

Now in its 31st Year!

National CLE Conference®

January 8th - 12th, 2014 • In Vail, CO



VAIL MOUNTAIN MARRIOTT RESORT & SPA • 715 WEST LIONSHEAD CIRCLE, VAIL, CO



Convenient early morning and late afternoon CLE schedule!

16-19 CLE CREDITS - INCLUDING ETHICS CREDITS!

Accredited in all MCLE States

The Very Best Legal Education ...

- *Top-notch speakers - among the best lawyers 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

DISCOUNTED LIFT TICKETS & LODGING!

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

GENERAL INFORMATION:

Top-Notch Legal Education - 8 Substantive Areas of the Law

All presentations are live, and feature some of the best lawyers, judges and professors from throughout the country. Our early morning and late afternoon schedule provides 16-19 hours of continuing legal education credit per program while at the same time allowing you ample time to enjoy Vail Village.

Network with Other Lawyers

Breakfast and après ski are more than just meals. They provide you with 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 700 people 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 four ABA sections and numerous State Bar organizations co-sponsoring the programs. It is in the memory of Jim Podell that Colorado Bar Association CLE continues the tradition of this Conference.

– TESTIMONIALS –

"Expertise of the presenters is the best aspect of the program."

"Broad range of information, quality of content."

"Incredibly well-prepared speakers and excellent program organization."

"This is the best ski conference, hands down. Best speakers; best topics; and skiing to boot!"

"The interactive component is fantastic. Love the amount of experience the speakers bring to this conference."

"The best aspect of this program was clearly the combination of classes in the morning and evening and skiing/snowboarding during the day - pure CLE and SKI!"

"Good overall subject matter; timely topics ... plus skiing!!"

"The quality and caliber of presentations were definitely top notch"

"How often can one enjoy listening to an informative and well prepared lecture from an expert in the field, and then spend a day skiing with that same faculty member? That's what I call quality networking!"

HEADQUARTER HOTEL INFORMATION:

Vail Mountain Marriott 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 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 \$289/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/CLEndSKI2014>

Or, call the Marriott's Reservations toll free number at **(877) 622-3140**.

Room Rates (not including applicable taxes and fees)

Unit Type	RATE
• Standard:	\$289.00
• Lodge Room:	\$309.00
• Deluxe/Studio King:	\$339.00
• Jr. Timberline:	\$549.00
• Timberline:	\$729.00
• 1 BR Owner Condo:	\$649.00
• 2 BR Owner Condo:	\$849.00
• 3 BR Owner Condo:	\$989.00

Please book your room by **December 15, 2013**. 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, snowshoeing, 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 OR Montaneros

(Rates available January 7 - 12, 2014)

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.

LION SQUARE LODGE	RATE	RATE	RATE
Unit Type	Mountain View	Valley View	North Building
• Lodge Room	\$379	\$349	---
• 1 Bedroom Condominium	\$515	\$405	\$499
• 1 Bedroom + Loft Condominium	\$655	\$610	\$639
• 2 Bedroom Condominium	\$710	\$689	\$689
• 2 Bedroom + Loft Condominium.....	\$1,039	N/A	\$1,019
• 3 Bedroom Condominium.....	\$1,135	N/A	\$1,379

MONTANEROS

Unit Type	RATE
• 1 Bedroom Condominium	\$445
• 1 Bedroom + Loft Condominium	\$555
• 2 Bedroom Condominium	\$610
• 2 Bedroom + Loft Condominium	\$819
• 3 Bedroom/2 Bath Condominium	\$805
• 3 Bedroom/3 Bath Condominium	\$829
• 4 Bedroom Condominium.....	\$1,069

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.

– SPECIAL THANKS TO OUR 2014 SPONSORS –

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

- Thomson Reuters
<http://trexpertwitness.com/>
- ABA Solo, Small Firm and General Practice Division
www.americanbar.org/groups/gpsolo.html
- ABA Section of Family Law
www.americanbar.org/groups/family_law.html
- 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
- International Trademark Association
www.inta.org/Pages/Home.aspx

SILVER SPONSOR:

- Looper Reed & McGraw P.C.

Visit www.lawedinstitute.com or call toll-free 888.860.2531 for more details!

– 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, 2014. Discounted ground transportation to and from the Denver International, & Eagle Airports is available to all attendees and guests for travel!*

Colorado Mountain Express has specialized in ground transportation for over 28 years, and will coordinate your arrival & 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.*

Transportation Rates:

GROUP DISCOUNTED RATE:

- \$68.00 per person one way Denver to Vail on the shuttle
- \$41.00 per person one way Eagle to Vail on the shuttle

20% DISCOUNT ON CHARTER/PREMIER & SPRINTERS

GROUP ID: CLE

APPLICABLE DATES: JANUARY 1-15, 2014

BOOKING LINK:

<http://coloradomountainexpress.hudsonltd.net/res?USERIDENTRY=CLE & LOGON=GO>

**All the above rates (shuttle/charter/premier) are not inclusive of fuel surcharges and are subject to the applicable fuel surcharge fee when booking reservations.*

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31st 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

WEDNESDAY, JANUARY 8, 2014

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Burning Issues Regarding Consumer and Business Bankruptcy Counsel: Competency/Retention/Disclosure (including review of ABI Task Force recommendations)

- **Jim Cossitt**, James H. Cossitt, PC, Kalispell, MT
- **Michael P. Richman**, Hunton & Williams LLP, New York, NY, Past President, American Bankruptcy Institute
- **Ford Elsaesser**, Elsaesser Jarzabek Anderson Elliott & Macdonald, CHTD., Sandpoint, ID, Past President, American Bankruptcy Institute

5:30 - 6:30 p.m.

