



2017 DRI Corporate Counsel Roundtable

Lotte New York Palace
New York, New York
January 19-20, 2017

*Presented by DRI's
Corporate Counsel Roundtable Steering Committee*

THURSDAY, JANUARY 19, 2017

- 11:30 a.m. **Luncheon and Speaker** | Kennedy Meeting Room
Bret Stephens writes “Global View,” the foreign-affairs column of the *Wall Street Journal*.
- 1:00 p.m. **Welcome and Introductions** | Holmes Meeting Room
John E. Cuttino, DRI President,
Gallivan White & Boyd PA
Carlos Rincon, Program Chair, *Rincon Law Group PC*
- 1:10 p.m. **U.S. Supreme Court**
Events of the past year have kept the Supreme Court at the center of legal and political debate in multiple ways. Justice Scalia’s death, the Court’s functioning with only eight Justices, and the pendency of Judge Garland’s nomination, leave the Court poised for change as a new Administration begins. Our panel will discuss potential ramifications for the legal landscape in areas that will have an impact on business leaders and their counsel.
MODERATOR: **Jerrold J. Ganzfried**, *Holland & Knight LLP*
Linda T. Coberly, *Winston & Strawn LLP*
Deanne E. Maynard, *Morrison & Foerster LLP*
Thomas W. Merrill, *Columbia Law School*
- 2:10 p.m. **Mass and Class: Practical Realities in Complex Litigation**
In theory, class actions, multi-district litigation, and other “mass action” devices are meant to make case administration in complex disputes easier. But in reality, these structures often introduce new complications, such as fights over leadership and unique obstacles to settlement. In this panel, the heavy hitters in recent high-profile complex litigation offer unique insights and strategies for mass and class complex litigation.
MODERATOR: **Cheryl A. Bush**,
Bush Seyferth & Paige PLLC

Jeffrey L. Chase, *Herzfeld & Rubin PC*

Kyle H. Dreyer, *Hartline Dacus Barger Dreyer LLP*

Honorable Stephen J. Murphy III, *United States District Court for the Eastern District of Michigan*

3:10 p.m.

Break

3:40 p.m.

Anti-Terrorism Act Litigation and Terrorists' Use of the Channels of Commerce

Increasingly, plaintiffs are using the ATA, or Anti-Terrorism Act, to go after the businesses that allegedly facilitate terrorists' activity, rather than the terrorists themselves. This panel will discuss recent ATA lawsuits and the key issues involved in them, as well as the primary risks and related best practices for corporations, particularly those in the financial services and social media sectors.

MODERATOR: **Carlos F. Concepción**, *Jones Day*

Richard M. Elias, *Elias Gutzler Spicer LLC*

Meir Feder, *Jones Day*

Nicole Hong, *The Wall Street Journal*

5:00 p.m.

Adjourn

6:30 p.m.

Cocktail Reception and Dinner | The 21 Club Restaurant, 21 West 52nd Street, New York, NY

FRIDAY, JANUARY 20, 2017

8:00 a.m.

Buffet Breakfast | Kennedy Meeting Room

8:30 a.m.

Announcements | Holmes Meeting Room

Carlos Rincon, Program Chair, *Rincon Law Group PC*

8:35 a.m.

DRI Update

John E. Cuttino, DRI President,
Gallivan White & Boyd PA

8:45 a.m.

Implicit Bias in the Corporate Workspace

With the myriad of voices focused on issues related to ethnicity, culture, unity, and respect, it is important for Corporate America to keep its eye on the ball with respect to issues of implicit bias in the workplace. This session will focus on means of recognition, impacts, and suggestions for assisting your corporation in evaluating where it stands on issues of implicit bias and how to respond.

MODERATOR: **Sheryl J. Willert**, *Williams Kastner*
Mark Sideman, *Seattle University School of Law*
Zabrina M. Jenkins, *Starbucks Coffee Company*

9:45 a.m.

Trade Secrets: The Old, but New Hot IP Protection

Exploring the complex issues in Business v. Business Litigation under the new federal jurisdiction Defend Trade Secrets Act 2016 (DTSA), with a focus on the legal and data forensics strategy for prosecution or defense of a growing new body of trade secret misappropriation, non-compete, non-disclosure, and unfair competition injunction motions and lawsuits.

MODERATOR: **Henry M. Sneath**,
Picadio Sneath Miller & Norton PC

Joseph Decker, *bit-x-bit LLC*

Honorable Nora Barry Fischer, *United States District Court for the Western District of Pennsylvania*

10:45 a.m.

Final Comments and Adjournment

ACCREDITATION

Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees may be responsible for obtaining CLE credits from their respective states.

