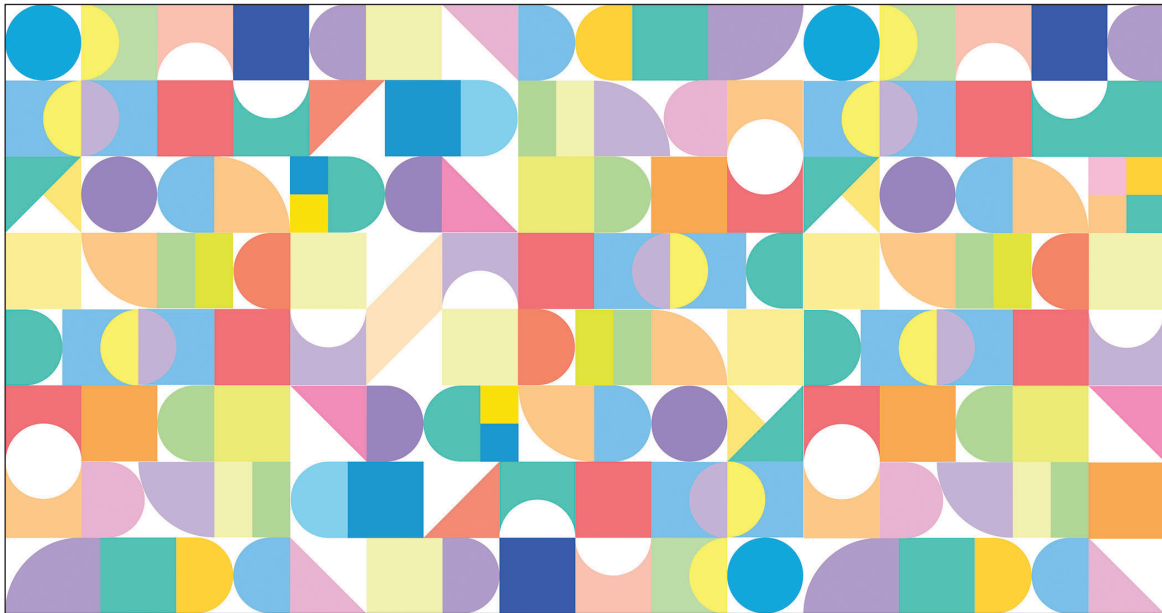


30TH ANNUAL
**LABOR AND EMPLOYMENT LAW
CONFERENCE**



June 1–2, 2023
AT&T Conference Center ■ Austin, Texas

 [Live Webcast June 1–2](#)

Earn up to 12.00 Hours of Credit Including 1.25 Hours of Ethics Credit

MCLE Credit Approved in TX, CA, OK and PA (hours vary by state)

TX Legal Specialization Approved for Civil Appellate Law, Civil Trial Law, and Labor and Employment Law

Professional Accreditation Available for Human Resources PHR/SPHR/GPHR and
SHRM-CPSM / SHRM-SCPSM Recertification Credit

30TH ANNUAL
LABOR AND EMPLOYMENT LAW CONFERENCE

June 1–2, 2023 ■ AT&T Conference Center ■ Austin, Texas

Earn up to 12.00 Hours of Credit Including 1.25 Hours of Ethics Credit; MCLE Credit Approved in TX, CA, OK and PA (hours vary by state)

TX Legal Specialization Approved for Civil Appellate Law, Civil Trial Law, and Labor and Employment Law

Professional Accreditation Available for Human Resources PHR/SPHR/GPHR and SHRM-CPSM / SHRM-SCPSM Recertification Credit

Times listed are in Central Time

THURSDAY MORNING, JUN. 1, 2023

Presiding Officer:

**Malinda A. Gaul, Gaul and Dumont,
San Antonio, TX**

7:30 a.m. Registration Open

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. .75 hr

State Employment Law Update: Texas and Beyond

Examine employment-related developments under Texas state law, including a discussion of significant new Texas cases. Also explore important trends developing in other states, and what they might mean for Texas.

Christopher Benoit, Coyle & Benoit, PLLC,
El Paso, TX
Clara "C. B." Burns, Kemp Smith LLP, El Paso, TX

9:15 a.m. .75 hr

Federal Employment Law Update

Analyze recent U.S. Supreme Court decisions, federal legislative developments, and administrative action.

