

2019 Section of Litigation & Solo, Small Firm and General Practice Division CLE Conference

May 1-3, 2019 | New York Marriott Marquis | New York, NY

ONSITE GUIDE



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#LitigationGPSolo

ABA
Section of
Litigation

ABGPSOLO
Solo, Small Firm and General Practice Division
YOUR SUCCESS. OUR MISSION.

HIGHLIGHTS

THANK YOU TO OUR PLANNING COMMITTEE



Palmer Gene Vance II
Section of Litigation
Chair
2018-2019



Melanie Bragg
Solo, Small Firm and
General Practice Division
Chair, 2018-2019

Mary Craig Calkins, Section of Litigation Managing Director, 2018-2019
Christina Plum, Section of Litigation Managing Director, 2018-2019

Stephen J. Curley, Jyotin Hamid, Arvin Maskin, and Sherilyn Pastor
2019 Section of Litigation Conference Co-Chairs

Alfreda D. Coward, Karen M. Goodman, Lynn A. Howell, and Matthew A. Moeller
2019 GPSolo Division Conference Co-Chairs

Thank you to our co-sponsors!



NEW YORK STATE BAR ASSOCIATION
COMMERCIAL & FEDERAL LITIGATION SECTION

FEATURED PROGRAMS

The Media in the Crosshairs: The Vital First Amendment Values at Stake

Wednesday, May 1 | 4:30 PM – 6:00 PM



R. Bruce Rich
Weil Gotshal & Manges LLP
New York, NY

MODERATOR



Sunny Hostin
ABC News, *The View*
New York, NY

SPEAKER



David E. McCraw
The New York Times
New York, NY

SPEAKER



David Remnick
The New Yorker
New York, NY

SPEAKER



Nadine Strossen
New York Law School
New York, NY

SPEAKER

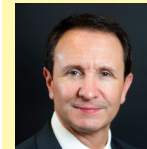
Whither the 10th Amendment? State Attorneys General, Federalism, and Litigation

Thursday, May 2 | 8:15 AM – 9:45 AM



Ellen F. Rosenblum
Attorney General for the
State of Oregon
Salem, OR

MODERATOR



Jeff Landry
Attorney General for the
State of Louisiana
Baton Rouge, LA

SPEAKER



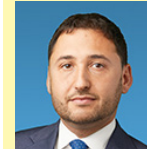
Karl A. Racine
Attorney General for the
District of Columbia
Washington, D.C.

SPEAKER



Daniel B. Rodriguez
Northwestern Pritzker
School of Law
Chicago, IL

SPEAKER



Misha Tseytlin
Former Wisconsin Solicitor
General; Troutman Sanders
LLP, Chicago, IL

SPEAKER

David v. Goliath v. David: An Opening Statements Showdown Between Small Firm and Big Firm Litigators

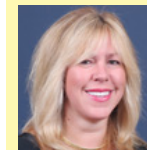
Friday, May 3 | 10:25 AM – 12:00 PM



Bruce H. Nagel
Nagel & Rice LLP
Roseland, NJ

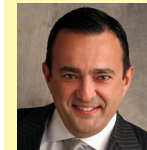
TRIAL ATTORNEY

V.



Karen Y. Bitar
Seyfarth Shaw LLP
New York, NY

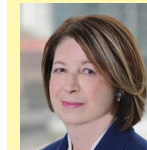
TRIAL ATTORNEY



John Zavitsanos
Ahmad Zavitsanos
Anaipakos Alavi & Mensing
PC, Houston, TX

TRIAL ATTORNEY

V.



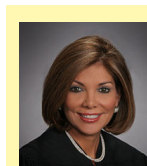
Stephanie A. Scharf
Scharf Banks
Marmor LLC
Chicago, IL

TRIAL ATTORNEY



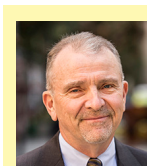
Hon. Stanley R. Chesler
U.S. District Court for the
District of New Jersey
Camden, NJ

JUDGE



Hon. Eva Martinez Guzman
Texas Supreme Court
Austin, TX

JUDGE



Ronald Beaton
Trial Behavior Consulting
San Francisco, CA

JURY CONSULTANT

NETWORKING

NETWORKING

WEDNESDAY, MAY 1



Diversity Leadership Award Luncheon

12:15 PM – 1:45 PM

\$75 Ticketed Event

This event concludes the LGBT+ Forum and commences the Litigation & GPSolo CLE Conference. During this luncheon, we will present the Diversity Leadership Award to **Judge Richard A. Jones**, co-founder of the Northwest Minority Job Fair and U.S. District Judge for the Western District of Washington. **Rea Carey**, Executive Director of the National LGBTQ Task Force, will be our keynote speaker for the luncheon.



Judge Richard A. Jones
Award Recipient



Rea Carey
Keynote Speaker



Welcome Reception Honoring the Judiciary

6:00 PM – 7:30 PM

Complimentary (Registration Required)

Join us Wednesday evening for our Welcome Reception Honoring the Judiciary. This reception is open to all Conference attendees.



The Welcome Reception Honoring the Judiciary is sponsored by Ankura.



Committee Dinners & Dine-Arounds

7:30 PM – 10:00 PM

Various Locations (Registration Required/Pay on Own)

Gather with those who share your area of interest while enjoying one of New York City's finest restaurants. All attendees welcome, even those not in Committees or new to the Section of Litigation or GPSolo Division. Visit the registration desk for more information about participating Committees and to register.

THURSDAY, MAY 2



Networking Breakfast

7:15 AM – 8:15 AM

Complimentary (Registration Required)

Meet in small groups with Section/Division leaders and newcomers alike over breakfast and learn how the Section of Litigation and the GPSolo Division can deliver results for your practice and professional development.

THURSDAY, MAY 2 (Continued)

Ankura Digital Headshot Station

8:00 AM – 5:00 PM

Refresh your social media profiles with a new digital head shot! Ankura will provide the photographer, backdrop, and fantastic lighting, you bring the smile. All attendees welcome, all photos are free. You will look better than the selfie you're using, we promise.



The Headshot Station is sponsored by Ankura.



John Minor Wisdom Award Luncheon

12:30 PM – 1:45 PM

\$100 Ticketed Event

During this luncheon, the Section of Litigation will present the John Minor Wisdom Public Service and Professionalism Award to **John G. Levi**, chairman of the board of the Legal Services Corporation and partner at Sidley Austin LLP. **Kenneth C. Frazier**, chairman and CEO of Merck, will be our keynote speaker for the luncheon.



John G. Levi
Award Recipient



Kenneth C. Frazier
Keynote Speaker



The John Minor Wisdom Award is sponsored by Stone Pigman Walther Wittmann LLC.



Committee Expo

3:00 PM – 4:00 PM

Complimentary

Please join conference attendees and the leadership of the Section of Litigation, including the chairs of its open-enrollment Committees, at our Committee Expo—Broadway Edition. This peer-to-peer educational experience allows attendees to learn about the many valuable career-building opportunities that Committees provide for their members while being able to mix and mingle in a relaxed setting that allows attendees to learn and network at the same time. Attendees can also meet GPSolo leaders and learn more about GPSolo Committees, programs, and benefits.



