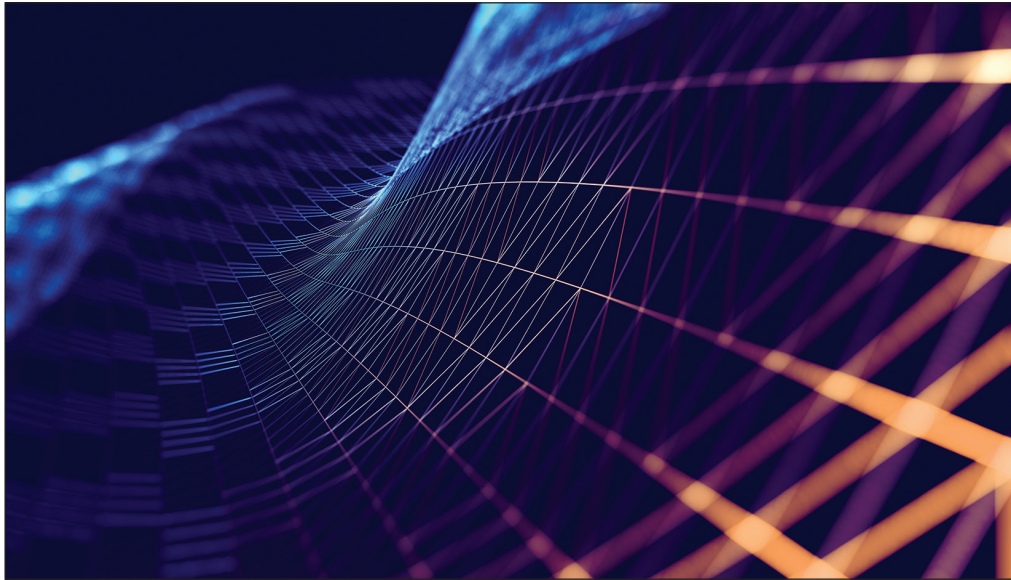


41ST ANNUAL

CORPORATE COUNSEL INSTITUTE



May 16–17, 2019
The Whitehall Hotel ■ Houston, Texas

Live Webcast May 16–17

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THURSDAY MORNING, MAY 16, 2019

Presiding Officer:

Jeffrey J. Walker, Masergy
Communications, Inc., Plano, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

**EMPLOYMENT ISSUES FOR
CORPORATE COUNSEL**

8:30 a.m. .50 hr

**Recent Developments in Labor and
Employment Law**

Get the latest updates in labor and employment law, including developments under the current administration.

Gary D. Eisenstat, Ogletree, Deakins, Nash, Smoak &
Stewart, P.C., Dallas, TX

9:00 a.m. .75 hr

**C-Suite Investigations: An Experience To (or
Not To) Forget**

Explore an actual investigation of claims of harassment and discrimination against the company CEO and how the General Counsel should handle the role of 'monkey in the middle' without sacrificing integrity while preserving his/her relationship with the Board of Directors and the CEO.

Marla A. Moore, Marla Moore, PLLC, Houston, TX
Mark L. Weintrub, Authentix, Addison, TX

9:45 a.m. .75 hr

**The Use of Data Analytics In Employment
Decision-Making**

Explore the growing role of data analytics in traditional employment decision-making, the use of wearable and implantable technology to capture employee data, and the legal risks associated with same. The effects of real-time performance metrics and hyper-transparency on employee feedback models will also be discussed.

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

10:30 a.m. Break

**GDPR & CYBERSECURITY
IMPACTS ON TEXAS BUSINESS**

10:45 a.m. .50 hr

**What Small and Mid-Size Businesses Need to
Know About GDPR**

The EU's General Data Protection Regulation (GDPR) has been a game-changer for companies of all sizes. Learn the important details of GDPR including who it applies to, recent guidance from European Data Protection Authorities, and how to gauge and mitigate the risk to your organization.

Tom Matzen, Matzen Consulting Group, Austin, TX

11:15 a.m. .50 hr

**Cybersecurity: Lessons Learned from Recent
Breaches**

Get an overview of recent data breaches and the consequences in terms of litigation, government regulation and enforcement, policy and practice changes at the affected entities, and lessons for other companies going forward.