Danielle K. Herring, Littler Mendelson P.C.,
Houston, TX
Elizabeth "BB" Sanford, The Sanford Firm, Dallas, TX

10:00 a.m. .50 hr

Wage and Hour Update

An overview of annual developments in the field of wage-and-hour law, including case law updates, regulatory changes, and more.

Abel Martinez, H-E-B, San Antonio, TX

10:30 a.m. 15-Minute Break

MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.00 hours, of which 1.25 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 (#169).

10:45 a.m. .75 hr

NLRB Update

A detailed discussion of the dramatic changes that affect unionized and non-unionized workers and employers that have occurred in the last 12 months under the National Labor Relations Act.

Robert E. Sheeder, Morgan, Lewis & Bockius LLP,
Dallas, TX
Rod Tanner, Tanner and Associates, PC, Fort Worth,
TX

11:30 a.m. .50 hr

Post-COVID Jury Verdicts

The presentation will be a survey and discussion of trends in post-COVID verdicts in employment cases.

Brian Sanford, The Sanford Firm, Dallas, TX

12:00 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

**John V. Jansonius, Jackson Walker LLP,
Dallas, TX**

LUNCHEON PRESENTATION

12:20 p.m. .50 hr

How to Cultivate a Better Workplace

Quiet quitting. Hey Boomer. Gen X. Gen Z. Millennial. Anti-work. Current workplace structures aren't always working. Hear from a worker-side trial attorney about how to build a better workplace and why we all have more in common than we might think.

Amy Gibson, Gibson Wiley PLLC, Dallas, TX

12:50 p.m. 15-Minute Break

Are you a 1st or 2nd year attorney? Attend most UT Law CLE conferences for just \$150!

Call 512.475.6700 to register.

TRACK A: WORKFORCE SOLUTIONS

Presiding Officer:

**John V. Jansonius, Jackson Walker LLP,
Dallas, TX**

SPECIAL NOTICE:

Live Webcast Includes BOTH Tracks

NEW THIS YEAR! The live webcast includes both the Workforce Solutions track and the Litigation Strategies track. The materials for both tracks are available in the course materials, and approximately 6–8 weeks after the conference the video recordings from both tracks will be available in "Your Briefcase."

1:05 p.m. .50 hr

Trade Secret Update

A focus on trade secret cases involving what is required to prove a trade secret, the use of expert testimony, and what evidence is required to prove misappropriation. Additionally, the discussion includes damage theories and injunctive relief.

Kenneth D. Hughes, Hughes PLLC, Houston, TX

1:35 p.m. .75 hr

Diversity, Equity, and Inclusion Hot Topics

This presentation covers the latest hot topics in diversity, equity, inclusion, and belonging.

Shafeeqa W. Giarratani, Ogletree, Deakins, Nash,
Smoak & Stewart, P.C., Austin, TX
Victoria Martin Phipps, Texas A&M University,
College Station, TX

2:20 p.m. 10-Minute Break

2:30 p.m. 1.00 hr

Remote Workers: Not as Simple as You Think

Employers have good reasons to allow or expand the use of remote workers but many fail to recon and plan for unfamiliar legal requirements in their new territories. States, counties, and municipalities are regulating employer conduct and a single employee in a city or state can trigger an avalanche of obligations and penalties for the unwary. This checklist approach will help identify the traps awaiting employers who expand without a plan.

Christopher H. Hahn, Dell Technologies,
Round Rock, TX
Audrey E. Mross, Munck Wilson Mandala, LLP,
Dallas, TX

3:30 p.m. Adjourn

TRACK B: LITIGATION STRATEGIES

Presiding Officer:

Sean M. Becker, Vinson & Elkins LLP,
Houston, TX

SPECIAL NOTICE:

Live Webcast Includes BOTH Tracks

NEW THIS YEAR! The live webcast includes both the Workforce Solutions track and the Litigation Strategies track. The materials for both tracks are available in the course materials, and approximately 6–8 weeks after the conference the video recordings from both tracks will be available in "Your Briefcase."

1:05 p.m. .50 hr

Settlement Agreements: Yes, No, Maybe So

Now that you have orally agreed to resolve that legal dispute, here are some specific provisions you should say "yes", "no" or "maybe so" to in the written settlement agreement.

Katrina S. Patrick, Law Offices of Katrina Patrick,
Houston, TX

1:35 p.m. .75 hr

War Stories, Trial Tips, and Trial Skills Comparison: New vs. Established

Two trial lawyers discuss tried and true methods for winning jury trials.