Networking Reception at the Metropolitan Club

6:00 PM – 9:00 PM

\$125 Ticketed Event

Engage with fellow attendees at this elegant reception hosted at the Metropolitan Club, founded in 1891, on 5th Avenue at East 60th Street. Transportation is on your own. Please check the back of your reception ticket for directions, and be sure to allow for adequate travel time with New York City's bustling traffic. **Please note the Metropolitan Club's dress code:** Gentlemen are required to wear jackets and ties. Appropriate attire for ladies is dresses, skirts, dressy pant suits, and business pant suits.

Sponsor of the ABA Section of Litigation



The Networking Reception at the Metropolitan Club is sponsored by LexisNexis.



NETWORKING

SCHEDULE AT A GLANCE

FRIDAY, MAY 3

Committee Breakfast Business Meetings

7:00 AM – 8:00 AM

Complimentary (Registration Required)

Start your day by meeting new and prospective Committee members and networking with litigators from similar practice areas or fellow solo/small firm attorneys. Meet with leaders of 39 substantive Section of Litigation Committees as well as GPSolo leaders, and learn how to get involved.



Networking Luncheon

12:15 PM – 1:45 PM

\$75 Ticketed Event

As the conference moves toward its conclusion, network over lunch as you make new connections and reconnect with colleagues and friends.

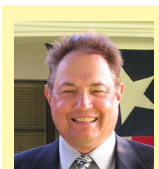


Solo and Small Firm Awards Luncheon

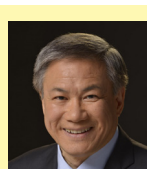
12:15 PM – 1:45 PM

\$65 Ticketed Event

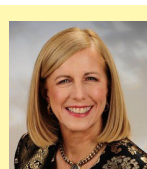
The Solo and Small Firm Awards Luncheon is the hottest ticket in town and a highlight of the GPSolo Division's bar year. We will present Solo and Small Firm Lifetime Achievement Awards to **Gary L. Anderson** from the U.S. Department of Justice and **Glenn Lau-Kee** from Lau-Kee Law Group PLLC. The Solo and Small Firm Trainer Award will be presented to **Cynthia Sharp** from The Sharper Lawyer. Join us to be inspired by our recipients.



Gary L. Anderson
Award Recipient



Glenn Lau-Kee
Award Recipient



Cynthia Sharp
Award Recipient

Thomson Reuters Happy Hour

Enhancing Your Solo or Small Law Practice with Practical Law

4:30 PM – 5:30 PM

This interactive event will explore Thomson Reuters' Practical Law, and its creation of new content and resources for solo and small firm law practitioners to enhance and build their practices. Practical Law's resources include substantive, practice-area specific standard documents, checklists, legal updates, how-to guides, 50-state surveys, and resources on law firm practice management, legal operations, and professional development.



THOMSON REUTERS™ The Happy Hour is sponsored by Thomson Reuters.

GPSolo Closing Night Dinner

6:00 PM – 8:00 PM

\$125 Ticketed Event (Dinner Only)

The conference rounds off with an evening of drinks, fine dining, and unrivaled networking opportunities, hosted by GPSolo. After dinner at Bond 45, catch a play at one of the many nearby Broadway theaters. What a perfect way to end your visit!



WEDNESDAY, MAY 1

Time	CLE	Event Title	Room	Level
10:00 AM – 6:30 PM		Registration	Foyer	7
12:15 PM – 1:45 PM		Diversity Leadership Award Luncheon (Ticketed: \$75)	Astor Ballroom	7
2:00 PM – 3:00 PM	Technology CLE	Breakout: New Technology, New Liability: Product Liability Risks in the Digital Age	O'Neill	4
	Technology CLE	Breakout: Data Security Awareness in Action	Marquis Ballroom	9
	General CLE	Breakout: Big Firm v. Small Firm No More: How Small Firms & Boutiques Are Effectively Litigating Against BigLaw	Empire Complex	7
	General CLE	Breakout: Navigating Multidistrict Litigation	Manhattan Ballroom	8
	Wellness CLE	Breakout: <i>The Trial Lawyer's Guide to Success and Happiness II: Mindfulness and Wellness in Your Legal Career and Beyond</i>	Cantor/Jolson	9
	General CLE	Breakout: The Secret Is Out: Strategies for Protecting Trade Secrets	Ziegfeld	4
2:00 PM – 4:00 PM		R&R Well-Being Lounge	Sky Lobby	16
3:00 PM – 3:15 PM		Networking Break	Foyer	7
			Upper Terrace	9
3:15 PM – 4:15 PM	Skills CLE	Breakout: Effective Legal Writing: Greater Clarity Taught with Hilarity	O'Neill	4
	Ethics CLE	Breakout: Implications of Sharing the Attorney-Client Privilege: When and How It Should Be Done	Ziegfeld	4
	General CLE	Breakout: Copycats from the Catwalk: Protection and Enforcement in Luxury and Fashion	Empire Complex	7
	General CLE	Breakout: New Frontiers in Antitrust	Cantor/Jolson	9
	General CLE	Breakout: From Broadway to the Courtroom: A Mock Oral Argument Showcasing Alexander Hamilton, the Lawyer	Manhattan Ballroom	8
	Skills CLE	Breakout: Opening Statement: Go Wisely and Slowly. Those Who Rush, Stumble and Fall	Marquis Ballroom	9

SCHEDULE AT A GLANCE

WEDNESDAY, MAY 1 *(Continued)*

Time	CLE	Event Title	Room	Level
4:15 PM – 4:30 PM		Networking Break	Foyer	7
			Upper Terrace	9
4:30 PM – 6:00 PM	General CLE	Plenary: The Media in the Crosshairs: The Vital First Amendment Values at Stake	Astor Ballroom	7
6:00 PM – 7:30 PM		Welcome Reception Honoring the Judiciary	Broadway Lounge	8
7:30 PM – 10:00 PM		Committee Dinners & Dine-Arounds <i>(Pay on Own)</i>	Off-Site	

THURSDAY, MAY 2

6:30 AM – 7:15 AM		Fun Run/Walk <i>(Meet in front of Starbucks on the Ground level)</i>		
6:30 AM – 5:00 PM		Registration	Foyer	7
7:15 AM – 8:15 AM		Networking Breakfast	Broadway South	6
8:00 AM – 5:00 PM		Ankura Digital Headshot Station	Foyer	7
8:15 AM – 9:45 AM	General CLE	Plenary: Whither the 10th Amendment? State Attorneys General, Federalism, and Litigation	Broadway North	6
9:45 AM – 10:00 AM		Networking Break	Foyer	6
			Foyer	7
10:00 AM – 11:00 AM	Technology CLE	Breakout: The Internet of (Hackable) Things (IoT): Liability and Insurance for Smart Technology	Astor Ballroom	7
	Elimination of Bias CLE	Breakout: Considering Gender Issues in Jury Trials	Majestic Complex	6
	General CLE	Breakout: Big Firm Discovery on a Small Firm Budget	Empire Complex	7
	Ethics CLE	Breakout: The ABA Model Rules on Advertising: They May Apply to You!	Manhattan Ballroom	8
	General CLE	Breakout: Recent Trends in Securities Litigation	Shubert Complex	6
	Law Office Management CLE	Breakout: So, You Want to Be the Boss: What It Takes to Start Your Own Law Firm	Soho Complex	7
10:00 AM – 12:00 PM		R&R Well-Being Lounge	Sky Lobby	16

