdCLEVail>.

Room Rates (not including applicable taxes and fees)

Unit Type	RATE	
• Standard:.....	\$299	<i>Rates are available 3 days before and after the program.</i>
• Lodge Room:.....	\$329	
• Deluxe/Studio King:.....	\$359	
• Jr. Timberline:.....	\$569	
• Timberline:.....	\$749	

Please book your room by December 14, 2015. All reservations require a credit card guarantee and a deposit equal to one-night room and tax.

ABOUT VAIL:

North America's biggest and most popular ski resort, Vail, is an alpine village in the heart of the Rocky Mountains. It is the largest ski resort in the United States with 5,289 acres of the most diverse and expansive skiing in the world, blessed with over 300 days of sunshine a year. The Front Side of Vail is home to the most groomed terrain on the planet and the World Famous Back Bowls offer wide open skiing and amazing views. Long a favorite of serious skiers and jet setting celebrities, Vail now also draws a younger, hipper snowboarding crowd. Skiing is king at Vail Mountain and the Blue Sky Basin, but the area's vast splendor is perfect for hiking, biking, snowmobiling or scenery-gazing at any time of the year. Visitors can enjoy bountiful recreational and cultural opportunities as there's always something to do in Vail. Vail is home to 5,305 permanent residents, plus another 5,000 part-time residents of vacation properties. Vail was founded as a ski resort in 1962. With world renowned skiing, diverse shops and restaurants, luxurious accommodations, friendly neighborhoods and breath-taking mountain views, Vail is arguably the finest resort destination in the world.

ADDITIONAL LODGING:

Lion Square Lodge, Montaneros OR Antlers at Vail

For information on rates and availability or to book your reservation, please call (800) 525-1123. Please identify yourself as a guest of the **Law Education Institute** to receive the group discount.

<u>LION SQUARE LODGE:</u>	<u>RATE</u>	<u>RATE</u>	<u>RATE</u>	<u>RATE</u>
<u>Unit Type</u>	<u>Mountain View</u>	<u>Valley View</u>	<u>North Bldg.</u>	<u>East Bldg.</u>
• Lodge Room.....	\$375	\$349	N/A	N/A
• 1 Bedroom Condominium	\$529	\$415	\$519	N/A
• 1 Bedroom + Loft Condominium.....	\$659	\$619	\$649	N/A
• 2 Bedroom Condominium	\$729	\$709	\$709	\$799
• 2 Bedroom + Loft Condominium	\$1,069	N/A	\$1,069	N/A
• 3 Bedroom Condominium.....	\$1,125	\$1099	\$1,399	\$1,205
• 4 Bedroom Condominium.....	\$1,619	N/A	N/A	N/A

MONTANEROS

<u>Unit Type</u>	<u>RATE</u>	<u>Unit Type</u>	<u>RATE</u>
• 1 Bedroom Condominium	\$499	• 1 Bedroom + Loft Condominium	\$609
• 2 Bedroom Condominium.....	\$679	• 2 Bedroom + Loft Condominium.....	\$899
• 3 Bedroom/2 Bath Condominium ...	\$875	• 3 Bedroom/3 Bath Condominium	\$915
• 4 Bedroom Condominium	\$1,129		

Check-in time is 4:00 pm. Check-out time is 10:00 am. A 2-night lodging deposit is required within 7 days of booking. Payment in full is due 30 days prior to arrival.

ANTLERS AT VAIL

Rates are available January 6 - 12, 2016, and a 5 NIGHT MINIMUM IS REQUIRED*. Rates are per night. Sales tax is 9.8%. For additional adults please add \$15/person/night. Children under 15 stay free with parents. Check-in time is 4:00 pm. Check-out time is 11:00 am. A 1-night lodging deposit is required at the time of booking. Payment in full is due 45 days prior to arrival. For information availability or to book your reservation, please call (800) 525-1123. Please refer to Leader #153813 to receive the group discount.

*If a guest wants a shorter stay they are welcome to call Antlers to see if the request can be accommodated.

<u>Unit Type</u>	<u>RATE</u>	<u>Unit Type</u>	<u>RATE</u>
• Studio Suite/1 bath.....	\$364	• 1 Bedroom /1 bath	\$413
• 1 Bedroom/1 bath with bunks.....	\$431	• 2 Bedroom/2 bath	\$701
• 3 Bedroom/ 2 bath	\$784	• 4 Bedroom/4 bath.....	\$1,275

Amenities:

- Complimentary on-site parking (We guarantee 1 parking spot per unit booked; additional cars may incur a \$20 per day charge.)
- Complimentary wireless internet
- Business Center access 24 hours a day
- Fitness Center access 24 hours a day
- Complimentary passes to the Vail Athletic Club
- Daily newspaper service
- Daily housekeeping service
- All units include: fully equipped kitchen, gas fireplace, and private balcony with gas grill

TRANSPORTATION INFORMATION:

Come and Enjoy the Rocky Mountains!

On behalf of CLE, we would like to welcome you to Vail!

Colorado Mountain Express has been selected to assist with your ground transportation needs while attending the event in Vail this January 2016. Discounted ground transportation to and from the Denver International and Eagle Airports is available to all attendees and guests for travel!*

Colorado Mountain Express has specialized in ground transportation for over 29 years, and will coordinate your arrival and departure with reliable, door-to-door transportation to/from your lodging. With interior luggage storage and professionally trained drivers, Colorado Mountain Express offers the safest, most comfortable ride in the Rockies. To receive your discounted rate, please call 1-800-525-6363 or book online at www.coloradomountainexpress.com in advance to make reservations and reference your group code: CLE

**It is worth noting that the conference concludes on a Sunday – which is typically a congested day on the eastbound I-70 corridor. Keep this potential delay in mind when scheduling your return flight. If you are departing the conference via DIA, you may want to consider the air shuttle for your return trip from Vail.*

Shuttle Transportation Rates:

- \$72 per person one way Denver to Vail
- \$40 per person one way Eagle to Vail

Shared Ride rate is per person, one way - Rate includes airport concession fee and any other applicable fees (gratuity not included). Private Vehicle rate is per vehicle, one way - Rate includes airport concession fee, base gratuity, and any other applicable fees.

*Sprinter Vans are call and request only due to limited availability.

Group discount is applicable for travel: January 1-16, 2016.

SPECIAL THANKS **TO OUR 2016 SPONSORS**

CLE in Colorado, Inc., would like to thank the following organizations for their generous support, to date, of the **National CLE Conference®!** Their help in making this Conference a success through the years is very much appreciated.

PLATINUM SPONSOR:

- **How to MANAGE a Small Law Firm**
<http://howtomanageasmalllawfirm.com/>

GOLD AND WINE TASTING SPONSOR:

- **Young Conaway Stargatt & Taylor, LLP**
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SILVER SPONSORS:

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 - **ABA Section of Family Law**
www.americanbar.org/groups/family_law.html
 - **ABA Solo Small Firm and General Practice Division**
www.americanbar.org/groups/gpsolo.html
 - **ABA Section of Health Law**
www.americanbar.org/groups/health_law.html
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 - **ABA Section of Intellectual Property Law**
www.americanbar.org/groups/intellectual_property_law.html
 - **ABA Tort Trial and Insurance Practice Section**
www.americanbar.org/groups/tort_trial_insurance_practice.html
 - **Pennsylvania Bar Institute**
www.pbi.org/about-pbi
 - **Clearwater Bar Association**
www.clearwaterbar.org
 - **Attorney at Law Magazine - Chicago**
www.attorneyatlawmagazine.com
-

**Visit www.nationaleconference.com or
call 888.860.2531 for details!**

Top 10 Reasons for You to Go (or Send Your Attorneys) to the National CLE Conference®!

