

36TH ANNUAL
CORPORATE COUNSEL INSTITUTE



DALLAS/ADDISON
April 10–11, 2014
Marriott Quorum by the Galleria

HOUSTON
May 1–2, 2014
Four Seasons Hotel

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UT Law CLE

2014 Corporate Counsel Institute

Schedule

Thursday Morning

Presiding Officers:

In Dallas: **Jane M. McBride**, Optimus Legal Management & Consulting - Plano, TX

In Houston: **Alma Reyes**, Attorney at Law - Houston, TX

8:00 am Registration Opens

Includes continental breakfast.

8:35 am Welcoming Remarks

8:45 am Government Investigations: What to Do When the Government Comes Knocking

0.75 hr Whether it's a call from the SEC or FBI agents in the lobby with a search warrant, in-house lawyers need to know how to respond when the government comes knocking. This panel discusses what should and be shouldn't in your initial response-toolkit to a government inquiry.

DALLAS ONLY: This session has moved to 9:00 AM Friday

Moderator: Stephen J. Korotash, K&L Gates LLP - Dallas, TX

Panelist: Kit Addleman, Haynes and Boone, LLP - Dallas, TX

Panelist: Stephen L. Corso, Department of Justice, Office of the U.S. Attorney, Southern District of Texas - Houston, TX

Panelist: Clay B. Scheitzach, Xerox Business Services, LLC - Dallas, TX

9:30 am Data Security and Privacy Issues: Strips, Chips and the New World of Data Security

1.00 hr

Data security breaches and the need to prevent them have become the norm. Discover protections to avoid data breaches and learn key steps to take when it does happen.

HOUSTON ONLY: This session has moved to 10:30 AM Friday.

Moderator: L. Brad Hancock, Greenberg Traurig, LLP - Houston, TX

Panelist: Cheri D. Carr, Stroz Friedberg - Dallas, TX

Panelist: Erin Nealy Cox, Stroz Friedberg - Dallas, TX

10:30 am Break

10:45 am Preserving Attorney-Client Privilege in Cross-Border Matters and Related Regulatory and Compliance Issues

0.75 hr

ethics Have you ever worked with an in-house lawyer outside the United States, copied an international VP on an email or provided legal advice on a global project? Protecting the confidentiality of your legal advice is not just your responsibility as an employee, but also as a lawyer. But when confidential information crosses international borders, legal professional privilege can be limited or lost altogether. Using real-world examples, learn how to avoid the pitfalls suffered by other in-house counsel, some of whom only learned of these issues after a dawn raid by competition authorities outside the U.S. or a discovery request by a clever plaintiffs' lawyer in the U.S.

Jordan W. Cowman, Greenberg Traurig, LLP - Dallas, TX

11:30 am System Failures under the FLSA

0.75 hr This session covers the most common system-wide FLSA compliance failures encountered in otherwise compliant organizations. Specific topics include recording time for mobile and after-hours work, miscalculations of overtime for employees paid bonuses or commissions, the perils of automatic time reporting systems and the misapplication of position exemptions.

Jason Boulette, Boulette & Golden L.L.P. - Austin, TX

12:15 pm Pick Up Lunch

Included in registration.

Thursday Afternoon**Presiding Officer:**

Michael D. Marin, Boulette & Golden L.L.P. - Austin, TX

Luncheon Presentation

Thank You to Our Luncheon Sponsor

Xerox Litigation Services

12:35 pm The New eDiscovery "Business" Model Drives Performance Predictability and Cost Containment

0.75 hr

The increasing role and visibility of eDiscovery services and costs within and outside legal departments is changing how corporations vet, select, monitor and retain providers.

Matt Mohwinkel, Xerox Litigation Services - New York, NY

In Dallas:

John A. King, Celanese Corporation - Irving, TX

In Houston:

Mark E. Lowes, KBR, Inc. - Houston, TX

1:20 pm Break

1:30 pm Social Media Four-Letter Words

1.00 hr The biggest four-letter word facing lawyers in the social media world is "risk."

0.25 hr Learn how some four-letter social media participants—Dell, AmEx and Mayo ethics (Clinic)—address these risks on various platforms and activities.

Moderator: Ryan M. Garcia, Dell - Austin, TX

Panelist: Mark Bisard, American Express - New York, NY

Panelist: Daniel S. Goldman, Mayo Clinic - Rochester, MN

2:30 pm Legal and Ethical Risks of Internet Cloud Services for In-House Counsel

0.75 hr As more businesses rely on storing business records and email on internet cloud services, the legal and ethical risks have become more complicated. Gain a better ethics understanding of the cloud's impact on attorney-client privilege, privacy and eDiscovery.