SCHEDULE AT A GLANCE

Time	CLE	Event Title	Room	Level
11:00 AM – 11:15 AM		Networking Break	Foyer	6
			Foyer	7
11:15 AM – 12:15 PM	General CLE	Breakout: How Do Small Firms and Solo Practitioners Navigate the Class Action Arena?	Shubert Complex	6
	Technology CLE	Breakout: New Kids on the Blockchain: How and When Will Law Firms Embrace Crypto-Currencies and Distributed Ledger Technology?	Majestic Complex	6
	Ethics CLE	Breakout: The Nexus of Leadership and Professional Responsibility	Empire Complex	7
	General CLE	Breakout: Winning Commercial Cases at Trial: The Keys to Success	Manhattan Ballroom	8
	General CLE	Breakout: You're Under Investigation: Expectations and Preparation Tips for a Government Investigation	Astor Ballroom	7
	Technology CLE	Breakout: What's Hot in Financial Technology: Latest and Greatest Developments and Fintech Trends	Soho Complex	7
12:30 PM – 1:45 PM		John Minor Wisdom Award Luncheon <i>(Ticketed: \$100)</i>	Broadway South	6
2:00 PM – 3:00 PM		R&R Well-Being Lounge	Sky Lobby	16
2:00 PM – 3:00 PM	Technology CLE	Breakout: Technology-Assisted Review in Investigations, Examinations, and Legal Assessments	Shubert Complex	6
	Wellness CLE	Breakout: Let's Talk M&Ms: Mindfulness and Money	Majestic Complex	6
	General CLE	Breakout: Seeing Is Believing! Effective Use of Demonstrative Evidence in the Digital Age	Manhattan Ballroom	8
	General CLE	Breakout: Mastering Mass Tort Settlements	Empire Complex	7
	General CLE	Breakout: Y Is the New 40: What the Aging Workforce Means for the Future of Work	Soho Complex	7
	Substance Use Disorder Prevention CLE	Breakout: Balancing a Lawyer's Cry for Help from Dependency or Depression with Ethical Obligations of Competence and Reporting	Astor Ballroom	7
3:00 PM – 4:00 PM		Committee Expo	Broadway North	6

SCHEDULE AT A GLANCE

THURSDAY, MAY 2 (Continued)

Time	CLE	Event Title	Room	Level
4:00 PM – 5:00 PM	General CLE	Breakout: What Persuades Judges and Juries and What Doesn't	Astor Ballroom	7
	Elimination of Bias CLE	Breakout: Women Throwing Shade: How It Was, How It Is, and Winning in Spite of It	Empire Complex	7
	General CLE	Breakout: You Can Check Out Anytime You Like, But You Can Never Leave: Are Class Actions Impossible to Settle Now?	Soho Complex	7
	General CLE	Breakout: Spoiling for a Fight: Preventing, Spotting, and Addressing ESI Destruction	Manhattan Ballroom	8
	General CLE	Breakout: What's Hot in M&A Today? The Latest Developments and Trends in Merger and Acquisition Litigation	Shubert Complex	6
	Ethics CLE	Breakout: Ethical Considerations in Dealing with Clients and Colleagues Battling Opioid Use	Majestic Complex	6
4:30 PM – 5:30 PM		Open Friends of Bill W. Meeting	Sky Lobby	16
6:00 PM – 9:00 PM		Networking Reception at the Metropolitan Club (Ticketed: \$125) (See pg. 5 for details.)	1 E. 60th Street	
10:00 PM – 12:00 AM		GPSolo Hospitality Suite (All attendees welcome.)	Ziegfeld	4

FRIDAY, MAY 3

6:30 AM – 7:15 AM		Fun Run/Walk (Meet in front of Starbucks on the Ground level)		
6:30 AM – 4:15 PM		Registration	Foyer	7
7:00 AM – 8:00 AM		Committee Breakfast Business Meetings	Broadway South	6
8:00 AM – 9:00 AM	General CLE	Breakout: The Power of Partnering: The Case for Counsel Collaboration	Manhattan Ballroom	8
	General CLE	Breakout: International Discovery: Gathering Evidence from Around the Globe	Astor Ballroom	7
	Elimination of Bias CLE	Breakout: Breaking Through Barriers: Lawyering with a Disability	Soho Complex	7
	Skills CLE	Breakout: Effective Storytelling Through Data Visualizations: How to Tell a Persuasive Story Through Data Graphics	Empire Complex	7
	General CLE	Breakout: Arbitration: Where Does It Belong and Not Belong?	Shubert Complex	6

SCHEDULE AT A GLANCE

Time	CLE	Event Title	Room	Level
8:00 AM – 9:00 AM	General CLE	Breakout: Developments in Insurance Law: The Top 10 Things Every Litigator Must Now Know About Insurance	Majestic Complex	6
8:00 AM – 10:00 AM		R&R Well-Being Lounge	Sky Lobby	16
9:00 AM – 9:10 AM		Networking Break	Foyer	6
			Foyer	7
9:10 AM – 10:10 AM	General CLE	Breakout: Rising Litigation and Compliance Risks Facing Higher Education	Majestic Complex	6
	General CLE	Breakout: “Trumping” International Law? The Administration at the Half-Term	Astor Ballroom	7
	Law Office Management CLE	Breakout: Money, Money, Money: How to Control Litigation Budgets	Shubert Complex	6
	General CLE	Breakout: Rule Changes for Rule 30(b)(6) Depositions: How to Meet the New Requirements in a Post-Rule Change World	Manhattan Ballroom	8
	Law Office Management CLE	Breakout: Developing Our Next Generation of Litigators: Creating Opportunities for Courtroom Experience	Soho Complex	7
	General CLE	Breakout: A Delicate Balance: Arbitrating Your Client's Complex Commercial Case Without Sacrificing Speed, Efficiency, and Cost Savings	Empire Complex	7
10:10 AM – 10:25 AM		Networking Break	Foyer	6
			Foyer	7
10:25 AM – 12:00 PM	General CLE	Plenary: David v. Goliath v. David: An Opening Statements Showdown Between Small Firm and Big Firm Litigators	Broadway North	6
12:15 PM – 1:45 PM		Networking Luncheon (Ticketed: \$75)	Broadway South	6
12:15 PM – 1:45 PM		Solo and Small Firm Awards Luncheon (Ticketed: \$65)	Liberty	8
2:00 PM – 3:00 PM	Law Office Management CLE	Breakout: Bridging the Gap Between Law School and Practice	Soho Complex	7
	Ethics CLE	Breakout: Matchmaker, Matchmaker, Make Me a Match: Best Practices, Ethical Considerations, and Effective Use of Local Counsel	Astor Ballroom	7
	General CLE	Breakout: Run from the Border? Recent Developments in Jurisdiction in Cross-Border Litigation	Manhattan Ballroom	8

SCHEDULE AT A GLANCE

PROGRAMMING

FRIDAY, MAY 3 (Continued)