- 10** *33 Years of outstanding CLE in a world class destination*
- 9** *Learning from top practitioners from around the country*
- 8** *Presentations done by LIVE actual real people rather than video or webcast*
- 7** *Great for firm team building*
- 6** *Awesome powder in Vail's legendary back bowls*
- 5** *More than 18 CLE credits in only 5 days*
- 4** *Discount lodging and lift tickets*
- 3** *Networking with lawyers from throughout the U.S. (and internationally)*
- 2** *Matsushisa Vail, Sweet Basil, Game Creek, and many more top restaurants*
- 1** ***YOU EARNED IT! Reward yourself and start the year off right!***

HERE'S WHAT PAST ATTENDEES HAVE TO SAY ABOUT THE NATIONAL CLE CONFERENCE®

- “ *First Time Attendee. Excellent Program. Great Schedule. Great Venue. Great Program!*
- Excellent quality of information in a great location.*
- I love this Conference!*
- ... The conference brings together the best speakers and industry leaders from across the nation in a variety of fields. I walked away with both valuable insights from my colleagues as well as numerous new professional contacts ...*
- This is the best CLE available. Thanks for doing such a great job with this conference.*
- The interactive component is fantastic. Love the amount of experience the speakers bring to this conference.*
- Good overall subject matter; timely topics ... plus skiing!!*
- The quality and caliber of presentations were definitely top notch.* ”

33rd Annual National CLE Conference®
Bankruptcy Program Agenda

PROGRAM CHAIR:

- **Paul G. Swanson**, Steinhilber, Swanson, Mares, Marone & McDermott, Oshkosh, WI, Past President – National Association of Bankruptcy Trustees; Past Chair – State Bar of Wisconsin, Bankruptcy Section

The Bankruptcy Program for the Law Education Institute is presented in a unique format. The expert panels have a depth of knowledge unsurpassed on the topics that they address. The presentation is in small groups and is very interactive, with many, if not most, of the speakers attending all of the sessions and interacting with panels. Participants are encouraged to join in the discussion, which provides for an educational experience unique to the Law Education Institute.

WEDNESDAY, JANUARY 6, 2016

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Case Law Update: Commercial/Business

- **Neil C. Gordon**, Arnall Golden Gregory, LLP, Atlanta, GA; Past President – National Association of Bankruptcy Trustees
- **Jason S. Brookner**, Gray, Reed & McGraw, P.C., Dallas, TX; Former Chair - Dallas Bar Association, Bankruptcy and Commercial Law Section
- **Brian Shaw**, Shaw Fishman Glantz & Towbin, LLC, Chicago, IL; Immediate Past President - American Bankruptcy Institute

5:30 - 6:30 p.m.

Supreme Court Review – A Busy Year

- **Ronald R. Peterson**, Jenner & Block, Chicago, IL; Vice President – National Association of Bankruptcy Trustees
- **The Honorable Leif Clark (ret.)**, Leif M. Clark Consulting, San Antonio, TX

THURSDAY, JANUARY 7, 2016

7:00 - 8:00 a.m.

Social Media – Ethics, Marketing, Prospecting for Assets or Business – The Future is Now

- **Ted Gavin**, CTP, Gavin/Solmonese LLC, Wilmington, DE; Vice President – Development, American Bankruptcy Institute
- **Brian Shaw**, Shaw Fishman Glantz & Towbin, LLC, Chicago, IL; Immediate Past President – American Bankruptcy Institute
- **Michael P. Richman**, Hunton & Williams, New York, NY; Past President – American Bankruptcy Institute

8:00 - 9:00 a.m.

Fees – Ethical Considerations, Challenges and Defenses – The City of Detroit from the Fee Examiner's Perspective

- **Robert Fishman**, Shaw Fishman Glantz & Towbin, LLC, Chicago, IL; Past President – American Bankruptcy Institute
- **The Honorable Leif Clark (ret.)**, Leif M. Clark Consulting, San Antonio, TX

ETHICS

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Tax Consequences of Negotiating Buy-Sell Agreements

- **Daniel S. Welytok**, von Briesen & Roper, s.c., Milwaukee, WI
- **Richard A. Shapack**, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 6:30 p.m.

PLENARY SESSION – Another Ethical Afternoon at the Movies

- **Larry J. Cohen, Ph.D., J.D.**, Cohen's Counsel, Bethel, VT

ETHICS

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 8, 2016

7:00 - 8:00 a.m.

Chapter 15 – Cross Border Issues (No Wall Here) and Puerto Rico – A Singular Example of Sovereign Debt

- **Jason S. Brookner**, Gray, Reed & McGraw, P.C., Dallas, TX; Former Chair - Dallas Bar Association, Bankruptcy and Commercial Law Section
- **Michael P. Richman**, Hunton & Williams, New York, NY; Past President – American Bankruptcy Institute

8:00 - 9:00 a.m.

Selected Issues in Commercial Real Estate Reorganization

- **David M. Neff**, Perkins Coie LLP, Chicago, IL; Past Chair - Chicago Bar Association, Bankruptcies and Reorganization Committee
- **James T. Markus**, Markus, Williams, Young & Zimmermann, LLC, Denver, CO; Past President – American Bankruptcy Institute
- **Jay Jaffe**, Faegre Baker Daniels LLP, Indianapolis, IN

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Red Flags When Buying or Selling a Business

- **Daniel S. Welytok**, von Briesen & Roper, s.c., Milwaukee, WI
- **Richard A. Shapack**, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 5:30 p.m.

Individual Chapter 11 Issues, Problems and Solutions

- **The Honorable Howard Tallman**, U.S. Bankruptcy Court for the District of Colorado
- **Paul G. Swanson**, Steinhilber, Swanson, Mares, Marone & McDermott, Oshkosh, WI, Past President, National Association of Bankruptcy Trustees; Past Chair – State Bar of Wisconsin, Bankruptcy Section
- **James T. Markus**, Markus, Williams, Young & Zimmermann, LLC, Denver, CO; Past President – American Bankruptcy Institute

5:30 - 6:30 p.m.

Exemption Law – Immunity to Treat Creditors with Impunity or the Privilege of a Fresh Start

- **Neil C. Gordon**, Arnall Golden Gregory, LLP, Atlanta, GA; Past President – National Association of Bankruptcy Trustees
- **Claire Ann Resop**, Steinhilber Swanson Resop & Sipsma, Madison, WI; Former Board Member – ABI; Past Chair – State Bar of Wisconsin, Bankruptcy Section
- **The Honorable Leif Clark (ret.)**, Leif M. Clark Consulting, San Antonio, TX

SATURDAY, JANUARY 9, 2016

7:00 - 8:00 a.m.

Director and Officer Liability, Financial Advisors Liability, Business Judgment

- **Ted Gavin**, CTP, Gavin/Solmonese LLC, Wilmington, DE; Vice President – Development, American Bankruptcy Institute
- **Scott Schreiber**, Clark Hill PLC, Chicago, IL
- **Claire Ann Resop**, Steinhilber Swanson Resop & Sipsma, Madison, WI; Former Board Member – ABI; Past Chair – State Bar of Wisconsin, Bankruptcy Section

8:00 - 9:00 a.m.