HOTEL ACCOMMODATIONS

A limited number of hotel rooms have been made available at the **Lotte New York Palace, 455 Madison Avenue at 50th Street, New York, NY 10022**. For reservations **contact the hotel directly at 212.888.7000** and mention the **DRI Corporate Counsel Roundtable**. Because the hotel block is limited and rooms and DRI rates are available on a first-come, first-served basis, we strongly encourage you to make reservations before **December 20, 2016**, to be eligible for the group rate. Requests for reservations made after **December 20** are subject to room and rate availability.

ROUNDTABLE SPONSORS

DRI wishes to thank our sponsors for their support at this year's roundtable!



ROUNDTABLE STEERING COMMITTEE

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Nancy J. Parz, Senior Director, *DRI*, Chicago, IL

FACULTY



Cheryl A. Bush is the majority owner of Bush Seyferth & Paige PLLC in Troy, Michigan. Ms. Bush has extensive first-chair trial experience for numerous Fortune 500 companies and has won 96 percent of her jury trials. Her cases often involve high-level nationwide media exposure. Ms. Bush is an honors graduate of the University of Michigan Law School and received her Bachelor of Arts at Wayne State University.



Jeffrey L. Chase is with the Herzfeld & Rubin PC firm in New York City, where he specializes in complex civil litigation including class actions, product liability, and commercial litigation. He has tried cases involving a variety of product liability claims on behalf of major corporate defendants and has served as lead counsel in class action and mass tort cases. Mr. Chase is a graduate of Brown University and Brooklyn Law School, *cum laude*.



Linda T. Coberly is the chair of Winston & Strawn's firm-wide Appellate and Critical Motions Practice. Her practice is national in reach; she has argued appeals for business clients in six federal circuits and state supreme courts across the country. Practicing from the firm's Chicago office, Ms. Coberly also represents clients in proceedings in the U.S. Supreme Court, drawing on her experience as a clerk for Justice Stephen Breyer, and for Judge Douglas Ginsburg on the D.C. Circuit.



Carlos F. Concepción is a partner in the Global Disputes practice at Jones Day, based in the firm's Miami office. His practice concentrates on international litigation and arbitration and transnational disputes involving parties and witnesses from multiple jurisdictions. He has experience in a broad range of industry sectors, including banking, securities, international finance, international trade and investment, and telecommunications.



John E. Cuttino is a shareholder at Gallivan White & Boyd PA in the firm's Columbia, South Carolina, office. With 33 years of experience in the state and federal courts of South Carolina, Mr. Cuttino has tried over 75 cases to verdict as lead counsel. His practice involves the litigation of a wide variety of matters including class actions, design and construction defects, toxic and mass torts, insurance coverage, major personal injury, product liability, and professional negligence. Mr. Cuttino will become the President of DRI in October of 2016.



Joseph Decker, bit-x-bit's General Counsel since 2010, graduated from the University of San Francisco School of Law in 1985 and became a litigator for Orrick Herrington handling trade secret cases. He moved to Pittsburgh in 1991 and most recently was a shareholder with Babst Calland. He taught Trade Secret Law at Duquesne Law School, and is an E-Discovery Special Master for the United States District Court for the Western District of Pennsylvania.



Kyle H. Dreyer is a founding partner of Hartline Dacus Barger Dreyer LLP in Dallas. He is a nationally respected authority in the field of trial law, and a frequent presenter on a variety of trial-related subjects, skills and strategies. He has served as adjunct professor at Baylor Law School and was selected for the faculty of the International Association of Defense Counsel 2012 Trial Academy. Mr. Dreyer received his Juris Doctor from Baylor University School of Law, *cum laude*, and his Bachelor of Arts degree from Baylor University.



Richard M. Elias is a litigator at the Elias Gutzler Spicer LLC firm in Saint Louis, Missouri, whose practice includes representing plaintiffs in anti-terrorism litigation. He was formerly a prosecutor in the United States Attorney's Office for the Eastern District of California, where he investigated and prosecuted major financial institutions for misconduct associated with the sale of mortgaged-backed securities. Mr. Elias' work earned him the Justice Department's highest honors, including the Attorney General's Award for Distinguished Service and the Director's Award.



Meir Feder heads the Issues & Appeals Practice in Jones Day's New York City office. He has argued appeals in the U.S. Supreme Court and in eight federal circuits; he also briefs and argues state court appeals and dispositive motions in significant trial level cases. Mr. Feder is currently representing two corporations that are defendants in civil suits under the ATA.



Honorable Nora Barry Fischer has served as a District Judge for the United States District Court for the Western District of Pennsylvania since April of 2007. Judge Fischer is a graduate of St. Mary's College and Notre Dame Law School, and she previously engaged in private practice for 30 years. Judge Fischer is a designated patent judge under the Patent Pilot Program and serves as the Chair of the Court's E-Discovery Special Master Program.