John W. Griffin Jr., Marek, Griffin & Knaupp, Victoria, TX
Deontae Wherry, Rob Wiley, P.C., Dallas, TX

2:20 p.m. 10-Minute Break

2:30 p.m. .50 hr

Arbitration is NOT Litigation

Arbitration is intended to be more prompt and less costly. All it takes is using it intelligently, collegially and differently from litigation. It is widely used in labor union contracts and is particularly suited for non-union employment conflicts.

David T. Lopez, David T. Lopez & Assoc., Houston, TX

3:00 p.m. .50 hr

Anatomy of a TRO and Temporary Injunction Hearing

A discussion of best practices and "do's and don'ts" for Texas District Court practitioners in temporary restraining order ("TRO"), temporary injunction and expedited discovery hearings, with a special emphasis on non-competition, non-solicitation and trade secrets issues.

Hon. Lauren Reeder, 234th Civil District Court,
Houston, TX
E. Phileda Tennant, Vinson & Elkins LLP, Houston, TX

3:30 p.m. Adjourn

NETWORKING RECEPTION

THANK YOU TO OUR SPONSORS

3:30 p.m. – 4:30 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

FRIDAY MORNING, JUN. 2, 2023

Presiding Officer:

Shafeeqa W. Giarratani, Ogletree,
Deakins, Nash, Smoak & Stewart, P.C.,
Austin, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

Public Sector Update

Hear the latest on matters affecting government employees, including developments in the First Amendment, due process, privacy, political patronage, and state law protections in the public workplace.

Natalie G. DeLuca, Harris County Attorney's Office,
Houston, TX
Robert W. Schmidt, Crews Law Firm, P.C., Austin, TX

9:30 a.m. .75 hr

Developments in Disability Discrimination Law

A comprehensive review of significant regulatory and court developments under the Americans with Disabilities Act and insights into emerging disability issues.

Amber K. Dodds, Bracewell LLP, San Antonio, TX
Laura M. Merritt, Boulette Golden & Marin L.L.P.,
Austin, TX

10:15 a.m. 15-Minute Break

10:30 a.m. .75 hr | .25 hr ethics

Whistleblowers

A plaintiff-side and defense-side lawyer discuss protections and pitfalls for individuals and employers under state and federal whistleblower statutes.

Drew L. Harris, Office of the Attorney General,
Austin, TX
Austin Kaplan, Kaplan Law Firm, Austin, TX

11:15 a.m. .75 hr

Mediation Strategies, Solutions and Lessons Learned

The success of mediation is influenced by the information exchanged in advance, the type of mediation (remote or in-person), the inclusion or exclusion of a joint opening session, and many other factors. This panel discusses best practices for opening lines of communication, getting past the impasse, and finding a resolution.

Moderator:

Vianei Lopez Braun, Decker Jones, P.C., Fort Worth, TX

Panelists:

Hon. Elizabeth S. Chestney, U.S. District Court,
Western District of Texas, San Antonio, TX
Connor Throckmorton, Throckmorton Law Firm
PLLC, Houston, TX

12:00 p.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON

Presiding Officer:

Michael W. Fox, Austin, TX

LUNCHEON PRESENTATION

12:20 p.m. .50 hr

Hot Topics

Catch up on the latest legal issues for employers, including a discussion of pending state and federal legislation, proposed rules, and other topics that keep employers up at night including the post-*Dobbs* workplace.

Jennifer M. Trulock, Baker Botts, Dallas, TX

12:50 p.m. 15-Minute Break

1:05 p.m. .50 hr

Off Duty Conduct

Out of sight but not out of mind. Limits on employers' ability to police off-duty conduct.

Paul Harris, Shellist | Lazarz | Slobin LLP, Houston, TX

1:35 p.m. .75 hr

Retaliation Limits of Protected Activity

Testing the bounds of protection in this cultural moment.

Amanda Hernandez, AH LAW, PLLC, Houston, TX
Harrison M. Smith, Schmoyer Reinhard LLP,
Fort Worth, TX

2:20 p.m.

1.00 hr ethics

Ethics: Can We Talk?

This session explores the limits on attorney communication with employees, former employees, and other potential witnesses in the context of employment litigation. Special attention will be given to the ethical considerations associated with joint representation of a party and a potential witness, including concerns surrounding the use of such representation to limit the ability of the other side to communicate with a potential witness.

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

3:20 p.m.

Adjourn



UT Law CLE is committed to helping attorneys meet their annual Texas MCLE requirements. Following the event, registrants will receive a free, on-demand eSupplement that will bring their total available hours to 15.00, including 3.00 hours of ethics.