Chapter 13 Issues (And Opportunities that Span All Chapters)

- **The Honorable Howard Tallman**, U.S. Bankruptcy Court for the District of Colorado
- **Douglas B. Kiel**, Chapter 13 Trustee, Denver, CO
- **Mary K. Viegelahn**, Chapter 12 and 13 Trustee, San Antonio, TX

4:30 - 5:30 p.m.

Structured Dismissals/Equitable Mootness

- **David M. Neff**, Perkins Coie LLP, Chicago, IL; Past Chair, Chicago Bar Association, Bankruptcies and Reorganization Committee
- **Brian Shaw**, Shaw Fishman Glantz & Towbin, LLC, Chicago, IL; Immediate Past President - American Bankruptcy Institute
- **Jay Jaffe**, Faegre Baker Daniels LLP, Indianapolis, IN

5:30 - 6:30 p.m.

Intellectual Property Licenses in Bankruptcy – An Intentional Deviation from the Rule on Executory Contracts

- **Melanie K. Sharp**, Young Conaway Stargatt & Taylor, LLP, Wilmington, DE
- **Scott Schreiber**, Clark Hill PLC, Chicago, IL

SUNDAY, JANUARY 10, 2016

7:00 - 9:00 a.m.

PLENARY SESSION – Truths and Untruths: The Consequences of Lying

- **Honorable Kim Goldberger**, Senior Judge, Jefferson County Court, CO

ETHICS

**33rd Annual National CLE Conference®
Civil Litigation Program Agenda**

*Co-sponsored by the ABA Tort Trial and Insurance
Practice Section*

PROGRAM CHAIR:

- **Jennifer "Ginger" Busby**, Burr & Forman LLP, Birmingham, AL
- Polish Your Litigation Skills and Techniques, Including Your Motion Practice, in a Unique Educational Environment
- Interact and Hear Experts Address Cloud Technology, Data Breaches, Implicit Bias, Financial Services Industry Class Actions, Recreational Liability Waivers, Insurer Bad Faith, Software Disputes, Police Liability and Pharmacy Errors
- Gain Insights on How Generations Impact Jury Deliberations and How Smoking Impacts Toxic Exposure Cancer Claims

WEDNESDAY, JANUARY 6, 2016

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Trial Techniques and Strategies for Insurer Bad Faith Cases

- **Meghan C. Moore**, VerPloeg & Lumpkin, P.A., Miami, FL
- **Andrea L. DeField**, VerPloeg & Lumpkin, P.A., Miami, FL
- **Matthew J. Schlesinger**, Reed Smith, Washington, DC

5:30 - 6:30 p.m.

Cloud Technology and Data Breaches - Tips for "Cyber" Lawyers

- **G. Glennon Troublefield**, Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C., Roseland, NJ

THURSDAY, JANUARY 7, 2016

7:00 - 8:00 a.m.

Implicit Bias – Yours – Mine – Ours

- **J. Randall (Randy) Patterson**, Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, Jackson, MS

8:00 - 9:00 a.m.

Class Actions – An Update of the Hottest Topics Facing Financial Services

- **Rik S. Tozzi**, Burr & Forman LLP, Birmingham, AL

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Tax Consequences of Negotiating Buy-Sell Agreements

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 6:30 p.m.

PLENARY SESSION – Another Ethical Afternoon at the Movies

- Larry J. Cohen, Ph.D., J.D., Cohen's Counsel, Bethel, VT

ETHICS

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 8, 2016

7:00 - 8:00 a.m.

Recreation Liability Waivers – You Signed One, What Does It Mean?

- Michael S. Beaver, Holland & Hart LLP, Greenwood Village, CO
- David Clark, Aspen Skiing Company, Aspen, CO

8:00 - 9:00 a.m.

Litigating Software Disputes: It Works on My Computer; Yours Must Be Broken

- Laurence Z. (Larry) Shiekman, Pepper Hamilton LLP, Philadelphia, PA

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Red Flags When Buying or Selling a Business

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 5:30 p.m.

Effective Motion Practice – Tips for What Works

- Justin S. Kahn, Kahn Law Firm LLP, Charleston, SC

5:30 - 6:30 p.m.

Police Liability - Where is the Line and When is It Crossed?

- Madeline J. Meacham, Halpern Meacham LLC, Boulder, CO
- Michael W. Drumke, Swanson, Martin & Bell, LLP, Chicago, IL

SATURDAY, JANUARY 9, 2016

7:00 - 9:00 a.m.

What Was That Jury Thinking – It Depends on Your Generation

- Jennifer "Ginger" Busby, Burr & Forman LLP, Birmingham, AL
- John R. Tarpley, Lewis Thomason, Nashville, TN

4:30 - 5:30 p.m.

The Influence of Smoking on Asbestos and Other Toxic Exposure Cancer Claims

- Peter J. Neeson, Rawle & Henderson, LLP, Philadelphia, PA

5:30 - 6:30 p.m.

A Funny Thing Happened at the Drug Store ... Was There a Pharmacy Error?

- Linda Miller Atkinson, Atkinson Petruska Kozma & Hart, Channing, MI

SUNDAY, JANUARY 10, 2016

7:00 - 9:00 a.m.

PLENARY SESSION – Truths and Untruths: The Consequences of Lying

- Honorable Kim Goldberger, Senior Judge, Jefferson County Court, CO

ETHICS

**33rd Annual National CLE Conference®
Employee Benefits Program Agenda**

PROGRAM CO-CHAIRS:

- Rory Judd Albert, Senior Partner, Employee Benefits, Executive Compensation & ERISA Litigation Group, Proskauer LLP, New York, NY
- Thomas Gerard Schendt, Partner, Compensation, Benefits & ERISA Litigation Group; Legislative & Public Policy Group, Alston & Bird LLP, Washington, DC

- Learn About Trends, Recent Developments and Hot Issues in the Employee Benefits Arena
- Attend this Program to Better Understand Employee Benefits Compliance, Administration, Design and Policy
- Hear Private Firm Practitioners, In-house Counsel, Advisors, and Actuaries Discuss Outsourcing, MEPPRA, Post- *Dudenhoeffer* and Multi-employer Plan Developments, *Tibble v. Edison*, Mitigating Fiduciary Liability, Managing ERISA Liability, ERISA Cases, the ACA, and More

WEDNESDAY, JANUARY 6, 2016

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

The Outsourced Chief Investment Officer: Yes, Dorothy, There Really is a Nexus Between Fiduciary Prudence and Schizophrenia

- Rory Judd Albert, Senior Partner, Proskauer LLP, New York, NY
- Christopher J.G. Brockmeyer, Director of Employee Benefit Funds, The Broadway League, New York, NY

5:30 - 6:30 p.m.

Government Enforcement Initiatives – IRS; DOL; SEC; PBGC

- Thomas G. Schendt, Partner, Alston & Bird, LLP, Washington, DC
- Joan M. Brown, Associate General Counsel, CenturyLink, Denver, CO

continued on next page

THURSDAY, JANUARY 7, 2016

7:00 - 8:00 a.m.