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

11:45 a.m. .50 hr

**Indemnification and Insurance: Contractual
Risk Transfer Provisions**

Contract terms designed to allocate risk and mandate the procurement of insurance are a critical component of any corporate risk management program. Avoid surprises by understanding what risk transfer provisions can (and cannot) accomplish and how they interface with the company's own insurance programs.

Amy Elizabeth Stewart, Amy Stewart PC, Dallas, TX

12:15 p.m. Pick Up Lunch

Included in registration.

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THURSDAY AFTERNOON

Presiding Officer:

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

**THANK YOU TO OUR
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LUNCHEON PRESENTATION

12:35 p.m. .50 hr

**Effective Client Communication Across
Generational and Other Divides**

Effective communication is a key predictor of career and professional success for in-house lawyers. As the corporate world becomes more diverse, client communication becomes even more challenging. Learn how to effectively communicate in this fast changing corporate environment.

Jane Mallor McBride, Optimus Legal Management &
Consulting, Plano, TX

1:05 p.m. Break

**CRAFTING AND DRAFTING
THE WIN-WIN DEAL**

1:20 p.m. .33 hr

Negotiation Tricks and Traps

We all know the right number at the wrong time is the wrong number. So what insights can we glean from recent scientific advances to increase the odds of a favorable deal ethically?

Donald R. Philbin Jr., Donald R. Philbin, Jr., P.C.,
San Antonio, TX

1:40 p.m. .33 hr

Boilerplate Clauses ... Aren't They a Drag

Remind yourself why you should read all of the clauses and provide edits, especially when most people do not!

Marc J. Krasney, PS Lightwave, Inc., Houston, TX

2:00 p.m. .33 hr

Strange But True: Unusual Contracts

Discuss unusual agreements and clauses in agreements, which might make you stop to wonder "can they do that?"

Mark R. Zeidman, Ferguson Braswell Fraser Kubasta
PC, Houston, TX

ALTERNATIVE ARRANGEMENTS FOR ALL

2:20 p.m. .50 hr

Alternative Fee Arrangements: One Model That Works

A simple, risk-reward, engagement model which benefits both the company and the law firm.

Mark D. Wolf, U.S. Well Services, Inc., Houston, TX

2:50 p.m. .50 hr ethics

Pro Bono Collaborations with Outside Counsel: The New Networking

With both in-house counsel and outside firms wanting to give back to their communities and to develop their relationships with each other, pro bono truly is the new networking. Learn how in-house counsel and outside firms can collaborate, including best practices and overcoming fears of lack of subject-matter knowledge, on pro bono projects from legal advice clinics to direct representation, and how these collaborations help bridge the "justice gap."

Wafa Abidin, Houston Volunteer Lawyers, Houston, TX

3:20 p.m. Networking Break

Catch up with your colleagues and make some new friends as you get the most of your live conference registration. Of course, the chance to make your own ice cream sandwich only adds to the fun.

3:50 p.m. .50 hr

Cases You Should Know

Refresh your knowledge and learn about some recent decisions on a variety of corporate, compliance, and litigation issues. Topics include the enforcement and interpretation of commonly used contract provisions; discovery limitations and obligations, including privileges and spoliation; developing case law on the False Claims Act and Foreign Corrupt Practices Act; and more.

Hon. Tracy Christopher, Fourteenth Court of Appeals, Houston, TX
Yvonne Y. Ho, Bracewell LLP, Houston, TX

4:20 p.m. 1.00 hr

Lessons Learned from Trial

This panel of experienced trial lawyers will discuss what they have seen from trials that every in-house lawyer should know.

Moderator:

Alistair B. Dawson, Beck Redden LLP, Houston, TX

Panelists:

Jeffrey S. Davis, Bradley Arant Boult Cummings LLP, Houston, TX
Aaron Mark Pool, Donato, Minx, Brown & Pool, P.C., Houston, TX
Hon. Randall W. Wilson, 157th District Court, Houston, TX

5:20 p.m. Adjourn

FRIDAY MORNING, MAY 17, 2019

Presiding Officer:
C. E. Rhodes, Houston, TX

7:30 a.m. Conference Room Opens
Includes continental breakfast.