And the Hogs Just Get Fatter - Can They Be Put on a Diet?: Make Whole Premiums and Other Lender "Fees", Default Interest and Penalties

- **Jason S. Brookner**, Looper Reed & McGraw P.C., Dallas, TX, Leading Bankruptcy/Restructuring Lawyer, *Chambers & Partners, USA: America's Leading Lawyers for Business*
- **David M. Neff**, Perkins Coie LLP, Chicago, IL, Past President, Chicago Bar Association, Bankruptcy & Reorganization Committee

THURSDAY, JANUARY 9, 2014

7:00 - 9:00 a.m.

An Invaluable Tool for Bankruptcy Professionals – Mediation, an Interactive Program from Masters of the Craft

- **Honorable William H. Brown**, Retired - U.S. Bankruptcy Court Judge, Western District of TN, Brown & Ahern, Nashville, TN
- **Lawrence R. Ahern III**, Brown & Ahern, Nashville, TN
- **Robert M. Fishman**, Shaw Fishman Glantz & Towbin LLC, Chicago, IL, Past President, American Bankruptcy Institute

4:30 - 5:30 p.m.

Plenary Session - Expert Witness Tips and Trends: Information All Practitioners Can Use

- **Atlantis Langowski**, Thomson Reuters Expert Witness Services, San Francisco, CA

5:30 - 6:30 p.m. (1 Ethics Credit)

Plenary Session - Growing Your Practice Online: The Ethics of Online Marketing and Social Media

- **Websites: How to Ethically Build a Successful Website that Does Not Mislead or Violate Your State Ethics Professional Code of Conduct.**
- **Blogging: What You Can and Can't Say on Your Blog About Your Cases, Clients and Practice Areas**
- **Social Media: Why You Need to Care about Social Media, but Only for a Few Minutes a Week ... and How to Avoid Hot Water with the Ethics Committee When You or Someone from Your Staff is Using Social Media.**
- **Online Reviews: What are the Ethics of Getting Reviews, How do You Get Reviews Removed and When are You Liable for What They Say?**
- **Jabez LeBret**, Chief Innovation Officer, Get Noticed Get Found Inc., Cincinnati, OH

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 10, 2014

7:00 - 9:00 a.m.

Advanced Financial Issues in Reorganization – Wisdom from Our Turnaround Professionals

- **Lawrence R. Ahern III**, Brown & Ahern, Nashville, TN
- **Stephen B. Darr**, Senior Managing Director, Mesirow Financial Consulting, LLC, Boston, MA
- **Ted Gavin**, CTP, Managing Director, Gavin/Solmonese LLC, Wilmington, DE
- **Grant Newton**, Executive Director, Association of Insolvency & Restructuring Advisors, Medford, OR
- **Angela Shortall**, Director, Protoviti Inc., Baltimore, MD

4:30 - 5:30 p.m.

Tax and Bankruptcy Issues – Be Aware: Cancellation of Indebtedness, Basis Adjustments, Effect on Workouts and Transfers, Mortgage Modification, Foreclosures

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

5:30 - 6:30 p.m.

Chapter 11 Plan Confirmation: Cramdown, Competing Plans, New Value

- **David M. Neff**, Perkins Coie LLP, Chicago, IL, Past President, Chicago Bar Association, Bankruptcy & Reorganization Committee
- **James T. Markus**, Markus Williams Young & Zimmerman LLC, Denver, CO, Immediate Past President, American Bankruptcy Institute
- **Honorable Howard Tallman**, Chief Judge, U.S. Bankruptcy Court, District of Colorado, Denver, CO

SATURDAY, JANUARY 11, 2014

7:00 - 8:00 a.m.

Stern Wars: The Circuits Strike Back

- Robert M. Fishman, Shaw Fishman Glantz & Towbin LLC, Chicago, IL, Past President, American Bankruptcy Institute
- Ronald R. Peterson, Jenner & Block, Chicago, IL, Board Member, National Association of Bankruptcy Trustees

8:00 - 9:00 a.m.

Creditor Committee Representation Issues: Standing to Pursue Estate Causes of Action, SPM Gifts, Claims Against D&Os and Lenders

- Jeffrey N. Pomerantz, Pachulski, Stang, Ziehl & Jones LLP, Los Angeles, CA, Vice President of Education, American Bankruptcy Institute
- Ted Gavin, CTP, Managing Director, Gavin/Solmonese LLC, Wilmington, DE
- Claire Ann Resop, Steinhilber, Swanson & Resop, Madison, WI

4:30 - 5:30 p.m.