MEPRA – Suspensions, Partitions and Other Related Issues

- Neal S. Schelberg, Partner, Proskauer LLP, New York, NY
- Jay K. Egelberg, Director, Retirement Actuary, Buck Consultants, Secaucus, NY

8:00 - 9:00 a.m.

Post-Dudenhoeffer Developments from the Perspective of the Plan Fiduciaries and Defense Counsel

- Kelly Driscoll, Senior Managing Director, State Street Global Advisors, Boston, MA
- Myron D. Rumeld, Partner, Proskauer LLP, New York, NY

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Tax Consequences of Negotiating Buy-Sell Agreements

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6:30 p.m.

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FRIDAY, JANUARY 8, 2016

7:00 - 8:00 a.m.

Tibble v. Edison

- Michael Maryn, Partner, Denton US LLP, Washington, DC
- Evan Miller, Partner, Jones Day, Washington, DC

8:00 - 9:00 a.m.

Recent Developments in Multiemployer Plans: A Multifaceted Review

- Gwen J. Lourie, Senior Associate, Proskauer LLP, New York, NY
- Jeffrey Stein, General Counsel, 1199 National Benefit Fund, New York, NY

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Red Flags When Buying or Selling a Business

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 5:30 p.m.

Best Practices for Mitigating Fiduciary Liability on Investment Oversight and Plan Administrative Matters

- Jonathan G. Rose, Partner, Alston & Bird, LLP, Washington, DC
- Lou Ann Hutchison, Executive Director, People & Culture Operations, Grant Thornton LLP, Charlotte, NC

5:30 - 6:30 p.m.

Managing ERISA Liability and Class Actions

- Patrick DiCarlo, Counsel, Alston & Bird, LLP, Atlanta, GA

SATURDAY, JANUARY 9, 2016

7:00 - 8:00 a.m.

ERISA "Top Ten" Cases – Exciting and Exclusive Exposé

- Gregory Braden, Morgan, Lewis & Bockius LLP, Washington, DC
- Ron Dean, Ronald Dean ALC, Pacific Palisades, CA

8:00 - 9:00 a.m.

Reducing the Cadillac Tax and Other Sources of ACA Anxiety

- John R. Hickman, Partner, Compensation, Benefits & ERISA Litigation, Alston & Bird, LLP, Atlanta, GA
- Bryan Brum, Attorney – Employee Benefits, United Parcel Service, Atlanta, GA

4:30 - 5:30 p.m.

Multi-employer Plan Withdrawal Liability a La RICHman

- Ronald E. Richman, Partner, Schulte Roth & Zabel LLP, New York, NY

5:30 - 6:30 p.m.

Everything You EVER Wanted to Know About Cyber-Security, But Were Afraid (Or Never Thought) to Ask

- Michael Balboni, Executive Director, Greater New York Health Care Facilities Association, New York, NY

SUNDAY, JANUARY 10, 2016

7:00 - 9:00 a.m.

PLENARY SESSION – Truths and Untruths: The Consequences of Lying

- Honorable Kim Goldberger, Senior Judge, Jefferson County Court, CO

ETHICS

33rd Annual National CLE Conference®
**Environmental Law, Land Use, Energy
and Litigation Program Agenda**

PROGRAM CO-CHAIRS:

- **Timothy R. Henderson**, Rich & Henderson PC, Annapolis, MD
- **Gregor I. McGregor**, McGregor & Legere, PC, Boston, MA

- Gain Insights from Experts on Important Environmental, Land Use and Energy Issues in a Fun Learning Format
- Network with Program Faculty Comprised of National Experts from Across the Country
- Take Advantage of this Unique Opportunity to Get Up to Speed on Climate Change, 21st Century Utilities and Energy Consumers, Energy-Related Rights, Duties and Liabilities in Common Interest Developments, Brownfields Redevelopment and Financing, Creating Vibrant, Sustainable Urban Areas, Fair Housing Law, Tribal Law, Land Conservation and Historic Preservation Taxation, Regulatory Takings, and Assessing Human Health and Ecological Risk at Contaminated Sites

WEDNESDAY, JANUARY 6, 2016

3:00 - 7:00 p.m.

Registration

4:30 - 6:30 p.m.

Climate Change Law and Changes in Your Practice

- Clean Air Act
- Non Clean Air Act
- Executive Orders
- White House Initiatives
- New EPA Regulations and More
- **Thomas A. Bloomfield**, The Gallagher Law Group, Boulder, CO
- **Timothy R. Henderson**, Rich & Henderson PC, Annapolis, MD
- **John E. Putnam**, Kaplan Kirsch & Rockwell LLP, Denver, CO

THURSDAY, JANUARY 7, 2016

7:00 - 9:00 a.m.

Electric Utilities, Energy Consumers, and Energy Rights

- 21st Century Utilities: The Electric Industry Grapples with Distributed Generation, Portfolio Mandates, Carbon Auctions, Consumer Retrofits, and Customer-Controlled Facilities
- **Jonathan D. Schneider**, Stinson Leonard Street LLP, Washington, DC
- 21st Century Energy Consumers: Who Pays for and Benefits from Modernizing Grids and Alternative Energy Sources and Systems?
- **Aladdin Joroff**, Clinical Instructor and Staff Attorney, Environmental Law & Policy Clinic, Harvard Law School, Boston, MA

- Energy-Related Rights, Duties and Liabilities in Condominiums, PUDs, Cooperatives, and Other Common Interest Developments
- **Mary Goodhue Deutsch**, Deutsch & Associates, Escondido, CA

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Tax Consequences of Negotiating Buy-Sell Agreements

- **Daniel S. Welytok**, von Briesen & Roper, s.c., Milwaukee, WI
- **Richard A. Shapack**, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 6:30 p.m.

PLENARY SESSION – Another Ethical Afternoon at the Movies

- **Larry J. Cohen, Ph.D., J.D.**, Cohen's Counsel, Bethel, VT

ETHICS

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 8, 2016

7:00 - 8:00 a.m.

How to Use Creative Financing to Buy and Redevelop Brownfields

- **Kim Lisa Taylor**, Trowbridge Taylor Sidoti LLP, Saint Augustine, FL

8:00 - 9:00 a.m.

Land Conservation and Historic Preservation Taxation, Including Deductions and Credits for Restrictions

- **John (Jack) C. Sawyer**, Alston & Bird LLP, Atlanta, GA

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Red Flags When Buying or Selling a Business

- **Daniel S. Welytok**, von Briesen & Roper, s.c., Milwaukee, WI
- **Richard A. Shapack**, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 5:30 p.m.

Fair Housing Law and Affordable Housing Practice

- **Brian J. Connolly**, Otten Johnson Robinson Neff + Ragonetti PC, Denver, CO

5:30 - 6:30 p.m.

The Top Ten Land Use Decisions and Developments in the Past Year

- **Dwight H. Merriam**, Robinson & Cole LLP, Hartford, CT

SATURDAY, JANUARY 9, 2016

7:00 - 8:00 a.m.

Doing Business with Tribes: Buying, Selling, Developing, Leasing, and Negotiating Lands and Resources

- **Fred L. Schubkegel**, Varnum LLP, Kalamazoo, MI

8:00 - 9:00 a.m.

Land Use/Urbanism Without Effort: Creating Vibrant, Sustainable Urban Areas for the Long Term

- Charles R. Wolfe, Attorney at Law, Seattle, Washington

4:30 - 5:30 p.m.