Peter S. Vogel, Gardere Wynne Sewell LLP - Dallas, TX

3:15 pm Doing Business Globally: Compliance Issues You May Not Have Thought About

1.00 hr This presentation covers legal issues that often get overlooked when a company expands its operations overseas. Do your employees have the proper work authorization? What are the applicable standards regarding data privacy and FCPA compliance? How much responsibility do you have for the actions of your contractors?

Moderator: Gary D. Eisenstat, Figari & Davenport, L.L.P. - Dallas, TX

Panelist: Jane Goddard, Fragomen Global LLP - Matawan, NJ

Panelist: Christopher L. Peele, Ashcroft Law Firm - Austin, TX

In Dallas:

Panelist: Mario Nigro, Blake, Cassels & Graydon LLP - Toronto, ON

In Houston:

Panelist: Patrick Garcia, Parker Drilling Company - Houston, TX

4:15 pm Break

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4:30 pm The Gatekeepers: C-Suite Secrets to Climbing the Corporate Ladder

0.75 hr Hear the latest state of the marketplace, what corporate counsel can do to advance and what the C-suite really thinks about in-house lawyers.

Moderator: Barrett R. Howell, K&L Gates LLP - Dallas, TX

Panelist: David M. Love III, Spencer Stuart - Dallas, TX

Panelist: Claire Hetherington Darr, Newhouse + Noblin LLC - Dallas, TX

In Dallas:

Panelist: Kelly Noblin, Newhouse + Noblin LLC - Dallas, TX

In Houston:

Panelist: John H. "Jay" Washburn Jr., Brayburn Capital Management, LLC - Austin, TX

5:15 pm Adjourn to Reception

Friday Morning

Presiding Officer:

Gary D. Eisenstat, Figari & Davenport, L.L.P. - Dallas, TX

8:00 am Conference Room Opens

Includes continental breakfast.

8:30 am Tips and Traps of Mediation Preparation

0.50 hr The key to successful mediation often lies in the preparation. Learn tips to help prepare for mediation and to avoid traps that might hinder the process.

Sylvia A. Mayer, S. Mayer Law PLLC - Houston, TX

9:00 am Top Ten D&O Insurance Mistakes

0.75 hr Lessons learned in coverage disputes and strategies for avoiding coverage failures and surprises.

DALLAS ONLY: This session has moved to 8:45 AM Thursday

Kara Altenbaumer-Price, USI Southwest - Dallas, TX

Amy Elizabeth Stewart, Amy Stewart PC - Dallas, TX

9:45 am Negotiating Commercial Leases

0.50 hr Real estate leasing from office space to warehouse storage: clauses, checklists and other tips for negotiating the commercial lease.

Kent Newsome, Greenberg Traurig, LLP - Houston, TX

10:15 am **Break**

10:30 am The False Claims Act: What Every In-House Lawyer Needs to Know

1.00 hr The number of False Claims Act (FCA) cases and investigations continues to rise. This interactive panel discussion examines some recent FCA developments and focuses on what every in-house lawyer needs to know about identifying, responding to and handling FCA investigations and whistleblower claims.

HOUSTON ONLY: This session has moved to 9:30 AM Thursday.

Moderator: B. Scott McBride, BakerHostetler - Houston, TX

Panelist: Holly L. Clarke, L-3 Communications Integrated Systems, L.P. - Rockwall, TX

Panelist: Robert J. Sherry, K&L Gates LLP - San Francisco, CA and Dallas, TX

In Dallas:

Panelist: Charles D. Reed, Hewlett-Packard Company - Wayne, PA

In Houston:

Panelist: Eric M. Schweiker, Hewlett-Packard Company - Wayne, PA

11:30 am Top Intellectual Property Mistakes and Pitfalls

0.50 hr What are the most common mistakes that every in-house lawyer needs to avoid when dealing with tricky IP issues? Tips for navigating around hard-to-see hazards for corporate counsel dealing with patent, trademark, copyright and trade secret issues in a variety of common business scenarios.

Edward A. Cavazos, Bracewell & Giuliani LLP - Austin, TX

12:00 pm **Pick Up Lunch**

Included in registration.

Friday Afternoon

Presiding Officers:

In Dallas: **Haseena J. Enu**, Fragomen, Del Rey, Bernsen & Loewy LLP - Addison, TX

In Houston: **Marc E. Vockell**, Dell - Round Rock, TX

Luncheon Presentation

12:20 pm Pro Bono: Good for Your Soul and Your Company

0.50 hr Everyone knows that *pro bono* services benefit those served, but these services ethics can also benefit you and your company. This discussion focuses on tangible benefits to your company and its legal department.