Time	CLE	Event Title	Room	Level
2:00 PM – 3:00 PM	General CLE	Breakout: GDPR: General Data Protection Regulation One Year Later	Majestic Complex	6
	General CLE	Breakout: “Stranger in a Strange Land”: Cross-Cultural Issues in the Courts	Empire Complex	7
	General CLE	Breakout: Mediation in Bankruptcy: Overview and Special Topics	Shubert Complex	6
2:00 PM – 4:00 PM		R&R Well-Being Lounge	Sky Lobby	16
3:00 PM – 3:15 PM		Networking Break	Foyer	6
			Foyer	7
3:15 PM – 4:15 PM	General CLE	Breakout: Three’s a Crowd: Appealing the Multi-Party Judgment	Soho Complex	7
	General CLE	Breakout: Top Blunders to Avoid with Experts	Majestic Complex	6
	Non-CLE	Breakout: In-House Counsel: An Open Discussion of Best Practices and Career Paths	Empire Complex	7
	General CLE	Breakout: Judge, What Do You Want to Hear? Presenting a Bench Trial	Manhattan Ballroom	8
	General CLE	Breakout: A Global View of Litigation Finance: Domestic and International Perspectives from Practitioners, Funders, and the Bench	Astor Ballroom	7
4:30 PM – 5:30 PM		Thomson Reuters Happy Hour	O’Neill	4
6:00 PM – 8:00 PM		GPSolo Closing Night Dinner (Ticketed: \$125)	Bond 45 221 W. 46th Street	
10:00 PM – 12:00 AM		GPSolo Hospitality Suite (All attendees welcome.)	Ziegfeld	4

R&R Well-Being Lounge

Join us in the R&R Well-Being Lounge (16th Floor Sky Lobby) to take a break with your fellow attendees in this cell phone-free zone. For more information, including a list of discussion topics scheduled throughout the conference, pick up a handout at the registration desk. Lounge hours are listed above in the Schedule at a Glance.

WEDNESDAY, MAY 1

New Technology, New Liability: Product Liability Risks in the Digital Age

This panel will explore evolving technologies and the product liability risks and litigation trends surrounding those technologies.

Moderator: **Tamar B. Kelber**, Gass Weber Mullins LLC, Milwaukee, WI
Speakers: **Shayna E. Sacks**, Napoli Shkolnik PLLC, New York, NY;
Mark Swanson, Kinetic Metrics LLC, Alexandria, VA; **Jacob Yormak**, Story Ventures, New York, NY

2:00 PM – 3:00 PM

Technology CLE

O’Neill, Level 4

Data Security Awareness in Action

This is not your typical cybersecurity presentation. In this interactive session, the presenters will demonstrate actual hacks and techniques of hackers. The panelists will then engage the audience in a discussion on the legal ramifications of the security events demonstrated and how to prevent or mitigate the impacts.

2:00 PM – 3:00 PM

Technology CLE

Marquis Ballroom, Level 9

Big Firm v. Small Firm No More: How Small Firms & Boutiques Are Effectively Litigating Against BigLaw

Courtroom thrillers like *A Civil Action* and *The Rainmaker* paint long odds when smaller firms take on BigLaw in court. Litigators from small and boutique firms will address strategies (including use of technology) for leveling the playing field, and through which these firms are succeeding in litigation against their BigLaw counterparts.

2:00 PM – 3:00 PM

General CLE

Empire Complex, Level 7

Navigating Multidistrict Litigation

The MDL Act was passed in 1958. Now 60 years later, this panel will discuss the process to pursue consolidation of multidistrict litigation before a transferee judge, how transferee judges try to manage cases for pre-trial purposes, and a variety of commonly encountered issues and challenges faced by those confronted with modern multidistrict litigation.

2:00 PM – 3:00 PM

General CLE

Manhattan Ballroom, Level 8

Moderator: **Kent A. Lambert**, Baker Donelson Bearman Caldwell & Berkowitz PC, New Orleans, LA

Speakers: **Hon. George B. Daniels**, U.S. District Court for the Southern District of New York, New York, NY; **Fred T. Isquith**, Wolf Haldenstein Adler Freemont Herz LLP, New York, NY; **Norman Jetmundsen**, Vulcan Materials Company, Birmingham, AL; **Hon. Sarah S. Vance**, U.S. District Court for the Eastern District of Louisiana, New Orleans, LA; **Stephen P. Younger**, Patterson Belknap Webb & Tyler LLP, New York, NY

PROGRAMMING

PROGRAMMING

WEDNESDAY, MAY 1 (Continued)

The Trial Lawyer's Guide to Success and Happiness II: Mindfulness and Wellness in Your Legal Career and Beyond

2:00 PM – 3:00 PM

Wellness CLE

Cantor/Jolson, Level 9

The Secret Is Out: Strategies for Protecting Trade Secrets

2:00 PM – 3:00 PM

General CLE

Ziegfeld, Level 4

Effective Legal Writing: Greater Clarity Taught with Hilarity

3:15 PM – 4:15 PM

Skills CLE

O'Neill, Level 4

Implications of Sharing the Attorney-Client Privilege: When and How It Should Be Done

3:15 PM – 4:15 PM

Ethics CLE

Ziegfeld, Level 4

This panel will preview a new version of *The Trial Lawyer's Guide to Success and Happiness*, and focus on mental and physical health and wellness by exploring mindfulness, spirituality, and interacting with nature and life beyond the law. Panelists will also present important tips for dealing successfully with the challenges and stresses arising from aggravated clients, counsel, and judges.

Moderator: Lawrence D. Rosenberg, Jones Day, Washington, D.C.

Speakers: David A. Soley, Bernstein Shur Sawyer & Nelson PA, Portland, ME; **Deborah A. Topol**, Georgetown University School of Medicine, Washington, D.C.; **Hon. Tiffany M. Williams (Ret.)**, New Jersey Civil Service Commission, Trenton, NJ

Trade secret protection remains paramount for many companies. With the advent of the Defend Trade Secrets Act, counsel have more tools at their disposal. This panel will explore what companies can do to protect their trade secrets before, during, and after litigation, including discussion surrounding the DTSA.

Moderator: Brian A. Berkley, Fox Rothschild LLP, Philadelphia, PA

Speakers: Nicole D. Galli, Law Offices of N.D. Galli LLC, Philadelphia, PA; **Jennifer B. Routh**, McDermott Will & Emery, Washington, D.C.; **Thomas A. Warnock**, Corteva Agriscience, Agricultural Division of Dow Dupont, Wilmington, DE

This program offers a concentrated study of the basic rules of English composition as they apply to legal writing. The goal is to achieve a style that is simple and understandable to those who read judicial documents. By improving your writing ability, you will enhance both your productivity and efficiency. You will also be able to share many of the concepts and techniques learned through the course with your colleagues. Any judge, judicial officer, law clerk, or court-affiliated staff person who writes briefs, opinions, findings of fact, conclusions of law, jury instructions, or correspondence can benefit from this presentation.

Speaker: Ron Hofer, National Judicial College, Brookfield, WI

A number of cases have addressed the common interest doctrine as it applies to attorney-client privilege. A panel of judges and litigators will discuss the scope of the doctrine, jurisdictional variations, and the ethical issues that arise when a lawyer represents multiple clients in litigation matters and transactional matters.