NEW LITIGATION LANDMINES

8:30 a.m. .33 hr

Avoiding (or Using) Anti-SLAPP Motions to Dismiss

Originally intended as an early dismissal mechanism for a small, specialized subset of media cases, the Texas Citizens Participation Act (a/k/a the Anti-SLAPP statute) has morphed into a constantly-expanding behemoth that has been applied to almost every kind of civil suit filed in Texas today. Get a brief overview of how the statute works, an update on the types of cases that Texas courts have found to be subject to the TCPA, and business decisions that can and should be taken into account when filing and defending cases in Texas.

Allison Standish Miller, Beck Redden LLP, Houston, TX

8:50 a.m. .33 hr

Revisiting Non-Compete Protections in Texas: The Use of Non-Competition Covenants to Protect Confidential Information in the Digital Age

As work environments become increasingly interconnected through technology, companies must continue to re-evaluate all available options to protect their confidential and proprietary information and trade secrets. Get highlights of the current state of non-compete protections in Texas, with a focus on the use of such covenants to protect a company's sensitive business information.

Jason M. Storck, Wilson Sonsini Goodrich & Rosati, P.C., West Lake Hills, TX

9:10 a.m. .33 hr

Corporate Representative Depositions: Risks and Rewards

Corporate representative depositions can be powerful tools in litigation—posing significant risk for corporate litigants who are ill prepared. Learn key considerations to help identify the appropriate witness to testify and formulate a strategic response strategy.

Cynthia L. Saiter, Scott Douglass & McConnico LLP, Austin, TX

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 11.00 hours, of which 1.50 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively approved provider (#179).

TOPICAL UPDATES AND SURPRISES IN THE COMING YEAR

9:30 a.m. .33 hr

IP Law Update

Get the latest updates you need on developments in intellectual property law.

Edward A. Cavazos, Pillsbury Winthrop Shaw Pittman LLP, Austin, TX

9:50 a.m. .33 hr

Immigration Law Update

Address the immigration fundamentals necessary to business success in the current political environment. Understand the major changes to business immigration law and how your company can strategically navigate them.

Leigh Ganchan, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., Houston, TX

10:10 a.m. .33 hr

Environmental Law Update

In the midst of deregulation at the federal level and constantly evolving state requirements, get an update on the latest developments in environmental law and examine how these changes could impact your practice and your clients.

Heather M. Palmer, Sidley Austin LLP, Houston, TX

10:30 a.m. Break

ATTORNEY MARKETING IN THE 21ST CENTURY

10:45 a.m. .50 hr

The Law of Marketing

Examine the legal implications of marketing and advertising on social media platforms, including regulatory oversight by the FTC and other agencies, as well as the status of social media posts as corporate speech.

John G. Browning, Passman & Jones, Dallas, TX

11:15 a.m. 1.00 hr ethics

Ethical Hazards That Confront Corporate Counsel

Corporate counsel are the primary counsel for the organization. If the actions of senior management threaten to substantially injure the corporation, what must counsel do? When is counsel required to become a whistleblower? Under what circumstances are counsel required to disclose their own errors? During this final hour of the institute, we will discuss the most challenging ethical obligations of in-house counsel.

Sean Gorman, Bracewell LLP, Houston, TX
Kristi H. McCarthy, Chevron North America Exploration & Production Company, Houston, TX

12:15 p.m. Adjourn

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Houston, TX

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Houston, TX

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Please note requests will be relayed to the service provider but UT Law cannot guarantee accomodation.

- Vegetarian Vegan Gluten Free Dairy Free None

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REASONS TO ATTEND

The **41st Annual Corporate Counsel Institute** offers in-depth, practical discussions on legal issues for in-house counsel and outside counsel who represent companies of all sizes. This year's Institute features focus on the areas that matter most to corporate counsel:

- Crafting and Drafting The Win-Win Deal
- New Litigation Landmines
- GDPR & Cybersecurity Impacts on Texas Business
- Alternative Working Arrangements for All
- Attorney Marketing in the 21st Century
- Employment Issues for Corporate Counsel
- Topical Updates and Surprises In the Coming Year

Registrants also have the opportunity to obtain an eSupplement to complete their full 15.00/3.00 MCLE hours requirement – free for members of the Corporate Counsel Section!