Case Law Update

- Ronald R. Peterson, Jenner & Block, Chicago, IL, Board Member, National Association of Bankruptcy Trustees
- Neil C. Gordon, Arnall Golden Gregory, LLC, Atlanta, GA, Past President, National Association of Bankruptcy Trustees

5:30 - 6:30 p.m.

Individual Chapter 11 Issues – A Whole Different Animal: Pre-Bankruptcy Planning, Debtor Versus DIP, Absolute Priority

- Paul G. Swanson, Steinhilber Swanson Mares Marone & McDermott, Oshkosh, WI, Past President, National Association of Bankruptcy Trustees
- James T. Markus, Markus Williams Young & Zimmerman LLC, Denver, CO, Immediate Past President, American Bankruptcy Institute
- Claire Ann Resop, Steinhilber, Swanson & Resop, Madison, WI

SUNDAY, JANUARY 12, 2014

7:00 - 8:00 a.m.

Plenary Session - The Overturning of DOMA by the Supremes: "What Now My Love?"

- Bynum (Bym) E. Tudor III, Founding Partner, Berry & Tudor, P.C., Brentwood, TN

8:00 - 9:00 a.m.

Plenary Session - Sunset of [which?]Provisions under the Pension Protection Act of 2006 for Multiemployer Pension Plans

- Jay Egelberg, ASA, Consulting Actuary, First Actuarial Consulting, Inc., New York, NY

31st 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

WEDNESDAY, JANUARY 8, 2014

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Defeating Goliath: A Primer on Insurer Bad Faith

- Meghan Moore, Shareholder, Ver Ploeg & Lumpkin, P.A., Miami, FL
- Andrea DeField, Associate, Ver Ploeg & Lumpkin, P.A., Miami, FL

5:30 - 6:30 p.m.

Secrets to Vetting Expert Witnesses

- Atlantis Langowski, Thomson Reuters Expert Witness Services, San Francisco, CA

THURSDAY, JANUARY 9, 2014

7:00 - 9:00 a.m.

Predicting What Jurors Think: Learn Tools You Can Use by Reviewing a Jury Deliberation and the Most Recent Research

- Jennifer (Ginger) Busby, Burr & Forman, LLP, Birmingham, AL
- John Tarpley, Lewis King Krieg & Waldrop PC, Nashville, TN

4:30 - 5:30 p.m.

Plenary Session - Expert Witness Tips and Trends: Information All Practitioners Can Use

- Atlantis Langowski, Thomson Reuters Expert Witness Services, San Francisco, CA

5:30 - 6:30 p.m. (1 Ethics Credit)

Plenary Session - Growing Your Practice Online: The Ethics of Online Marketing and Social Media

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- Jabez LeBret, Chief Innovation Officer, Get Noticed Get Found Inc., Cincinnati, OH

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 10, 2014

7:00 - 8:00 a.m.

Mediation: Tips, Secrets and Settlements – An Insider’s Guide

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

8:00 - 9:00 a.m.

Trial Pad in the Courtroom

- Leslie Kendrick, Hall & Evans LLC, Denver, CO

4:30 - 5:30 p.m.

“ERISA for Baby-Boomers or Generation Whatever” – Everything You Need to Know and Not One Iota More

- Elizabeth J. (Lisa) Bondurant, Smith Moore Leatherwood LLP, Atlanta, GA
- Michael S. Beaver, Holland & Hart LLP, Greenwood Village, CO

5:30 - 6:30 p.m.

Visual Advocacy: Learning to Use Cognitive Science to Make Your Case

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

SATURDAY, JANUARY 11, 2014

7:00 - 8:00 a.m.

The Art and Science of Alternative Dispute Resolution

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

8:00 - 9:00 a.m.

Drug Product Mass Tort Trial Prep from a Plaintiff Perspective

- Marc Bern, Napoli Bern Ripka Shkolnik, LLP, New York, NY

4:30 - 5:30 p.m.

Handling Electronic Medical Records for Trial Lawyers

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

5:30 - 6:30 p.m.

Patient Safety – What You Might Want to Know When Considering a Case

- William H. Black, Jr., Vice President & General Counsel, Cassatt RRG Holding Company, Malvern, PA

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Plenary Session - Sunset of [which?]Provisions under the Pension Protection Act of 2006 for Multiemployer Pension Plans

- Jay Egelberg, ASA, Consulting Actuary, First Actuarial Consulting, Inc., New York, NY

31st 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 G. Schendt, Partner, Compensation, Benefits & ERISA Litigation Group; Legislative & Public Policy Group, Alston & Bird LLP, Washington, DC

WEDNESDAY, JANUARY 8, 2014

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Is U.S. Airways (vs. McCutchen) “CRASHING” Your Health Plan?

- Rory Judd Albert, Senior Partner, Proskauer LLP, New York, NY
- Joseph Edmund Gorczyca, Schwartzapfel Truhowsky Marcus, P.C., Jericho, NY

5:30 - 6:30 p.m.