Moderator: John M. Barkett, Shook Hardy & Bacon LLP, Miami, FL

Speakers: Hon. Jacqueline Becerra, U.S. District Court for the Southern District of Florida, Miami, FL; **Hon. Loretta A. Preska**, U.S. District Court for the Southern District of New York, New York, NY; **Yolanda P. Strader**, Carlton Fields Jordan Burt PA, Miami, FL

Copycats from the Catwalk: Protection and Enforcement in Luxury and Fashion

3:15 PM – 4:15 PM

General CLE

Empire Complex, Level 7

New Frontiers in Antitrust

3:15 PM – 4:15 PM

General CLE

Cantor/Jolson, Level 9

From Broadway to the Courtroom: A Mock Oral Argument Showcasing Alexander Hamilton, the Lawyer

3:15 PM – 4:15 PM

General CLE

Manhattan Ballroom, Level 8

Opening Statement: Go Wisely and Slowly. Those Who Rush, Stumble and Fall

3:15 PM – 4:15 PM

Skills CLE

Marquis Ballroom, Level 9

Copying is rampant in fashion and luxury goods, but it is often not covered by intellectual property law. We will review real-world examples in our game of "Infringers or Not?" while our "runway models" of intellectual property demonstrate side-by-side views of genuine product and knock-offs.

Moderator: Mary Margaret O'Donnell, Blue Filament Law PLLC, Birmingham, MI

Speakers: Melissa P. Bernier, Bernier Legal LLC, New York, NY; **Tiffany Johnson**, The Estée Lauder Companies Inc., New York, NY; **Julie Zerbo**, The Fashion Law, New York, NY

Although the statutory language of antitrust laws has been largely stable for decades, the field continues to grow and change in important ways. In this session, a panel of practitioners will discuss some of the most significant recent developments in antitrust law and consider how these changes impact the work of lawyers practicing in other areas. These developments include the expansion of antitrust litigation involving employee hiring practices, recent antitrust claims arising from the settlement of non-antitrust litigation, and the potential impact of the *Apple v. Pepper* case, which is currently pending before the United States Supreme Court.

Moderator: Kyle W. Mach, Munger Tolles & Olson LLP, San Francisco, CA

Speakers: Hollis Salzman, Robins Kaplan LLP, New York, NY; **Steve Vieux**, Shook Hardy & Bacon LLP, San Francisco, CA

These days, Hamilton's name is synonymous with a Broadway hit. But it should also be synonymous with an exceptional oralist. In this program, attendees will see a reenactment of Hamilton's argument in *People v. Croswell*, a case that forced the highest court in New York to decide whether truth is a defense to libel. Attendees will then participate in a discussion of the case's importance to First Amendment law, including analysis of the case by a leading First Amendment practitioner.

Moderator: Alex Abdo, Knight First Amendment Institute, New York, NY

Speakers: Ishan K. Bhabha, Jenner & Block LLP, Washington, D.C.; **Hon. Joseph A. Greenaway**, U.S. Court of Appeals for the Third Circuit, Newark, NJ; **Hon. Therese M. Stewart**, California First District Court of Appeals, San Francisco, CA

Learn how to prepare an opening statement. In this program, counsel will present a brief opening for the plaintiff and one for the defendant. Afterwards, the panel will examine the themes presented along with reviewing what worked and what did not. This program is for the seasoned trial attorney as well as the occasional trial attorney.

Moderator: Marissa Beyers, Trial Behavior Consulting, San Francisco, CA

Speakers: Mollie F. Benedict, Tucker Ellis LLP, Los Angeles, CA; **Hon. Barbara M.G. Lynn**, U.S. District Court for the Northern District of Texas, Dallas, TX; **Patrick B. Moore**, Weinberg Wheeler Hudgins Gunn & Dial LLC, Atlanta, GA

PROGRAMMING

PROGRAMMING

WEDNESDAY, MAY 1 *(Continued)*

The Media in the Crosshairs: The Vital First Amendment Values at Stake

4:30 PM – 6:00 PM

General CLE

**Astor Ballroom,
Level 7**

The First Amendment is facing unprecedented challenges. This panel of superstar experts will examine the state of press freedom in our nation today, providing insights into such topics as the causes of press unpopularity, the “fake news” phenomenon, the polarization of news reporting, assaults on the institution of the press, and the prognosis for the future.

Moderator: **R. Bruce Rich**, Weil Gotshal & Manges LLP, New York, NY
Speakers: **Sunny Hostin**, ABC News, *The View*, New York, NY; **David E. McCraw**, *The New York Times*, New York, NY; **David Remnick**, *The New Yorker*, New York, NY; **Nadine Strossen**, New York Law School, New York, NY

THURSDAY, MAY 2

Whither the 10th Amendment? State Attorneys General, Federalism, and Litigation

8:15 AM – 9:45 AM

General CLE

**Broadway North,
Level 6**

Issues of federalism are as old as the Constitution. Yet, important recent cases have raised the profile of State Attorneys General, the chief lawyers for their states and the citizens thereof. Whether the cases involve immigration, healthcare, implementation or disregard of federal mandates, litigation initiated by Attorneys General has grown in the past decade in response to initiatives from administrations in Washington from both parties. State AGs on both sides of the aisle have played a major role in federalism-styled litigation during the Trump and Obama administrations. Hear from those in the trenches in state AG offices (both AGs and solicitors) who will share their views as to why they bring (or defend against) these cases and as to how these cases fit into historical context. After listening to this balanced presentation, decide for yourself whether these cases are purely about politics or about the Rule of Law. (Or maybe it's really some of both!)

Moderator: **Ellen F. Rosenblum**, Attorney General for the State of Oregon, Salem, OR
Speakers: **Jeff Landry**, Attorney General for the State of Louisiana, Baton Rouge, LA; **Karl A. Racine**, Attorney General for the District of Columbia, Washington, D.C.; **Daniel B. Rodriguez**, Northwestern Pritzker School of Law, Chicago, IL; **Misha Tseytlin**, Former Wisconsin Solicitor General, Troutman Sanders LLP, Chicago, IL

The Internet of (Hackable) Things (IoT): Liability and Insurance for Smart Technology

10:00 AM – 11:00 AM

Technology CLE

**Astor Ballroom,
Level 7**

We have smart homes, smart cities, smart factories, and even smart refrigerators. But what happens when our connected devices are compromised? Who pays when a smart car causes an accident? What happens if a smart powerplant is hacked? This panel discusses liability and insurance for the IoT and smart technology.

Moderator: **Geoffrey J. Miller**, Saxe Doernberger & Vita PC, Trumbull, CT
Speakers: **John G. Buchanan, III**, Covington & Burling LLP, Washington, D.C.; **Rachel Raphael**, Crowell & Moring LLP, Washington, D.C.; **Darryl M. Woo**, Goodwin Procter LLP, San Francisco, CA

Considering Gender Issues in Jury Trials

10:00 AM – 11:00 AM

Elimination of Bias CLE

**Majestic Complex,
Level 6**

Big Firm Discovery on a Small Firm Budget

10:00 AM – 11:00 AM

General CLE

**Empire Complex,
Level 7**

The ABA Model Rules on Advertising: They May Apply to You!

10:00 AM – 11:00 AM

Ethics CLE

**Manhattan Ballroom,
Level 8**

Recent Trends in Securities Litigation

10:00 AM – 11:00 AM

General CLE

**Shubert Complex,
Level 6**

How does the gender of trial lawyers and witnesses influence juror perceptions? The panel will discuss the latest research on gender bias, how gender plays out in the courtroom and the jury room, as well as practical offensive and defensive tips for handling a variety of situations. Panelists will also discuss the intersection between gender and race and sexual orientation and how that influences perceptions.