SUBSCRIBE TODAY!

UT Law CLE offers annual subscriptions for MCLE On-Demand and our eLibrary *Unlimited Access. Anytime. Anywhere.*

Compare options and subscribe at www.utcle.org/subscriptions

***Subscriptions do not include registrations to live conferences or live webcasts.*

ACTION THROUGH EDUCATION

Our efforts for real change.

Learn how we as lawyers can join the fight against injustice.

Visit www.utcle.org for more.

CONFERENCE FACULTY AND PLANNING COMMITTEE

MALINDA A. GAUL*—CHAIR
Gaul and Dumont
San Antonio, TX

DREW L. HARRIS
Office of the Attorney General
Austin, TX

VICTORIA MARTIN PHIPPS*
Texas A&M University
College Station, TX

SEAN M. BECKER*
Vinson & Elkins LLP
Houston, TX

PAUL HARRIS
Shellist | Lazarz | Slobin LLP
Houston, TX

LAKSHMI RAMAKRISHNAN*
Texas RioGrande Legal Aid
Houston, TX

CHRISTOPHER BENOIT
Coyle & Benoit, PLLC
El Paso, TX

AMANDA HERNANDEZ
AH LAW, PLLC
Houston, TX

HON. LAUREN REEDER
234th Civil District Court
Houston, TX

JASON BOULETTE*
Boulette Golden & Marin L.L.P.
Austin, TX

DANIELLE K. HERRING*
Littler Mendelson P.C.
Houston, TX

BRIAN SANFORD
The Sanford Firm
Dallas, TX

VIANEI LOPEZ BRAUN
Decker Jones, P.C.
Fort Worth, TX

CHARLES C. HIGH JR.*
Kemp Smith LLP
El Paso, TX

ELIZABETH "BB" SANFORD
The Sanford Firm
Dallas, TX

CLARA "C. B." BURNS*
Kemp Smith LLP
El Paso, TX

KENNETH D. HUGHES*
Hughes PLLC
Houston, TX

ROBERT W. SCHMIDT
Crews Law Firm, P.C.
Austin, TX

HON. ELIZABETH S. CHESTNEY
U.S. District Court, Western
District of Texas
San Antonio, TX

JOHN V. JANSONIUS*
Jackson Walker LLP
Dallas, TX

ROBERT E. SHEEDER*
Morgan, Lewis & Bockius LLP
Dallas, TX

NATALIE G. DELUCA*
Harris County Attorney's Office
Houston, TX

AUSTIN KAPLAN*
Kaplan Law Firm
Austin, TX

HARRISON M. SMITH
Schmoyer Reinhard LLP
Fort Worth, TX

AMBER K. DODDS
Bracewell LLP
San Antonio, TX

JAMES H. KIZZIAR JR.*
Bracewell LLP
San Antonio, TX

ROD TANNER*
Tanner and Associates, PC
Fort Worth, TX

MICHAEL W. FOX*
Austin, TX

DAVID T. LOPEZ*
David T. Lopez & Assoc.
Houston, TX

E. PHILEDA TENNANT
Vinson & Elkins LLP
Houston, TX

SHAFEEQA W. GIARRATANI*
Ogletree, Deakins, Nash, Smoak &
Stewart, P.C.
Austin, TX

ABEL MARTINEZ*
H-E-B
San Antonio, TX

CONNOR THROCKMORTON
Throckmorton Law Firm PLLC
Houston, TX

AMY GIBSON*
Gibson Wiley PLLC
Dallas, TX

LAURA M. MERRITT*
Boulette Golden & Marin L.L.P.
Austin, TX

JENNIFER M. TRULOCK*
Baker Botts
Dallas, TX

JOHN W. GRIFFIN JR.
Marek, Griffin & Knaupp
Victoria, TX

AUDREY E. MROSS*
Munck Wilson Mandala, LLP
Dallas, TX

DEONTAE WHERRY
Rob Wiley, P.C.
Dallas, TX

CHRISTOPHER H. HAHN*
Dell Technologies
Round Rock, TX

KATRINA S. PATRICK
Law Offices of Katrina Patrick
Houston, TX

*Planning Committee member

HOW TO REGISTER

Online:

www.utcle.org/conferences/EL23/signup

Mail:

The University of Texas
School of Law
ATTN: CLE
PO Box 7759
Austin, TX 78713-7759

Fax:

512.475.6876

Questions? 512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 days prior to the conference.