Applying the Weight of Evidence Approach to Assessing Human Health and Ecological Risk at Contaminated Sites

- Michael R. Garry, Exponent, Seattle, WA
- Margaret E. McArdle, Exponent, Maynard, MA

5:30 - 6:30 p.m.

Supreme Court Decisions on Regulatory Takings and 10 Years After *Kelo*

- Gregor I. McGregor, McGregor & Legere, PC, Boston, MA

SUNDAY, JANUARY 10, 2016

7:00 - 9:00 a.m.

PLENARY SESSION – Truths and Untruths: The Consequences of Lying

- Honorable Kim Goldberger, Senior Judge, Jefferson County Court, CO

ETHICS

33rd Annual National CLE Conference®

Family Law Program Agenda

Co-sponsored by the ABA Section of Family Law and ABA Solo Small Firm and General Practice Division

PROGRAM CO-CHAIRS:

- James B. Preston, Certified Family Law Specialist, Law Offices of James B. Preston, Visalia, CA
 - Bonnie Preston, Law Offices of James B. Preston, Visalia, CA
-
- Hear Experts on Family Law Issues You Need to Know for Your Practice
 - Acquire the Latest Information on Complex Personalities in Family Law Matters, Custody and Placement Issues for Special Needs Children, Tax Aspects of Divorce, Business Valuation Hot Topics, QDROs, Electronically Stored Information, Trusts as Marital Property, Parenting Plans for Infants
 - Get Your Ethics Credits, Too!

WEDNESDAY, JANUARY 6, 2016

3:00 - 7:00 p.m.

Registration

4:30 - 6:30 p.m.

The A-Z of Complex Personalities in Family Law Matters

- Scott N. Friedman, Friedman & Mirman Co., L.P.A., Columbus, OH
- Tracy Katz, CPA, Gursej Schneider LLP, Los Angeles, CA

THURSDAY, JANUARY 7, 2016

7:00 - 8:00 a.m.

Unique Children/Unique Plans: Revisiting Custody and Placement Issues for Special Needs Children

- Carlton D. Stansbury, Burbach & Stansbury, S.C., Milwaukee, WI
- Christopher J. Smith, Ph.D., Southwest Autism Research & Resource Center, Phoenix, AZ

8:00 - 9:00 a.m.

Tax Aspects of Divorce: Tips and Traps

- Livia D. Barndollar, Aronson Mayefsky & Sloan, LLP, Westport, CT

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Tax Consequences of Negotiating Buy-Sell Agreements

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 6:30 p.m.

PLENARY SESSION – Another Ethical Afternoon at the Movies

- Larry J. Cohen, Ph.D., J.D., Cohen's Counsel, Bethel, VT

ETHICS

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 8, 2016

7:00 - 9:00 a.m.

Business Valuation Hot Topics – Double Dipping and Personal Goodwill vs. Enterprise Goodwill

- Rebekah A. Smith, CPA, CFF, CVA, MAFF, GBQ Consulting LLC, Columbus, OH

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Red Flags When Buying or Selling a Business

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 5:30 p.m.

QDROs – The Care and Feeding of Magical Beasts

- C. Gustav Dahlberg, Babbitt & Dahlberg, LLC, Columbus, OH

5:30 - 6:30 p.m.

James Bond vs. Darth Vader – Professionalism and Civility – When is it Time?

- Lori W. Nelson, Jones Waldo, Salt Lake City, UT

ETHICS

SATURDAY, JANUARY 9, 2016

7:00 - 8:00 a.m.

The Family Law Attorney and Electronically Stored Information: Acquiring, Analyzing and Admitting

- Kenneth Raggio, Raggio & Raggio, PLLC, Dallas, TX

8:00 - 9:00 a.m.

The Trust as Marital Property – What's New and Trending

- Gregory J. Ortiz, Ham & Ortiz, Highlands Ranch, CO

4:30 - 5:30 p.m.

Ethical Issues in Family Law

- Peggy L. Podell, Attorney at Law, Milwaukee, WI

ETHICS

5:30 - 6:30 p.m.

Parenting Plans for Infants

- Steven B. Epstein, Wedgle Epstein, PC, Denver, CO
- Ann C. Gushurst, Gutterman Griffiths, PC, Littleton, CO

SUNDAY, JANUARY 10, 2016

7:00 - 9:00 a.m.

PLENARY SESSION – Truths and Untruths: The Consequences of Lying

- Honorable Kim Goldberger, Senior Judge, Jefferson County Court, CO

ETHICS

33rd Annual National CLE Conference®

Health Law Program Agenda

Co-sponsored by the ABA Section of Health Law

PROGRAM CO-CHAIRS:

- Andrew J. Demetriou, Lamb & Kawakami LLP, Berkeley Research Group, LLC, Los Angeles, CA
 - David W. Hilgers, Husch Blackwell LLP, Austin, TX
 - J.A. (Tony) Patterson Jr., Kalispell Regional Medical Center, Kalispell, MT

- Learn About Trends, Recent Developments and Hot Issues in the Health Law Arena
- Transactional and Litigation Health Law Issues Addressed in a Unique Educational Format
- Gain the Insights of Experts from Across the U.S. on Physician Hospital Integration, Healthcare M&A, D.C. Initiatives and Goings-on, Investigations, False Claims Litigation, Rural Hospitals, Medicaid Managed Care Contracting, Valued Based Payments, Legal Risks with Out of Network Strategies, and Compensation, Valuation and Remuneration Issues

WEDNESDAY, JANUARY 6, 2016

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Rural Hospitals and Other Facilities: Challenges and Opportunities for Essential Components of the Health Care Delivery System

- J.A. "Tony" Patterson, Kalispell Regional Medical Center, Kalispell, MT
- Emily Weber, University of Colorado Medical Center, Aurora, CO
- Stewart R. Kirkpatrick, Crowley Fleck PLLP, Billings, MT

5:30 - 6:30 p.m.

That's Remuneration? New Issues Under the Anti-Kickback and Stark Laws

- Adrienne Dresevic, The Health Law Partners, Royal Oak, MI
- Clinton Mikel, The Health Law Partners, Royal Oak, MI

THURSDAY, JANUARY 7, 2016

7:00 - 8:00 a.m.

Challenges and Key Success Factors in Large Health System Investigations

- Gary Keilty, FTI Consulting, Washington, D.C.
- Michael C. Hemsley, CHE Trinity Health, Livonia, MI

8:00 - 9:00 a.m.

You Can't Always Get What You Want: Operationalizing Physician Hospital Integration

- Sidney Summers Welch, Kilpatrick Townsend & Stockton LLP, Atlanta, GA
- Almeta Cooper, Morehouse School of Medicine, Atlanta, GA

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Tax Consequences of Negotiating Buy-Sell Agreements

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 6:30 p.m.

PLENARY SESSION – Another Ethical Afternoon at the Movies

- Larry J. Cohen, Ph.D., J.D., Cohen's Counsel, Bethel, VT

ETHICS

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 8, 2016

7:00 - 8:00 a.m.

Inside the Beltway: 2016 Edition

- Robert L. Roth, Hooper Lundy & Bookman, PC, Washington, D.C.

8:00 - 9:00 a.m.