IRS/DOL Compliance Initiatives: An “Internal” and “External” Perspective on What to Review and How to Advise Clients

- Thomas G. Schendt, Partner, Alston & Bird LLP, Washington, DC
- Joan Brown, Senior Corporate Counsel, CenturyLink, Denver, CO

THURSDAY, JANUARY 9, 2014

7:00 - 8:00 a.m.

Affordable Care Act: Strategic Planning for "Wellness Programs"

- John Hickman, Partner, Leader, Health & Welfare Plans, Alston & Bird LLP, Atlanta, GA
- Bryan Brum, Attorney - Employee Benefits, United Parcel Service, Atlanta, GA

8:00 - 9:00 a.m.

Affordable Care Act: HOT!! Topics and Other Surprises

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

4:30 - 5:30 p.m.

Plenary Session - Expert Witness Tips and Trends: Information All Practitioners Can Use

- Atlantis Langowski, Thomson Reuters Expert Witness Services, San Francisco, CA

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- Jabez LeBret, Chief Innovation Officer, Get Noticed Get Found Inc., Cincinnati, OH

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 10, 2014

7:00 - 8:00 a.m.

Update on Employer Stock Litigation

- Doug Hinson, Senior Partner, Co-Leader, Compensation, Benefits, ERISA Litigation Group, Alston & Bird LLP, Atlanta, GA
- Ronald Richman, Partner, Schulte Roth & Zabel, New York, NY

8:00 - 9:00 a.m.

Pension De-Risking: A Strategic Review from the "Inside"

- Gary Hansen, Senior Director of Retirement Plans, U.S. Foods, Inc., Rosemont, IL
- Patrick DiCarlo, Alston & Bird, LLP, Atlanta, GA

4:30 - 5:30 p.m.

"Let's Kill All the Lawyers" OR Work More Effectively with Them!!

- Christopher J.G. Brockmeyer, Director of Employee Benefits Funds, The Broadway League, New York, NY
- Kelly Driscoll, Senior Managing Director, State Street Global Advisors, Boston, MA

5:30 - 6:30 p.m.

The "Ins" and "Outs" of Granting Equity to Employees of LLCs and Partnerships

- Michael Maryn, Partner, Denton US LLP, Washington, DC

SATURDAY, JANUARY 11, 2014

7:00 - 8:00 a.m.

Employer Responsibility to Provide Adequate Cyber-Security for Their Benefit Plans

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

8:00 - 9:00 a.m.

From Here to There: Benefit Issues Appurtenant to Employee Transfers (a/k/a "Does Anyone Really Ever Leave a Canadian Job?")

- Jordan Fremont, Partner, Hicks Morely Hamilton Stewart Storie LLP, Toronto, ON, Canada

4:30 - 5:30 p.m.

Mitigating Fiduciary Litigation Risk Through Best Practices for Oversight of Plan Investments/Investment Options and Implications of the DOL's New Definition of Fiduciary and 408(B) Disclosure Regulations

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

5:30 - 6:30 p.m.

Pension and Retiree Health Issues Engendered by the Bankruptcy of the City of Detroit: Just Another Day in Motown or a Harbinger of Things to Come for Other U.S. Cities?

- Evan Miller, Partner, Jones Day, Washington, DC

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- Jay Egelberg, ASA, Consulting Actuary, First Actuarial Consulting, Inc., New York, NY

31st Annual National CLE Conference®
**Environmental Law, Land Use,
Energy and Litigation
Program Agenda**

PROGRAM CO-CHAIRS:

- Yvette Lowney, Exponent Inc., Boulder, CO
- Timothy R. Henderson, Rich & Henderson PC, Annapolis, MD
- Gregor I. McGregor, McGregor & Associates PC, Boston, MA

WEDNESDAY, JANUARY 8, 2014

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Buying and Selling Dirty Property: Ten Tactical Tips and Sample Documents

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

5:30 - 6:30 p.m.

Brownfield Redevelopment – Contaminated Property: Remediation and Redevelopment

- Frank Chmelik, Chmelik Sitkin & Davis PS, Bellingham, WA

THURSDAY, JANUARY 9, 2014

7:00 - 8:00 a.m.

Water Pollution/Storm Water/Wetlands: Tougher Rules on New Facilities and Retrofitting the Existing

- Timothy R. Henderson, Rich & Henderson PC, Annapolis, MD

8:00 - 9:00 a.m.

Groundwater Supply: Political and Legal Case Studies Around the Nation

- Bruce Tepper, R. Bruce Tepper ALC, Los Angeles, CA

4:30 - 5:30 p.m.

Plenary Session - Expert Witness Tips and Trends: Information All Practitioners Can Use

- Atlantis Langowski, Thomson Reuters Expert Witness Services, San Francisco, CA

5:30 - 6:30 p.m. (1 Ethics Credit)

Plenary Session - Growing Your Practice Online: The Ethics of Online Marketing and Social Media

- Websites: How to Ethically Build a Successful Website that Does Not Mislead or Violate Your State Ethics Professional Code of Conduct.
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- Social Media: Why You Need to Care about Social Media, but Only for a Few Minutes a Week ... and How to Avoid Hot Water with the Ethics Committee When You or Someone from Your Staff is Using Social Media.
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6:30 p.m.