Moderator: **Hailyn J. Chen**, Munger Tolles & Olson LLP, Los Angeles, CA
Speakers: **Cristina C. Arguedas**, Arguedas Cassman & Headley LLP, San Francisco, CA; **C.K. “Pete” Rowland**, Litigation Insights, Kansas City, MO

Experienced litigators from both small and large firms will discuss how smaller firms can produce and digest the ever-increasing amount of e-discovery within a limited budget.

Moderator: **Farrah Champagne**, Women’s Law Center of Maryland, Baltimore, MD

Speakers: **Jeffrey D. Gardner**, Jennings Strouss & Salmon PLC, Phoenix, AZ; **Patricia L. McCabe**, Law Offices of Patricia L. McCabe, Van Nuys, CA; **Alan O. Olson**, Olson Law Office PC, Des Moines, IA; **David Seserman**, Seserman Law LLC, Denver, CO

In August 2018, the ABA updated the Model Rules of Professional Conduct to address changes in marketing technologies and realities of law firm advertising. States are adopting these amendments. Know the rules, including whether you can take clients golfing to thank them for a referral and what information must be included in your online profiles (such as the firm website and LinkedIn).

Moderator: **Michael J. Bentley**, Bradley Arant Boult Cummings LLP, Jackson, MS

Speakers: **Kathleen B. Havener**, The Cullen Law Firm PLLC, Washington, D.C.; **Tyler Maulsby**, Frankfurt Kurnit Klein & Selz PC, New York, NY; **Lynda C. Shely**, The Shely Firm PC, Scottsdale, AZ

This panel consists of a discussion of emerging issues in securities litigation, including arbitration clauses, post-*Trulia* merger objection cases in federal courts, impact of *Cyan* on Section 11 claims, checking in on *Halliburton II* and challenging fraud-on-the-market at class certification, trends in opt-out cases, and growth in cases against foreign issuers.

Moderator: **Danielle S. Myers**, Robbins Geller Rudman & Dowd LLP, San Diego, CA

Speakers: **Lucy P. Allen**, NERA Economic Consulting, New York, NY; **John D. Montgomery**, Ankura Consulting Group LLC, New York, NY; **Peter Safirstein**, Safirstein Metcalf LLP, New York, NY; **Howard S. Suskin**, Jenner & Block LLP, Chicago, IL

PROGRAMMING

PROGRAMMING

THURSDAY, MAY 2 (Continued)

So, You Want to Be the Boss: What It Takes to Start Your Own Law Firm

10:00 AM – 11:00 AM

Law Office
Management CLE

Soho Complex,
Level 7

How Do Small Firms and Solo Practitioners Navigate the Class Action Arena?

11:15 AM – 12:15 PM

General CLE

Shubert Complex,
Level 6

New Kids on the Blockchain: How and When Will Law Firms Embrace Crypto-Currencies and Distributed Ledger Technology?

11:15 AM – 12:15 PM

Technology CLE

Majestic Complex,
Level 6

The Nexus of Leadership and Professional Responsibility

11:15 AM – 12:15 PM

Ethics CLE

Empire Complex,
Level 7

A frank discussion with practitioners who have gone through the process of starting their own law firm with different types of models, from to traditional to contemporary. The panel will also discuss the usage of technology, time and billing options, staffing, and client relations best practices and techniques.

Speakers: **Kari M. Petrusek**, Petrusek Law PLLC, Mukilteo, WA; **Seth Rowland**, Basha Systems LLC, Cortlandt Manor, NY; **Sahmra A. Stevenson**, S.A. Stevenson Law LLC, Columbia, MD; **Daniel J. Tann**, Law Offices of Daniel J. Tann, Philadelphia, PA

How do small firms and solo practitioners participate in complex class actions on either side? This is a high-risk menu for plaintiff and defense lawyers because they must have a relationship with leadership. Plaintiff lawyers must finance their portion of the case and the case must succeed in order to get paid. This panel will discuss how leadership is assigned, how work is distributed, how predictable the outcome is, and the overall challenges.

Moderator: **Louis F. Burke**, Louis F. Burke PC, New York, NY
Speakers: **Emily A. Ambrose**, Blackwell Burke PA, Minneapolis, MN; **Andrew J. McGuinness**, Andrew J. McGuinness Esq., Ann Arbor, MI; **Linda Nussbaum**, Nussbaum Law Group PC, New York, NY

Distributed ledger technologies that make crypto-currencies possible may have a far greater impact on law and business than the currencies themselves. A distinguished panel of practitioners, academics, and business leaders will discuss the future of this technology in litigation, real estate and commercial transactions, law firm management, and other areas.

Moderator: **Marcus Chatterton**, Balch & Bingham LLP, Birmingham, AL
Speakers: **Rika Khurdayan**, Dilendorf Khurdayan PLLC, New York, NY; **Aaron Wright**, Benjamin N. Cardozo School of Law, New York, NY

Army attorneys and paralegals are stationed worldwide, often in remote and/or austere locations, working in complex and uniquely challenging environments. This panel will discuss these challenges and share insights into the leadership skills used to ensure the provision of principled counsel in all circumstances. The panel will further discuss how these skills are informed by the ABA Model Rules, as implemented by Army Regulation 27-26, Rules of Professional Conduct for Lawyers, most notably Rules 1.6, 2.1, and 5.1-5.4. Law firms and in-house counsel can leverage these leadership skills to build and maintain the most effective legal teams.

Moderator: **R. Patrick Huston**, U.S. Army JAG Corps, Charlottesville, VA
Speakers: **Hon. Paulette V. Burton**, U.S. Army Court of Criminal Appeals, Fort Belvoir, VA; **Irvin DeAndre (Dee) Drummond**, MarketSource Inc., Baltimore, MA; **Tania M. Martin**, U.S. Army JAG Corps, Arlington, VA; **Michael C. Wong**, U.S. Army Futures Command, Austin, TX

Winning Commercial Cases at Trial: The Keys to Success

11:15 AM – 12:15 PM

General CLE

Manhattan Ballroom,
Level 8

You're Under Investigation: Expectations and Preparation Tips for a Government Investigation

11:15 AM – 12:15 PM

General CLE

Astor Ballroom,
Level 7

What's Hot in Financial Technology: Latest and Greatest Developments and Fintech Trends

11:15 AM – 12:15 PM

Technology CLE

Soho Complex,
Level 7

This program provides strategies and practical advice to help attorneys succeed in commercial trials. Topics will include jury selection, motions in limine, opening statements, direct examination, cross examination, evidence, expert witnesses, summations, trial and post-trial motions, damages, appeals, and settlement techniques.

Moderator: **Robert L. Haig**, Kelley Drye & Warren LLP, New York, NY
Speakers: **Roberta A. Kaplan**, Kaplan Hecker & Fink LLP, New York, NY; **Hon. William F. Kuntz**, U.S. District Court for the Eastern District of New York, Brooklyn, NY; **Gary P. Naftalis**, Kramer Levin Naftalis & Frankel LLP, New York, NY; **Karen A. Popp**, Sidley Austin LLP, Washington, D.C.; **Stephen D. Susman**, Susman Godfrey LLP, Houston, TX; **Theodore V. Wells, Jr.**, Paul Weiss Rifkind Wharton & Garrison LLP, New York, NY

This program will examine the key decisions that are needed after learning that your company is under a government investigation, including assembling an effective internal team, whether to engage outside counsel, communications with other professionals such as forensic consultants, whether to conduct a parallel internal investigation, recusal issues within the GC office, exposure of individuals within senior management, hiring separate counsel for witnesses, decisions about whether to terminate employees, public relations and press concerns, and other major issues.