Healthcare M&A: So Many Deals, So Little Time

- Howard T. Wall, III, RegionalCare Hospital Partners, Brentwood, TN
- Joseph A. Sowell, III, HCA Healthcare, Nashville, TN

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Red Flags When Buying or Selling a Business

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 5:30 p.m.

Value Based Payments for Health Care Services: The Future is Now

- Andrew J. Demetriou, Lamb & Kawakami LLP; Berkeley Research Group, LLC, Los Angeles, CA
- William Eggbeer, BDC Advisors, Baltimore, MD

5:30 - 6:30 p.m.

Straight Outta Network: Legal Risks Associated with Provider or Payer-Driven Out of Network Strategies

- Denise Webb Glass, Norton Rose Fulbright US LLP, Dallas, TX
- Jeff Cody, Norton Rose Fulbright US LLP, Dallas, TX

SATURDAY, JANUARY 9, 2016

7:00 - 8:00 a.m.

New Vistas in False Claims: The Alliance Between State Attorneys General and Plaintiff's Firms – A Case Study

- David Douglass, Sheppard, Mullin, Richter & Hampton, LLP, Washington, D.C.
- David H. Johnson, Montgomery & Andrews, P.A., Albuquerque, NM

8:00 - 9:00 a.m.

Trends in Government Investigations and False Claims Litigation: Strategies to Manage Litigation and Regulatory Risk

- Michael K. Loucks, Skadden Arps LLP, Boston, MA

4:30 - 5:30 p.m.

Difficult Problems in Valuation of Health Care Enterprises and Relationships

- David W. Hilgers, Husch Blackwell LLP, Austin, TX
- Jason Ruchaber, Berkeley Research Group, LLC, Denver, CO

5:30 - 6:30 p.m.

Strategies and Tactics for Medicaid Managed Care Contracting

- James Miles, Husch Blackwell LLP, Denver, CO

SUNDAY, JANUARY 10, 2016

7:00 - 9:00 a.m.

PLENARY SESSION – Truths and Untruths: The Consequences of Lying

- Honorable Kim Goldberger, Senior Judge, Jefferson County Court, CO

ETHICS

33rd Annual National CLE Conference®

Intellectual Property Program Agenda

Co-sponsored by the ABA Section of Intellectual Property Law

PROGRAM CO-CHAIRS:

- Scott M. Alter, Lathrop & Gage LLP, Denver, CO
- David H. Bernstein, Debevoise & Plimpton LLP, New York, NY

- Attend and Hear Patent, Copyright, Trademark and Licensing Issues Addressed at ONE Conference
- Acquire Knowledge on Topics of Interest Whether You are Corporate Counsel or a Private Firm Practitioner
- Gain Insights of Judges and Private Practitioners at the Always Popular Bench and Bar Dialogue Session

WEDNESDAY, JANUARY 6, 2016

3:00 - 7:00 p.m.

Registration

4:30 - 6:30 p.m.

■ The Year in Review in Trademark Infringement

- David H. Bernstein, Debevoise & Plimpton LLP, New York, NY

■ The Year in Review in Trademark Registration

- Curtis Krechevsky, Cantor Colburn LLP, Hartford, CT

■ The Year in Review in Copyright Law

- Robert W. Clarida, Reitler Kailas & Rosenblatt LLC, New York, NY

THURSDAY, JANUARY 7, 2016

7:00 - 9:00 a.m.

CORPORATE IN-HOUSE ROUNDTABLE

■ Developments in Right of Publicity Law

- Mei-lan E. W. Stark, Senior Vice President, Intellectual Property, Fox Entertainment Group, Inc., Los Angeles, CA

■ **Developments in Food Law: False Advertising Class Actions**

- Justin Mervis, Vice President and General Counsel, KIND LLC, New York, NY

■ **Developments in Fashion Law**

- Geri Lynne Elias, Vice President & Intellectual Property Counsel, Kate Spade LLC, New York, NY

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Tax Consequences of Negotiating Buy-Sell Agreements

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 6:30 p.m.

PLENARY SESSION – Another Ethical Afternoon at the Movies

- Larry J. Cohen, Ph.D., J.D., Cohen's Counsel, Bethel, VT

ETHICS

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 8, 2016

7:00 - 9:00 a.m.

INTERNET PANEL ROUNDTABLE

■ **Domain and Domain Name Developments**

- Flip Petillion, Crowell & Moring, Brussels, Belgium

■ **Privacy and Cybersecurity**

- James J. Pastore, Debevoise & Plimpton LLP, New York, NY

■ **Advertising in Social Media**

- Nishan M. Patel, Associate General Counsel, Self-Medication BU, Galderma SA, Dallas, TX

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Red Flags When Buying or Selling a Business

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 5:30 p.m.

Patent Markets – The Buying, Selling and Brokering of Patent Assets

- Mark Ehrlich, Senior IP Counsel, IBM Corporation, Armonk, NY
- Suzanne Munck, Deputy Director, Office of Policy Planning, Chief Counsel for Intellectual Property, Federal Trade Commission, Washington, DC
- Sarah Guichard, Senior Director, Acquisitions, RPX Corporation, San Francisco, CA
- Arvin Patel, Chief Intellectual Property Officer, Technicolor, Paris, France
- Phyllis Turner-Brim, Vice President, Chief IP Counsel, Intellectual Ventures, Bellevue, WA

5:30 - 6:00 p.m.

Software-Related Patents: Critical Issues You Need to Know Now

- Scott M. Alter, Lathrop & Gage LLP, Denver, CO

6:00 - 6:45 p.m.

Patent Quality and Cost-Effectiveness: A View from In-House

- Alyssa Harvey Dawson, Vice President, Legal Global IP, Harmon International, Stamford, CT
- David Wier, Vice President, Patent Counsel, Level 3 Communications, LLC, Broomfield, CO

SATURDAY, JANUARY 9, 2016

7:00 - 7:30 a.m.

European Patent/Unification Update

- Charles (Chuck) Larsen, Ropes & Gray LLP, London, United Kingdom

7:30 - 8:00 a.m.

PTAB Trial Proceedings – Strategy and Lessons

- Erika Arner, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Reston, VA
- Jay Knobloch, Director of IP Licensing & Litigation, Trading Technologies, Chicago, IL

8:00 - 9:15 a.m.

Patent Law and Legislation Update 2015

- John Duffy, Professor of Law, University of Virginia School of Law, Charlottesville, VA
- Donika Pentcheva, Westman Champlin and Kelly, P.A., Minneapolis, MN

4:30 - 5:30 p.m.

Corporate Counsel Panel: What's Keeping Corporate Counsel Awake at Night

- Colm Dobbyn, Senior Vice President and Assistant General Counsel, MasterCard, Purchase, NY
- Scott Heileson, Senior Patent Counsel, Google, Mountain View, CA
- Susan McGahan, IP Counsel, AT&T Corp., Bedminster, NJ
- Matt Zinn, Senior Vice President, General Counsel & Chief Privacy Officer, TiVo, Inc., San Jose, CA

5:30 - 6:45 p.m.

A Dialogue Between Bench and Bar

- Hon. Raymond T. Chen, U.S. Court of Appeals for the Federal Circuit, Washington, DC
- Hon. T. John Ward (ret.), Former U.S. District Court Judge, Eastern District of Texas; Ward, Smith & Hill, PLLC, Longview, TX
- Donald R. Dunner, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Washington, DC
- John Duffy, Professor of Law, University of Virginia School of Law, Charlottesville, VA
- Bill Lafuze, McKool Smith, Houston, TX

SUNDAY, JANUARY 10, 2016

7:00 - 9:00 a.m.