Wine Reception

FRIDAY, JANUARY 10, 2014

7:00 - 8:00 a.m.

Recent Developments in Fracking Lawsuits; What's Happening and Where Are We Heading

- Marc Bern, Napoli Bern Ripka Shkolnik, LLP, New York, NY

8:00 - 9:00 a.m.

Meeting the Challenges of Lean Government: The Privatized and Self-Help Regulatory Trend

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

4:30 - 5:30 p.m.

The Top Ten Land Use Law Decisions of 2013: From Zoning to Regulatory Takings

- Dwight Merriam, Robinson & Cole LLP, Hartford, CT

5:30 - 6:30 p.m.

Technical Issues in Revitalizing Urban Lands: Surmounting the Hurdles We've Erected

- Yvette Lowney, Exponent Inc., Boulder, CO
- Dr. Charles Menzie, Exponent Inc., Alexandria, VA

SATURDAY, JANUARY 11, 2014

7:00 - 8:00 a.m.

Tax Tips for Landowner, Developer, Utility, Government and Investments: Savings for Your Clients

- Jack Sawyer, Alston & Bird LLP, Atlanta, GA

8:00 - 9:00 a.m.

Keeping Land Conservation Contributions "Qualified" Under the Federal Tax Rules

- Stefan Nagel, Of Counsel, Law Office of Stephen J. Small, P.C., Newton, MA

4:30 - 5:30 p.m.

What Lawyers Need to Know About the Administration's New Climate Change/Global Warming Initiatives

- Peter J. Kirsch, Kaplan Kirsch & Rockwell LLP, Denver, CO

5:30 - 6:30 p.m. (1 Ethics Credit)

Malpractice Issues Involving Climate Change: Client Pitfalls and New Work for Attorneys

- Steven Hoch, Morris Polich & Purdy, Los Angeles, CA

SUNDAY, JANUARY 12, 2014

7:00 - 8:00 a.m.

Plenary Session - The Overturning of DOMA by the Supremes: "What Now My Love?"

- Bynum (Bym) E. Tudor III, Founding Partner, Berry & Tudor, P.C., Brentwood, TN

8:00 - 9:00 a.m.

Plenary Session - Sunset of [which?] Provisions under the Pension Protection Act of 2006 for Multiemployer Pension Plans

- Jay Egelberg, ASA, Consulting Actuary, First Actuarial Consulting, Inc., New York, NY

31st Annual National CLE Conference®

Family Law Program Agenda

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

WEDNESDAY, JANUARY 8, 2014

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Advanced Issues on Subchapter S Income for Support

- Carlton Stansbury, Burbach & Stansbury, Milwaukee, WI

5:30 - 6:30 p.m.

Family Law Malpractice: Avoidance and Defense

- Mary Jo Hart, Attorney at Law, San Francisco, CA

THURSDAY, JANUARY 9, 2014

7:00 - 8:00 a.m.

No Permanent Address? UCCJEA: Custody Issues for Mobile Parents

- Jacqueline M. Valdespino, Valdespino & Associates, Miami, FL

8:00 - 9:00 a.m.

Social Media and Divorce: The Impact of Social Media and Family Law

- Candace B. Peeples, Shaw, Anderson & Peeples, LLC, Birmingham, AL

4:30 - 5:30 p.m.

Plenary Session - Expert Witness Tips and Trends: Information All Practitioners Can Use

- Atlantis Langowski, Thomson Reuters Expert Witness Services, San Francisco, CA

5:30 - 6:30 p.m. (1 Ethics Credit)

Plenary Session - Growing Your Practice Online: The Ethics of Online Marketing and Social Media

- Websites: How to Ethically Build a Successful Website that Does Not Mislead or Violate Your State Ethics Professional Code of Conduct.
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- Online Reviews: What are the Ethics of Getting Reviews, How do You Get Reviews Removed and When are You Liable for What They Say?
- Jabez LeBret, Chief Innovation Officer, Get Noticed Get Found Inc., Cincinnati, OH

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 10, 2014

7:00 - 8:00 a.m.

New Trends in Parenting Time Schedules: Everything from the Basic to the Unique

- Scott N. Friedman, Friedman & Mirman Co., LPA, Columbus, OH

8:00 - 9:00 a.m.

Technology in Divorce: Tips and Tricks Every Family Law Lawyer Should Know

- David G. Sarif, Kessler & Solomiany LLC, Atlanta, GA

4:30 - 6:30 p.m.

The Good, The Bad, and the Ugly of Using Mental Health Professionals in Family Law Cases

- Michael J. Kretzmer, Law Office of Michael J. Kretzmer, Manhattan Beach, CA
- Philip M. Stahl, Ph.D., ABPP (Forensic), Queen Creek, AZ

SATURDAY, JANUARY 11, 2014

7:00 - 8:00 a.m.

An Alimony Manifesto: A Coherent Theoretical Model for Making Alimony Awards

- Marshal Willick, Willick Law Group, Las Vegas, NV

8:00 - 9:00 a.m.