REGISTRATION BENEFITS

Comprehensive Course Materials: Access course materials in "Your Briefcase" approximately 48 hours before the live event, and enjoy unlimited access to the final, complete course materials – downloadable PDFs of papers and slides.

Accredited eConference: Complimentary access to the eConference – with papers, slides, and video – accredited for one year in both TX and CA are available in "Your Briefcase" 6–8 weeks after the event.

TX MCLE Credit Reporting: UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track the Texas MCLE credit reported on your behalf at "Your Account" after you've logged in at www.utcle.org.

TROUBLE LOGGING IN?

A UT Law CLE account is created for conference attendees and product customers with information provided on the order form. An email address will serve as the User Name.

Forget Your Password or Need it Reset? Just select "Forgot Password" under "Sign In or Join" at www.utcle.org.

Still Need Assistance? Contact customer service at 512.475.6700 or service@utcle.org during business hours.

REGISTRATION FORM

PLEASE PRINT CLEARLY

EL23

Bar Card # _____ TX Other State: _____ N/A

Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations, and receipts are emailed to these addresses.

EVENT REGISTRATION

Includes Electronic Course Binder Download (PDF) in "Your Briefcase." Special group registration rates available. Call 512.475.6700.

- Live, In-Person Event Registration \$645 | \$695 after May 24
 Live Webcast Registration \$645 | \$695 after May 24

Thursday Afternoon Concurrent Sessions (Select One):

- Track A: Workforce Solutions
 Track B: Litigation Strategies

Printed and Shipped Binder with Registration (Shipping Included) – Available for order through Friday, June 2, 2023

Please note that the printed binder will arrive 2–3 weeks after the scheduled webcast. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

- Printed and Shipped Course Binder \$70.36 (\$65*)

Webcast Add-on

Register for the in-person conference and add on the webcast format for attendance flexibility.

- Webcast Add-on \$75

TOTAL EVENT REGISTRATION \$ _____

FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST \$150! CALL 512.475.6700 TO REGISTER.

POST-CONFERENCE PRODUCTS

eConference – For Texas and California MCLE Credit

Includes Electronic Course Binder Download (PDF) and program video/audio. Available 6-8 weeks after live event. Hours may vary depending on actual event runtime.

- Individual eConference \$695

Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- Electronic Post-Course Download (PDF) \$265.21 (\$245*)
 Printed Post-Course Binder \$319.34 (\$295*)

TOTAL POST-CONFERENCE PRODUCTS \$ _____

METHOD OF PAYMENT

- Check (make check payable to The University of Texas at Austin)
 VISA MasterCard American Express P.O. (include a copy of the purchase order upon submission)

Card / P.O. # _____ CW # _____ Exp. Date _____ / _____
(mm/yy)

Authorized Signature _____

** Tax-exempt rate for, e.g., government employees and nonprofits. Include a Texas Sales and Use Tax Exemption Certificate with order.*

Visit

www.utcle.org

Email

service@utcle.org

Call

512.475.6700

Facebook

UT Law CLE

LinkedIn

UT-Law-CLE

Twitter

@UTLawCLE**AUSTIN**

June 1–2, 2023

CONFERENCE LOCATION**AT&T Conference Center**The University of Texas at Austin
1900 University Avenue
Austin, TX 78705
877.744.8822 (reservations)**ACCOMMODATIONS**Please visit
www.utcle.org/conferences/el23#venue
for information regarding nearby hotels.**Parking:**Daily self-parking will be validated for the AT&T
Conference Center garage or surrounding
UT garages. Separate fees apply for valet and
overnight parking.**KEY DATES****May 24, 2023***Last day for early registration rates***May 26, 2023***Last day for full refund cancellation***May 30, 2023***Last day for partial refund cancellation*

\$50 processing fee applied

June 1, 8:20 a.m., CT*Conference begins***June 2, 2023***Last day to order a printed and shipped course binder
with in-person or webcast conference registration.***THANK YOU TO OUR RECEPTION SPONSORS**

Boulette Golden & Marin L.L.P.

Bracewell LLP

JAMS

Kemp Smith LLP

Littler Mendelson P.C.

**UT Law CLE is committed to
Practice Excellence.**We are here to support our community. Information and
updates regarding our in-person conferences and live webcasts
will be posted at www.utcle.org.In addition, we continue to offer multiple educational
opportunities online—both live and on-demand—by
bringing practitioners together virtually. We are
fortunate to serve so many of you who strive for
excellence in the practice of law.