In Dallas:

Wayne Watts, AT&T - Dallas, TX

In Houston:

Scott E. Rozzell, CenterPoint Energy - Houston, TX

12:50 pm **Break**

1:00 pm Antitrust Aspects of M&A Transactions

1.00 hr Recent developments in mergers and acquisitions, including patents, a debrief of the airline merger issues and the government's shifting attitudes toward merger enforcement.

Gregory S.C. Huffman, Thompson & Knight LLP - Dallas, TX

2:00 pm Software Agreements and Audits

0.75 hr Managing and maintaining a company's license position is a daunting task, especially given the complexity of software licenses and the increasingly complex architectures utilized in today's IT environments. Software publishers and their trade associations (BSA | The Software Alliance and the Software & Information Industry Association) continue to ramp up their license enforcement efforts to increase revenues. Learn how you can minimize the risk of software audits and hear tips to reduce settlement dollars when you face a software audit.

Robert J. Scott, Scott & Scott, LLP - Southlake, TX

2:45 pm **Break**

3:00 pm Top Ten Things Every Employer Needs to Know before Firing an Employee

0.50 hr These days, it seems like nearly every employee termination inevitably leads to at
0.25 hr least a charge of discrimination being filed, if not a lawsuit. With that in mind,
ethics employers would be wise to have a checklist of key things to review including the coordination between HR and the employee's immediate supervisors, consideration of all disciplinary options, whether an investigation should be undertaken, the individuals to be interviewed, which documents should be reviewed and the scope of the severance and release package if one is being offered.

Mario A. Barrera, Norton Rose Fulbright - San Antonio, TX

3:30 pm Cybersecurity: Practical Tools to Deal with the Cybersecurity Issue

1.00 hr Drafting appropriate clauses to deal with cybersecurity concerns such as
0.25 hr insurance, indemnity, audits, notifications, representations and warranties.
ethics

Stephen E. Stein, Thompson & Knight LLP - Dallas, TX

4:30 pm Ethical Responsibilities of In-House Counsel

0.50 hr With recent legislative efforts to expand whistleblower rights and protections, many
ethics employers have found themselves confronting an increasing number of whistleblower reports, complaints and lawsuits. As part of this trend, many employers are also beginning to see, or anticipate, whistleblower activity and retaliation claims even among their own corporate counsel and compliance professionals. These kinds of complaints, reports and lawsuits brought by in-house attorneys present particular ethical challenges for the profession.

Chip Jones, Littler Mendelson P.C. - Dallas, TX

5:00 pm **Adjourn**

HOW TO REGISTER

Online:
www.utcle.org/conferences/CC14

Mail:
The University of Texas
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PO Box 7759
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CORPORATE COUNSEL SECTION



The Corporate Counsel Section of the State Bar of Texas is specifically geared to the in-house practice of law, serving in-house counsel as well as the outside counsel who work with them.

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ABOUT THE COVER



Parallel Universe (detail), 36" x 36", acrylic and mixed media on canvas, is by Leah Dunaway, 512.847.5462.

REGISTRATION FORM

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REGISTRATION—Includes Course Materials, Thursday and Friday Luncheon Presentations, and Thursday Afternoon Break and Reception

For Group registration, call 512.475.6700.

1. Select Location and Date

DALLAS—April 10–11, 2014

Early Registration cutoff—Wednesday, April 2

HOUSTON—May 1–2, 2014

Early Registration cutoff—Wednesday, April 23

2. Select Registration Type

Individual

Registration by cutoff date \$565

Registration after cutoff date \$615

Corporate Counsel Member

Registration by cutoff date \$540

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INSTITUTE LOCATION**Marriott Quorum by the Galleria**14901 Dallas Pkwy
Dallas, TX 75254-7551
972.661.2800**Special Room Rate: \$147**good through April 3
(subject to availability)**Parking:**Self-parking complimentary
(subject to change)**DALLAS/ADDISON**

April 10–11, 2014

**KEY DATES****April 2, 2014***last day for early registration*
add \$50 for registrations
received after this time**April 4, 2014***last day for cancellation (full refund)***April 7, 2014***last day for cancellation (partial refund)*
\$50 processing fee applied**April 10, 2014, 8:35 a.m.***Institute begins***INSTITUTE LOCATION****Four Seasons Hotel**1300 Lamar St
Houston, TX
713.650.1300**Special Room Rate: \$225**good through April 9
(subject to availability)**Parking:**Valet \$15 per day; \$30 overnight
Self-parking available in nearby lots
(subject to change)**HOUSTON**

May 1–2, 2014

**KEY DATES****April 23, 2014***last day for early registration*
add \$50 for registrations
received after this time**April 25, 2014***last day for cancellation (full refund)***April 28, 2014***last day for cancellation (partial refund)*
\$50 processing fee applied**May 1, 2014, 8:35 a.m.***Institute begins***THANK YOU TO OUR SPONSORS****BakerHostetler**
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