Understanding Basic Financial Statement Concepts

- Brenda M. Clarke, CPA/ABV/CFF/CVA, Siegneur Gustafson LLP, Lakewood, CO

4:30 - 5:30 p.m. (1 Ethics Credit)

Ethical Issues in Family Law

- Peggy Podell, Attorney at Law, Milwaukee, WI

5:30 - 6:30 p.m.

Changing Nature of Marriage: Same Sex Marriage and Civil Unions

- Timothy B. Walker, Walker & Associates, LLC, Centennial, CO

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**31st Annual National CLE Conference®
Health Law Program Agenda**

PROGRAM CO-CHAIRS:

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

WEDNESDAY, JANUARY 8, 2014

3:00 - 7:00 p.m.

Registration

4:30 - 5:30 p.m.

Telemedicine: It's Not Just About Radiology

- J.A. (Tony) Patterson, Kalispell Regional Medical Center, Kalispell, MT
- David Johnson, Montgomery & Andrews, Santa Fe, NM

5:30 - 6:30 p.m.

Is Accountable Care the Answer? What was the Question?

- Amy Fehn, Fehn, Robichaud & Colagiovanni, PLLC, Troy, MI
- Denise Webb Glass, Norton Rose Fulbright, Dallas, TX

THURSDAY, JANUARY 9, 2014

7:00 - 9:00 a.m.

Lessons from the Trenches: Trial of a Health Care Case

- David Douglass, Sheppard Mullin, Washington, DC
- Michael Loucks, Skadden Arps LLP, Boston, MA
- Julie Nielsen, Berkeley Research Group, Tampa, FL

4:30 - 5:30 p.m.

Plenary Session - Expert Witness Tips and Trends: Information All Practitioners Can Use

- Atlantis Langowski, Thomson Reuters Expert Witness Services, San Francisco, CA

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Wine Reception

FRIDAY, JANUARY 10, 2014

- 7:00 - 8:00 a.m.
The View from Inside the Beltway
- Robert Roth, Hooper Lundy & Bookman, P.C., Washington, DC

- 8:00 - 9:00 a.m.
The Art of the Deal: Putting a Provider Affiliation Together
- Andrew J. Demetriou, Berkeley Research Group, LLC and Credo LLP, Los Angeles, CA

- 4:30 - 6:30 p.m.
Physician Compensation: From Soup to Nuts
- David W. Hilgers, Husch Blackwell LLP, Austin, TX
 - Albert (Chip) Hutzler, HealthCare Appraisers, Inc., Delray Beach, FL
 - Sidney Summers Welch, Kilpatrick Townsend & Stockton LLP, Atlanta, GA

SATURDAY, JANUARY 11, 2014

- 7:00 - 8:00 a.m.
The Changing Healthcare Marketplace and Trends Toward Consolidation
- Jeffrey Micklos, Federation of American Hospitals, Washington, DC
 - Mark Waxman, Foley & Lardner, Boston, MA

- 8:00 - 9:00 a.m.
New Fiscal Realities and External Challenges for Academic Medicine
- Almeta Cooper, Wexner Medical Center at The Ohio State University, Columbus, OH
 - Nate Gilmer, Vanderbilt University Medical Center, Nashville, TN

- 4:30 - 5:30 p.m.
It's a Jungle Out There: Medical Staffs Confront Quality, Safety and Fairness Issues
- Stephen G. Auer, Christensen & Auer, Pasadena, CA

- 5:30 - 6:30 p.m.
How the M&A Landscape is Transforming the Healthcare Delivery Model (Or Not!)
- Joseph Sowell, HCA Healthcare, Nashville, TN
 - Howard T. Wall III, RegionalCare Hospital Partners, Brentwood, TN

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31st Annual National CLE Conference®
Intellectual Property Program Agenda
Co-sponsored by the ABA Section of Intellectual Property Law and the International Trademark Association

PROGRAM CO-CHAIRS:

- Scott M. Alter, Faegre Baker Daniels LLP, Denver, CO
- David H. Bernstein, Debevoise & Plimpton LLP, New York, NY

WEDNESDAY, JANUARY 8, 2014

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

- 4:30 - 6:30 p.m.
- **The Year in Review: Copyright**
 - Katherine C. (Kate) Spelman, K&L Gates LLP, Seattle, WA
 - **The Year in Review: Trademark Prosecution**
 - Helen Minsker, Banner & Witcoff, Ltd., Chicago, IL
 - **The Year in Review: Trademark Litigation**
 - David H. Bernstein, Debevoise & Plimpton LLP, New York, NY

THURSDAY, JANUARY 9, 2014

- 7:00 - 9:00 a.m.
- **Latest Developments: New gTLDs**
 - David Taylor, Hogan Lovells International, Paris, France

■ **Latest Developments: Advertising, Promotions and Social Media**

- Tsan Abrahamson, Cobalt LLP, Berkeley, CA

■ **Latest Developments: Right of Publicity**

- Andrew Bridges, Fenwick & West LLP, San Francisco

4:30 - 5:30 p.m.