ETHICS

PLENARY SESSION – Truths and Untruths: The Consequences of Lying

- **Honorable Kim Goldberger**, Senior Judge, Jefferson County Court, CO

33rd Annual National CLE Conference®
Labor & Employment Law
Program Agenda

PROGRAM CO-CHAIRS:

- **Eric Iskra**, Spilman Thomas & Battle, PLLC, Charleston, WV
- **Arnold H. Pedowitz**, Pedowitz & Meister LLP, New York, NY

- Brush Up on Over 20 Employment Law Topics with More Than 50 Speakers Representing In-house Counsel, Management, Plaintiff and Judicial Perspectives
- Hear Both the Plaintiff and Defense Side of Important Labor and Employment Issues at ONE Conference
- Learn and Network with Colleagues in Your Practice Area from Across the U.S.

WEDNESDAY, JANUARY 6, 2016

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Employment Discrimination: Key 2015 Developments

- **Kelly M. Dermody**, Lieff Cabraser Heimann & Bernstein LLP, San Francisco, CA
- **Steven W. Sufilas**, Ballard Spahr LLP, Cherry Hill, NJ and Denver, CO
- Moderated by **Pearl Zuchlewski**, Kraus & Zuchlewski, New York, NY

5:30 - 6:00 p.m.

Best in Class Discovery Strategies for Employment Litigation

- **Sander N. Karp**, Karp Neu Hanlon, PC, Glenwood Springs, CO
- **Stephen E. Fox**, Polsinelli PC, Dallas, TX

6:00 - 6:30 p.m.

Recent Developments from the NLRB that Impact Non-Union Employees and Employers

- **W.V. Bernie Siebert**, Sherman & Howard LLC, Denver, CO
- **Michael P. (Mike) Royal**, Littler Mendelson, Dallas, TX

THURSDAY, JANUARY 7, 2016

7:00 - 8:00 a.m.

Practical Insights on Litigating and Defending Collective Claims Under the FLSA

- **Orin Kurtz**, Gardy & Notis, LLP, New York, NY
- **David A. Hughes**, Jackson Lewis, Atlanta, GA
- **Timothy J. Long**, Orrick, Herrington & Sutcliffe LLP, Sacramento, CA

8:00 - 8:30 a.m.

In-House Counsel Perspectives: Our Most Pressing Concerns

- **Eric W. Iskra**, Spilman Thomas & Battle, PLLC, Charleston, WV
- **Bryan Brum**, Attorney, Legal Department, United Parcel Service, Atlanta, GA
- **Wayne J. Paschke**, Staff Counsel, Labor and Employment, Verizon Wireless, Basking Ridge, NJ

8:30 - 9:00 a.m.

Wellness Programs – The Good and the Bad (and Key ERISA Developments)

- **Erin M. Sweeney**, Miller Chevalier, Washington, DC
- **Bernard T. King**, Blitman & King LLP, Syracuse, NY
- **Wayne J. Paschke**, Staff Counsel, Labor and Employment, Verizon Wireless, Basking Ridge, NJ

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Tax Consequences of Negotiating Buy-Sell Agreements

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ETHICS

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 8, 2016

7:00 - 7:30 a.m.

Pregnancy Discrimination: Where is the Duty to Accommodate?

- **Glenn A. Duhl**, Siegel, O'Connor, O'Donnell & Beck, PC, Hartford, CT
- **Patrick Solomon**, Thomas & Solomon LLP, Rochester, NY

7:30 - 8:00 a.m.

The Latest on Noncompete Agreements

- **Arnold H. Pedowitz**, Pedowitz & Meister LLP, New York, NY
- **Christina H. Bost Seaton**, Troutman Sanders LLP, New York, NY

8:00 - 8:30 a.m.

Class and Collective Actions – Rapid Fire Case Law Update

- John M. Husband, Holland & Hart LLP, Denver, CO
- Adam T. Klein, Outten & Golden LLP, New York, NY

8:30 - 9:00 a.m.

The Electronic Workforce – Where and How Are They Working and Implications for FLSA, Noncompete and Independent Contractor/Employee Issues

- Marisa Warren, Pedowitz & Meister, LLP, New York, NY
- Gregory M. Sato, Kobayashi, Sugita & Goda, Honolulu, HI

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Red Flags When Buying or Selling a Business

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 5:00 p.m.

Discovery Issues with Workplace Investigations

- Jeffrey D. Patton, Spilman Thomas & Battle, PLLC, Winston-Salem, NC
- Elizabeth Rooney Rita, WPI – WorkPlace Intelligence, LLC, Denver, CO
- Julie Moore, Employment Practices Group, Wellesley, MA

5:00 - 5:30 p.m.

Winning Your Case on Jury Selection

- Laura Schnell, Eisenberg & Schnell, LLP, New York, NY
- Doug Dexter, Farella Braun + Martel LLP, San Francisco, CA
- Waverly D. Crenshaw, Jr., Waller Lansden Dortch & Davis, PLLC, Nashville, TN

5:30 - 6:00 p.m.

When Opposing Counsel Gets out of Line: Motion for Sanctions? Other Remedies?

- Honorable Wiley Young Daniel, Senior Judge, U.S. District Court for the District of Colorado, Denver, CO
- Barry D. Roseman, McNamara Roseman & Kazmierski LLP, Denver, CO
- Mark Mallery, Ogletree Deakins, Nash, Smoak & Stewart PC, New Orleans, LA

6:00 - 6:30 p.m.

Criminal Record Discrimination and Ban the Box Initiatives

- Gail Golman Holtzman, Kass Shuler, P.A., Tampa, FL
- J. Nelson Thomas, Thomas & Solomon LLP, Rochester, NY
- Moderated by Nantiya Ruan, Lawyering Process Professor, University of Denver, Sturm College of Law, Denver, CO

SATURDAY, JANUARY 9, 2016

7:00 - 7:30 a.m.

Immigration Law and the Impact on Your Practice

- Jonathan A. Grode, Green and Spiegel LLP, Philadelphia, PA

- Christopher L. Thomas, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., Denver, CO
- Moderated by Amy Novak, Novak Law Office, Vail, CO

7:30 - 8:00 a.m.

Constructive Discharge Claims: How Bad Does It Have to Get?

- William J. Kelly III, Kelly & Walker, LLC, Denver, CO
- Robert A. Meister, Pedowitz & Meister LLP, New York, NY

8:00 - 8:30 p.m.

International Employment Issues and the Impact on Your Practice

- Wendi S. Lazar, Outten & Golden LLP, New York, NY
- Esther Martin, CM Murray LLP, London, United Kingdom

8:30 - 9:00 p.m.

Pre-Emption Claims Under the UTSA

- Stacey Campbell, Campbell Litigation, P.C., Denver, CO
- Jennifer Schwartz, Outten & Golden LLP, San Francisco, CA

4:30 - 5:30 p.m.

Common Evidentiary Issues in Employment Litigation: What Are They, and Best Tactics to Limit the Harm and Maximize the Benefit

- Ty Hyderally, Hyderally & Associates P.C., Montclair, NJ
- Bernie J. Fuhs, Butzel Long, Detroit, MI
- Honorable Michael J. Watanabe, U.S. District Court for the District of Colorado, Denver, CO

5:30 - 6:00 p.m.