Moderator: **Hon. Sunil R. Harjani**, U.S. District Court for the Northern District of Illinois, Chicago, IL
Speakers: **Sachin Bansal**, The Royal Bank of Canada, New York, NY; **Neel Chopra**, U.S. Commodity Futures Trading Commission, Chicago, IL; **Katya Jestin**, Jenner & Block LLP, New York, NY; **Stephanie Shuler**, JPMorgan Chase & Co., New York, NY

Litigation is coming. Financial technology (Fintech) products and services offer consumers numerous benefits including lower costs and instant access, but are not without disruption and risk. Fintech also raises privacy and data collection issues, and the potential for litigation including private rights of action. This panel will discuss key—and sometimes confusing—Fintech trends, gaps under complex and fragmented regulatory and disclosure rules, and the associated compliance, operational, and litigation risks as the law lags behind innovation.

Moderator: **Michael J. Breslin**, Kilpatrick Townsend & Stockton LLP, Atlanta, GA
Speakers: **Ingrid Busson-Hall**, PayPal Inc., New York, NY; **Erin J. Illman**, Bradley Arant Boult Cummings LLP, Charlotte, NC; **Michael H. Krimminger**, Cleary Gottlieb Steen & Hamilton LLP, Washington, D.C.

PROGRAMMING

PROGRAMMING

THURSDAY, MAY 2 (Continued)

Technology-Assisted Review in Investigations, Examinations, and Legal Assessments

2:00 PM – 3:00 PM

Technology CLE

Shubert Complex, Level 6

Using Technology-Assisted Review (TAR) in litigation to expedite the discovery process has become increasingly more common. TAR can also be used in many other analytical workflows where the main goal is to locate key documents in the early stages of a legal matter. Internal investigations, regulatory investigations, and litigation assessments can greatly benefit by implementing TAR as a tool. This panel will discuss data analytics tools and the application of those technologies to various types of legal inquiries.

Moderator: **Danielle M. Panetta**, Goodwin Procter LLP, Boston, MA
Speakers: **Nathaniel Huber-Fliflet**, Ankura Consulting Group LLC, New York, NY; **John B. Koss**, Mintz Levin Cohn Ferris Glovsky and Popeo PC, Boston, MA

Let's Talk M&Ms: Mindfulness and Money

2:00 PM – 3:00 PM

Wellness CLE

Majestic Complex, Level 6

In this course, lawyers will explore how incremental practices of mindfulness support the ABA Model Rules of Professional Conduct as they relate to a lawyer's duty of competency, marketing, and maintaining the integrity of the legal profession. Interactive exercises will demonstrate the process and leave audience members excited and energized about the importance of mindfulness and its effect on their money. Panelists will discuss how decreased stress and enhanced mental health and functioning will follow from lawyers building mindfulness practices into their schedule each day. The panelists will describe how mindfulness will create a growth mindset to increase revenues and maintain integrity.

Speakers: **Kelly J. Adams**, Alpha Omega Law Office LLC, Chadds Ford, PA; **Melanie Bragg**, Bragg Law PC, Houston, TX; **Katy Goshtasbi**, Puris Consulting, San Diego, CA

Seeing Is Believing! Effective Use of Demonstrative Evidence in the Digital Age

2:00 PM – 3:00 PM

General CLE

Manhattan Ballroom, Level 8

This panel will showcase the advances in technology concerning demonstrative evidence and will provide guidance for presenting such evidence in a simple yet entertaining and interesting manner. This program will include examples of modern demonstrative presentations in commercial, construction, and aviation litigation and will address different strategies for use at trial, arbitration, and mediation.

Moderator: **Matthew A. Moeller**, The Moeller Firm LLC, New Orleans, LA
Speakers: **Karen M. Goodman**, Goodman & Associates, Sacramento, CA; **Andrew J. Maloney III**, Kreindler & Kreindler LLP, New York, NY; **Anthony Valerio**, Magna Legal Services, New York, NY

Mastering Mass Tort Settlements

2:00 PM – 3:00 PM

General CLE

Empire Complex, Level 7

This program will explore best practices in the settlement of high-stakes mass torts. Our expert panel of distinguished judges, attorneys, and academics will discuss successful strategies, innovative solutions, and lessons learned, based on decades of experience resolving some of the most complicated mass torts cases arising in the U.S. judicial system.

Moderator: **J. Stephen Bennett**, Faegre Baker Daniels LLP, Fort Wayne, IN
Speakers: **Hon. Mariana Corodemus (Ret.)**, Corodemus & Corodemus, Iselin, NJ; **Troy A. McKenzie**, New York University School of Law, New York, NY; **Ellen Relkin**, Weitz & Luxenberg PC, New York, NY

Y Is the New 40: What the Aging Workforce Means for the Future of Work

2:00 PM – 3:00 PM

General CLE

Soho Complex, Level 7

Generation Y is turning 40, the Age Discrimination in Employment Act (ADEA) turned 50, and the Bureau of Labor Statistics projects that by 2024, aging workers will make up nearly 25% of the labor force. Americans are living longer and working longer, resulting in an unprecedented transformation of the workplace. In addition, "older" workers are embracing the gig economy. This panel will discuss these workforce transformations, the resulting legal and litigation issues for employers, and how firms can help their clients take advantage and manage shifts in their labor pools.

Moderator: **Nikki Odom Dibley**, 3M Company, St. Paul, MN
Speakers: **Kimberly F. Seten**, Constangy Brooks Smith & Prophete LLP, Kansas City, MO; **Kara Wilson**, Instacart, San Francisco, CA

Balancing a Lawyer's Cry for Help from Dependency or Depression with Ethical Obligations of Competence and Reporting

2:00 PM – 3:00 PM

Substance Use Disorder Prevention CLE

Recent studies sponsored by the ABA and the Hazelden/Betty Ford Foundation found that lawyers have a higher frequency of depression, anxiety, alcoholism, and addiction than other professionals. How does one seek help when faced with ethical duties of competence, diligence, and reporting? This panel will explore a path forward.

Moderator: **Richard M. Gaal**, McDowell Knight Roedder & Sledge LLC, Mobile, AL
Speakers: **Joseph Milowic III**, Quinn Emanuel Urquhart & Sullivan LLP, New York, NY; **LaKeisha R. Randall**, Bendin Sumrall & Ladner LLC, Atlanta, GA; **Diana Uchiyama**, Illinois Lawyer Assistance Program, Chicago, IL

Astor Ballroom, Level 7

What Persuades Judges and Juries and What Doesn't

4:00 PM – 5:00 PM

General CLE

This panel of federal and state trial judges will focus on advocacy techniques. They will discuss the differing techniques that are persuasive, and the ones that are not, when addressing judges and juries in civil and criminal proceedings. Among other things, the panel will discuss what to do and not do when arguing motions before the court, as well as advocacy dos and don'ts in trial from voir dire through closing argument.