Plenary Session - Expert Witness Tips and Trends: Information All Practitioners Can Use

- Atlantis Langowski, Thomson Reuters Expert Witness Services, San Francisco, CA

5:30 - 6:30 p.m. (1 Ethics Credit)

Plenary Session - Growing Your Practice Online: The Ethics of Online Marketing and Social Media

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- Jabez LeBret, Chief Innovation Officer, Get Noticed Get Found Inc., Cincinnati, OH

6:30 p.m.

Wine Reception

FRIDAY, JANUARY 10, 2014

7:00 - 9:00 a.m.

Corporate In-House Roundtable

- **Advertising Clearance and Challenges**
 - Cynthia Hughes-Coons, Bayer HealthCare, Shawnee Mission, KS
- **Advertising – Misleading or Puffery?**
 - Brian Chevlin, Pernod Ricard USA, New York, NY
- **Developments in Fashion Law**
 - Geri Mankoff-Elias, Fifth & Pacific Companies, Inc., New York, NY
- **Protection of Luxury Brands**
 - Nicole Marra, Gucci America, New York, NY

4:30 - 5:30 p.m.

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

- Floyd E. Anderson, Avago Technologies, Fort Collins, CO
- Abha Divine, Techquity Capital Management, Austin, TX
- David Kaefer, Microsoft Corporation, Redmond, WA
- Michael J. Lasinski, 284 Partners, LLC, Ann Arbor, MI
- Paul Reidy, RPX, San Francisco, CA

5:30 - 6:00 p.m.

The Ongoing Saga of Induced Infringement

- Scott M. Alter, Faegre Baker Daniels LLP, Denver, CO

6:00 - 6:30 p.m.

Managing Complex ITC Litigation

- Fred Meeker, Banner & Witcoff, Ltd., Washington, DC
- Joe Potenza, Banner & Witcoff, Ltd., Washington, DC

SATURDAY, JANUARY 11, 2014

7:00 - 7:30 a.m.

Effective Multi-Corporation Solutions to Defending Against NPE's

- Doug Luftman, NetApp, Sunnyvale, CA

7:30 - 8:00 a.m.

Damages and Remedies in Patent Litigation

- Natalie Hanlon-Leh, Faegre Baker Daniels LLP, Denver, CO

8:00 - 9:15 a.m.

Hot Tips in Patent Prosecution and Inter Partes Review Post - AIA

- Gregory J. Kirsch, Smith, Gambrell & Russell LLP, Atlanta, GA
- Matt Smith, Turner Boyd LLP, Mountain View, CA

4:30 - 5:30 p.m.

What's Keeping Corporate Counsel Awake at Night

- Colm Dobbyn, MasterCard Worldwide, Purchase, NY
- Kim Jessum, Heraeus Incorporated, Langhorne, PA
- Molly Kocalski, Oracle America, Inc., Broomfield, CO
- Robert O. Lindefeld, Nantero, Inc, Pittsburgh, PA
- Stephen MacKenzie, INVISTA, Newark, DE

5:30 - 6:45 p.m.

A Dialogue Between Bench and Bar

- Hon. Kathleen M. O'Malley, U.S. Court of Appeals for the Federal Circuit, Washington, DC
- Hon. Faith Hochberg, U.S. District Court – New Jersey, Newark, NJ
- Donald R. Dunner, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Washington, DC
- John F. Duffy, Armistead M. Dobie Professor of Law, University of Virginia School of Law, Charlottesville, VA
- George Pappas, Covington & Burling LLP, Washington, DC

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31st Annual National CLE Conference®
**Labor & Employment Law
Program Agenda**

PROGRAM CO-CHAIRS:

- Eric Iskra, Spilman Thomas & Battle, Charleston, WV
- Arnold H. Pedowitz, Pedowitz & Meister LLP, New York, NY
- Jules L. Smith, Blitman & King LLP, Rochester, NY

WEDNESDAY, JANUARY 8, 2014

3:00 - 7:00 p.m.

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4:30 - 5:30 p.m.

Title VII Update

- John Beranbaum, Beranbaum Menken LLP, New York, NY
- Kelly M. Dermody, Lief Cabraser Heimann & Bernstein LLP, San Francisco, CA
- C. Geoffrey Weirich, Paul Hastings LLP, Atlanta, GA

5:30 - 6:00 p.m.

The Affordable Care Act is Here; Latest ERISA Developments

- Erin M. Sweeney, Dickstein Shapiro LLP, Washington, DC
- Bernard T. King, Blitman & King LLP, Syracuse, NY

6:00 - 6:30 p.m.

Labor Law for the Employment Lawyer

- W.V. Bernie Siebert, Sherman & Howard LLC, Denver, CO
- Jules L. Smith, Blitman & King LLP, Rochester, NY

THURSDAY, JANUARY 9, 2014

7:00 - 7:30 a.m.

Strategic Use of Motions in Limine

- Eric W. Iskra, Spilman Thomas & Battle, PLLC, Charleston, WV
- J. Nelson Thomas, Thomas & Solomon LLP, Rochester, NY

7:30 - 8:00 a.m.