Drafting and Complying with E-Discovery Requests: Practical Tips

- Marisa Warren, Pedowitz & Meister, LLP, New York, NY
- Robert Petrulic, Ogletree Deakins, Nash, Smoak & Stewart PC, Cleveland, OH

6:00 - 6:30 p.m.

Inside the Mind of an Arbitrator: How to Win Your Case

- Louis B. Kushner, Rothman Gordon, Pittsburgh, PA
- Daniel M. Klein, Klein Dispute Resolution, Atlanta, GA

SUNDAY, JANUARY 10, 2016

7:00 - 9:00 a.m.

PLENARY SESSION – Truths and Untruths: The Consequences of Lying

- Honorable Kim Goldberger, Senior Judge, Jefferson County Court, CO

ETHICS

33rd Annual National CLE Conference®
**Law Practice Management
Program Agenda**

PROGRAM CHAIR:

- **Christopher T. Anderson**, General Counsel/Vice President, Upgrading a Law Practice into a Law Business, and Breaking the 7 Figure Barrier, New York, NY

MCLE Accreditation is not being sought from any state for the Law Practice Management program. Attendees of the Law Practice Management program may apply on their own to any state or states for accreditation. Please be aware that each state has its own rules and regulations, including its definition of "CLE." Attorneys seeking to obtain MCLE credit in some states are required to pay state accreditation fees directly to the state.

- Hear How to Run a Small Law Firm that is Fun to Run and Profitable
- Get High Level Law Firm Management and Marketing Advice
- Learn How to Find, Fix, and Avoid Marketing, Sales, Management, Staffing, and Financial Control Problems that Often Plague Law Firms

WEDNESDAY, JANUARY 6, 2016

3:00 - 7:00 p.m.
Registration

4:30 - 5:30 p.m.

Making Your Law Firm BUSINESS Work for You

Most attorneys start a law firm with little or no education or training on how to build a small business. So, they do what comes naturally. They build a practice, and focus on doing quality work for their clients, and being the best, most professional lawyer they can be. Months and years go by, and these same lawyers find themselves trapped in a job they created for themselves, working harder than they ever thought they would have to, with less financial security than they believed the profession would afford, and, worst of all, not making the difference in the world ... whatever world they would make a difference in ... that they thought they would. These same lawyers realize that they're also not serving their clients with the attention and quality that they know they deserve.

- **Christopher T. Anderson**, General Counsel/Vice President, Upgrading a Law Practice into a Law Business, and Breaking the 7 Figure Barrier, Atlanta, GA, New York, NY
(Presenter for all sessions, except as noted)

5:30 - 6:30 p.m.

The 4 Stages of Law Firm Growth: How to Identify the State You're in and Push Through

- Stage 1 – Creating a Successful Practice
- Stage 2 – Upgrading to a Sustainable Business
- Stage 3 – Growing your Business to Break 7 Figures
- Stage 4 – Becoming a CEO: Profiting from Your Purpose

THURSDAY, JANUARY 7, 2016

7:00 - 8:00 a.m.

Automatic Referrals: How to Trigger More Repeat and Referral Business from Current and Former Clients

- How to cultivate referral sources
- It's all about them
- Keeping referral sources loyal to you
- The magic words
- The other magic words

8:00 - 9:00 a.m.

They're Not Buying What I'm Selling: Marketing is Fun When It's About Helping Others

- How to build a marketing plan
- The TWO main jobs of marketing
- Choosing the right kind of marketing for where you are
- Funnel management

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Tax Consequences of Negotiating Buy-Sell Agreements

- **Daniel S. Welytok**, von Briesen & Roper, s.c., Milwaukee, WI
- **Richard A. Shapack**, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 6:30 p.m.

PLENARY SESSION – Another Ethical Afternoon at the Movies

- **Larry J. Cohen, Ph.D., J.D.**, Cohen's Counsel, Bethel, VT

ETHICS

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 8, 2016

7:00 - 8:00 a.m.

Climbing the Ladder: Delegating Your Way to Profitability

- Getting over yourself
- Learning to delegate authority, not responsibility
- Delegation vs. abdication
- Trust but verify
- Fire yourself to enhance profitability!
- The jobs in a law firm, and why you shouldn't be doing most of them
- Case management
- Time management

8:00 - 9:00 a.m.

You're Fired! Stop Sucking Value out of Your Firm.

Converting Your Job into a Business

- Understanding the "technician trap" as it applies to your law firm
- Every time you answer the phone, you're hurting your clients, your stakeholders and yourself
- Your associate isn't showing up to work ...
- You're not the best at almost anything ... so stop acting like it!
- Perfect as the enemy of good
- Hiding out in the factory
- The highest and best use of your time!
- The entrepreneurial mindset, trading money for time ...
- Making time to work on your business, not in it

3:15 - 4:15 p.m.

OPTIONAL BONUS PLENARY SESSION – Red Flags When Buying or Selling a Business

- Daniel S. Welytok, von Briesen & Roper, s.c., Milwaukee, WI
- Richard A. Shapack, Shapack Gurrola, PLC, Bloomfield Hills, MI

4:30 - 5:30 p.m.

Time Management is for Suckers: Convert Your Time into Wealth

- 168 hours per week is all you get, no matter who you are!
- You must choose how to allocate your time based on your priorities, not others
- 3 mindsets
- Blue Collar: Trade time for money
- Professionals: Trade time for self-esteem (pro-bono, and the root of A/R and the "Doctrine of Sacrifice")
- Entrepreneurs: Trade money for results (Time Back)
- Focusing on managing your time limits your growth

5:30 - 6:30 p.m.

Super Networking: Stop NetSocializing and start NetWorking

- Knowing the difference
- Magic statements
- Networking goals
- Understanding why we are networking in the first place

SATURDAY, JANUARY 9, 2016

7:00 - 8:00 a.m.

Running Your Practice by the Numbers: Money, Metrics, and Strategic Financial Management

- Key financial terms every law firm business owner must know
- Key reports every law firm business owner must regularly
- RECEIVE | REVIEW | ACT!

8:00 - 9:00 a.m.

Policies and Procedures: Why Not Having Them is Sucking Profit out of Your Firm

- What if your "Factory" can't keep up with marketing and sales?
- The 24 policies and 24 procedures every firm should have
- The difference between Internal and External Policies
- Defining the term "emergency" so you can get your life back

4:30 - 5:30 p.m.

How to Sell Like a Rock Star: Selling Done Right is the Most Ethical Thing We Do for Prospective Clients – Part 1

- Nobody hires an attorney to solve a legal problem
- Understanding value from your clients' perspective
- Profit for you, profit for me
- The difference between doing business with you ... and not

5:30 - 6:30 p.m.

How to Sell Like a Rock Star: Selling Done Right is the Most Ethical Thing We Do for Prospective Clients – Part 2

SUNDAY, JANUARY 10, 2016

7:00 - 9:00 a.m.

PLENARY SESSION – Truths and Untruths: The Consequences of Lying

- Honorable Kim Goldberger, Senior Judge, Jefferson County Court, CO

ETHICS

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MATERIALS FORMAT (select one)

- Digital Download (PDF) via EMAIL sent no later than January 5, 2016
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