Jerrold J. Ganzfried is a partner at Holland & Knight LLP in Washington, D.C. He previously served as Assistant to the Solicitor General at the U.S. Department of Justice and has presented oral argument before the Supreme Court in 15 cases. His career includes landmark antitrust, securities, intellectual property, environmental, white collar, and constitutional law cases. Mr. Ganzfried graduated with honors from Yale College. He earned his Juris Doctor from Stanford Law School, where he was President of the *Stanford Law Review*.



Nicole Hong is a reporter at the *Wall Street Journal*, where she covers courts, criminal investigations, and legal issues out of New York City. She follows a wide variety of cases, with a focus on terrorism and cybercrime. Prior to joining the law team, she wrote about global financial markets. She received her bachelor's degree from Northwestern University.



Zabrina M. Jenkins is Managing Director of Litigation for Starbucks Coffee Company in Seattle. She heads a team responsible for intellectual property, real estate, commercial, and general liability litigation for retail locations in North America. Ms. Jenkins received her Bachelor of Science degree from Central Washington University, her Master of Science degree from Syracuse University School of Education, and her Juris Doctor, *cum laude*, from Syracuse University College of Law.



Deanne E. Maynard is co-chair of the Appellate and Supreme Court Practice at Morrison & Foerster LLP in Washington, D.C., and a former Assistant to the Solicitor General at the United States Department of Justice. Ms. Maynard has argued 13 cases before the Supreme Court of the United States and has filed over 100 briefs in that Court. She has been described as “one of the finest advocates in the Supreme Court bar.”



Thomas W. Merrill is the Charles Evans Hughes Professor of Law at Columbia Law School in New York City. He was previously a professor of law at Yale Law School and Northwestern University School of Law. Professor Merrill has undergraduate degrees from Grinnell College and Oxford University, and a law degree from the University of Chicago. He clerked on the D.C. Circuit for Chief Judge David Bazelon and the U.S. Supreme Court for Justice Harry Blackmun.



Honorable Stephen J. Murphy III is a federal judge in the United States District Court for the Eastern District of Michigan. Previously, Judge Murphy served as the presidentially appointed United States Attorney for the Eastern District of Michigan. Prior to his service as a United States Attorney, Judge Murphy was an attorney with General Motors. Judge Murphy received his Juris Doctor from St. Louis University and his Bachelor of Science degree from Marquette University.



Carlos Rincon is a civil trial lawyer and is the founder of the Rincon Law Group PC in El Paso, Texas. Mr. Rincon has served on the DRI Board of Directors for DRI, the National Association of Minority and Women Owned Law Firms, and the Minority Corporate Counsel Association. He is AV-rated by the Martindale-Hubbell lawyer rating service. Mr. Rincon is a graduate of the University of Texas at El Paso and the University of San Francisco School of Law.



Mark Sideman is Director of Continuing Legal Education at Seattle University School of Law. He served on the Planning Committee for the Annual Seattle Race Conference and serves on the planning committees for the Black and Brown Young Men’s Summit and its sister program Young Educated Ladies Leading, serving young black and brown women. Mr. Sideman holds a Master’s Degree in Educational Psychology and Bachelor Degrees in Psychology and Mathematics.



Henry M. Sneath is a business trial attorney with Picadio Sneath Miller & Norton PC in Pittsburgh, specializing in intellectual property, cybersecurity, insurance, energy, and product liability litigation. He is listed in Best Lawyers in America for Business, Intellectual Property, Patent, Personal Injury Defense and Legal Malpractice Defense litigation. He was the 2011–2012 President of DRI. He has tried 98 cases to verdict in federal and state court jurisdictions.



Bret Stephens writes “Global View,” the foreign-affairs column of the *Wall Street Journal*, for which he won a Pulitzer Prize in 2013. He was previously editor-in-chief of the *Jerusalem Post*, a position he assumed at age 28. His 2014 book, *America in Retreat: The New Isolationism and the Coming Global Disorder*, was hailed by Niall Ferguson as a “shrewd, sharp and shamelessly unfashionable defense of American power.” He lives with his family in New York City.



Sheryl J. Willert is a member and the former Managing Director of Williams Kastner in Seattle. Ms. Willert’s practice focuses on trying cases, counseling, investigations, and dispute resolution in the area of employment law. Ms. Willert is a past president of DRI. She was the organization’s first female and first African-American officer.



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2017 DRI Corporate Counsel Roundtable

January 19–20, 2017
Lotte New York Palace
New York, NY

FORMAL NAME

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NAME (as you would like it to appear on badge)

COMPANY

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STATE

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TELEPHONE

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Attending

Yes

No

I will attend the Corporate Counsel Roundtable

Thursday, January 19—Luncheon

Thursday, January 19—Cocktail Reception and Dinner at the 21 Club

Friday, January 20—Breakfast

Please complete and return to:

DRI

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