Volunteers and Unpaid Interns Under the FLSA

- Ellen C. Kearns, Constangy, Brooks & Smith, LLP, Boston, MA
- Robert A. Meister, Pedowitz & Meister LLP, New York, NY

8:00 - 8:30 a.m.

Noncompete/Trade Secrets – Emerging Issues

- Arnold H. Pedowitz, Pedowitz & Meister LLP, New York, NY
- Jörg Rehder, Rechtsanwalt, Attorney at Law (Maryland and Minnesota), Solicitor (England and Wales), Frankfurt, Germany
- Christina H. Bost Seaton, Troutman Sanders LLP, New York, NY

8:30 - 9:00 a.m.

Mediation - Getting from Settlement To Formal Agreement

- Oyvind Wistrom, Lindner & Marsack, SC, Milwaukee, WI
- Jacquelin F. Drucker, New York, NY
- Louis Kushner, Rothman Gordon Foreman & Groudine, Pittsburgh, PA

4:30 - 5:30 p.m.

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6:30 p.m.

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7:00 - 7:30 a.m.

FMLA, ADA, PDA Update

- Waverly D. Crenshaw, Jr., Waller Lansden Dortch & Davis, PLLC, Nashville, TN
- Wendi S. Lazar, Outten & Golden LLP, New York, NY

7:30 - 8:00 a.m.

Winning the Settlement Conference

- William J. Kelly III, Kelly, Stacy & Rita LLC, Denver CO
- Anna Itenberg, Karp Neu Hanlon PC, Glenwood Springs, CO

8:00 - 8:30 a.m.

Judge and Magistrate Judge – What Lawyers are Missing

- Sander N. Karp, Karp Neu Hanlon, PC, Glenwood Springs, CO
- Honorable Wiley Young Daniel, Judge, U.S. District Court for Colorado, Denver, CO
- Honorable Michael J. Watanabe, Magistrate Judge, U.S. District Court for Colorado, Denver, CO

8:30 - 9:00 a.m.

International Legal Issues to be Aware Of

- Wayne N. Outten, Outten & Golden LLP, New York, NY
- Dr. Gerlind Wisskirchen, CMS Hasche Sigle, Cologne, Germany

4:30 - 5:00 p.m.

E-mail Retention Policies: Perspectives on Retention and Spoliation

- Ty Hyderally, Hyderally & Associates PC, Montclair, NJ
- Josh Fowkes, Arent Fox Kintner Plotkin & Kahn, Washington, DC

5:00 - 5:30 p.m.

Latest on Class Actions: An Update

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

5:30 - 6:00 p.m.

FLSA Update

- David Borgen, Goldstein Demchak Baller Borgen & Dardarian, Oakland, CA
- Timothy J. Long, Orrick Herrington & Sutcliffe LLP, Sacramento, CA

6:00 - 6:30 p.m.

Whistleblower Claims – Strategies for Plaintiff and Defense Counsel

- Steven W. Sufilas, Ballard Spahr LLP, Cherry Hill, NJ
- Nantiya Ruan, Of Counsel, Outten & Golden LLP, New York, NY and Assistant Professor of Legal Writing and Lawyering Professor and Director, Sturm College of Law, University of Denver, Denver, CO

SATURDAY, JANUARY 11, 2014

7:00 - 7:30 a.m.

What Plaintiff Lawyers Do that Scare Us and What We Love About Our Defense Lawyers

- Bryan Brum, Attorney - Legal Department, United Parcel Service, Atlanta, GA
- Niall A. Paul, Spilman Thomas & Battle, PLLC, Charleston, WV

7:30 - 8:00 a.m.

Immigration Law for the Employment Lawyer

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

- Christopher L. Thomas, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., Denver, CO

8:00 - 8:30 a.m.

What You Do Differently as an Advocate in Arbitration

- Barry D. Roseman, McNamara Roseman & Kazmierski LLP, Denver, CO
- Jeffrey D. Patton, Spilman Thomas and Battle PLLC, Winston Salem, NC

8:30 - 9:00 a.m.

Drafting and Responding to Discrimination Charges

- Laura Schnell, Eisenberg & Schnell LLP, New York, NY
- Mark Mallery, Ogletree, Deakins, Nash, Smoak & Stewart PC, New Orleans, LA
- David J. Carr, Ice Miller, LLP, Indianapolis, IN

4:30 - 5:00 p.m.

OSHA Theories and Defense for the Employment Lawyer

- Gregory M. Sato, Kobayashi, Sugita & Goda LLP, Honolulu, HI
- Daniel M. Klein, Buckley & Klein LLP, Atlanta, GA

5:00 - 5:30 p.m.

Predictive Coding Best Practices

- Michael P. (Mike) Royal, Fisher & Phillips LLP, Dallas, TX
- Marisa Warren, Pedowitz & Meister LLP, New York, NY

5:30 - 6:00 p.m.

ADA: Recent Developments on Reasonable Accommodations and the Interactive Process

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

6:00 - 6:30 p.m.

Retaliation: Statutes are Making It Easier

- Stacey Campbell, Littler Mendelson, P.C., Denver, CO
- Julian Birnbaum, Eisenberg & Schnell LLP, New York, NY

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