Moderator: **Charles Noteboom**, Noteboom - The Law Firm, Hurst, TX
Speakers: **Hon. Efrain Alvarado**, Bronx Supreme Court, Bronx, NY; **Hon. Victor A. Bolden**, U.S. District Court for the District of Connecticut, Bridgeport, CT; **Hon. J. Michelle Childs**, U.S. District Court for the District of South Carolina, Columbia, SC; **Hon. Melody Wilkinson**, 17th Judicial District Court at Tarrant County, Fort Worth, TX

Astor Ballroom, Level 7

Women Throwing Shade: How It Was, How It Is, and Winning in Spite of It

4:00 PM – 5:00 PM

Elimination of Bias CLE

This program will involve historical reflection combined with practical advice from prominent successful attorneys who have been there and dealt with bias. Attendees will learn how to deal with explicit/implicit biases and win in spite of them.

Moderator: **Kathryn A. Belfance**, Roderick Linton Belfance LLP, Akron, OH
Speakers: **Vanessa Blanchfield**, Wells Fargo & Company, Des Moines, IA; **Kathleen Hopkins**, Real Property Law Group PLLC, Seattle, WA; **Betsy C. Manifold**, Wolf Haldenstein Adler Freeman & Herz LLP, San Diego, CA; **Heather White**, TIAA, Charlotte, NC

Empire Complex, Level 7

PROGRAMMING

THURSDAY, MAY 2 (Continued)

You Can Check Out Anytime You Like, But You Can Never Leave: Are Class Actions Impossible To Settle Now?

4:00 PM – 5:00 PM

General CLE

Soho Complex, Level 7

Spoiling for a Fight: Preventing, Spotting, and Addressing ESI Destruction

4:00 PM – 5:00 PM

General CLE

Manhattan Ballroom, Level 8

What's Hot in M&A Today? The Latest Developments and Trends in Merger and Acquisition Litigation

4:00 PM – 5:00 PM

General CLE

Shubert Complex, Level 6

Ethical Considerations in Dealing with Clients and Colleagues Battling Opioid Use

4:00 PM – 5:00 PM

Ethics CLE

Majestic Complex, Level 6

Class actions face challenges on many fronts—changes to Rule 23, challenges to cy pres, increased notice requirements, “professional objectors,” concerns about intra-class conflicts, and more exacting standards for review of settlements. Have class actions become too difficult to bring—and settle?

Moderator: **Hon. Jon S. Tigar**, U.S. District Court for the Northern District of California, San Francisco, CA

Speakers: **Jocelyn D. Larkin**, Impact Fund, Berkeley, CA; **Jeffrey Shinder**, Constantine Cannon LLP, New York, NY; **Bobbie Wilson**, Perkins Coie LLP, San Francisco, CA

With a mouse click, a determined tech-savvy litigant can obliterate electronically stored information (ESI) with wiping programs or other tactics. The sheer volume and cost of processing ESI makes it difficult for counsel to detect the withholding, alteration, or destruction of ESI. Effective defense to spoliation begins with informed counsel. Artificial intelligence can help.

Moderator: **Mitzi T. Shannon**, Kemp Smith LLP, El Paso, TX

Speakers: **Amy DeCesare**, Allied World Assurance Company, Farmington, CT; **David A. Greetham**, RICOH USA, Houston, TX; **David J. Shuster**, Kramon & Graham PA, Baltimore, MD; **Richard A. Simpson**, Wiley Rein LLP, Washington, D.C.

Join nationally prominent litigators from both sides of the “v,” an insurance coverage specialist, and a member of the Delaware Court of Chancery for a roundtable discussion of hot topics in the field of merger and acquisition litigation.

Moderator: **Raymond J. DiCamillo**, Richards Layton & Finger PA, Wilmington, DE

Speakers: **Mark Lebovitch**, Bernstein Litowitz Berger & Grossmann LLP, New York, NY; **Hon. Kathleen S. McCormick**, Delaware Court of Chancery, Georgetown, DE; **Maeve O'Connor**, Debevoise & Plimpton LLP, New York, NY; **Koorosh Talieh**, Perkins Coie LLP, Washington, D.C.

Prepare to handle a client or colleague with substance use disorder ethically. For clients, this may trigger ethics rules surrounding diminished capacity, confidentiality, or conflicts of interest while for a colleague there may be a duty to report, competency issues, or client abandonment.

Moderator: **John Hardin Young**, Sandler Reiff Lamb Rosenstein & Birkenstock PC, Washington, D.C.

Speakers: **Kelly K. Dineen**, Creighton University School of Law, Omaha, NE; **Myles V. Lynk**, Arizona State University Sandra Day O'Connor College of Law, Phoenix, AZ; **Tish Vincent**, The State Bar of Michigan, East Lansing, MI

PROGRAMMING

FRIDAY, MAY 3

The Power of Partnering: The Case for Counsel Collaboration

8:00 AM – 9:00 AM

General CLE

Manhattan Ballroom, Level 8

International Discovery: Gathering Evidence from Around the Globe

8:00 AM – 9:00 AM

General CLE

Astor Ballroom, Level 7

Breaking Through Barriers: Lawyering with a Disability

8:00 AM – 9:00 AM

Elimination of Bias CLE

Soho Complex, Level 7

Effective Storytelling Through Data Visualizations: How to Tell a Persuasive Story Through Data Graphics

8:00 AM – 9:00 AM

Skills CLE

Empire Complex, Level 7

This presentation discusses teaming outside counsel to work jointly with in-house legal departments and how this can increase diversity in counsel teams. It also explores the new trends of forming counsel teams with lawyers from different firms and teaming small or solo practitioners with other law firms to handle a specific matter.

Speakers: **Debra T. Baker**, Baker Wotring LLP, Houston, TX; **Ronald R. Curtis, Jr.**, Exxon Mobil Environmental Services Company, Spring, TX; **Theos McKinney**, Exelon Corporation, Philadelphia, PA; **Gregory L. Phillips**, Phillips Kaiser PLLC, Houston, TX

The panel provides an interactive example of how U.S. attorneys can obtain evidence from foreign jurisdictions. Based on a factual scenario, this presentation follows a U.S. attorney's journey through the twists and turns typical in the quest for discovery across the international stage, including Mexico, Canada, the United Kingdom, and China.

Moderator: **Jorge A. Mestre**, Rivero Mestre LLP, Miami, FL

Speakers: **Gavin Foggo**, Fox Williams LLP, London, UK; **Brett G. Harrison**, McMillan LLP, Toronto, ON; **José Antonio Rodríguez Márquez**, Bufete Rodríguez Márquez SC, Mexico City, MX; **Meg Utterback**, King & Wood Mallesons, Shanghai, China

Although diversity within the law is front and center these days, disability diversity among lawyers is often overlooked. In this program, attendees will hear personal anecdotes from lawyers who have disabilities about how they navigate the courtroom, the office, and beyond.

Speakers: **Margaret Cimino**, Societe Generale Corporate and Investment Banking, New York, NY; **Yusef Dale**, U.S. Attorney's Office for the Northern District of Illinois, Chicago, IL; **Howard A. Rosenblum**, National Association of the Deaf, Washington, D.C.

Everyone wants to be able to tell a story, and persuasive storytelling is an important part of an attorney's role. This program is designed to teach litigators and in-house counsel proper data visualization techniques to tell a more powerful story. The program will cover the four O's (observable, original, objective, and open) of great graphics and how litigators and in-house counsel can portray a better story using data visualizations. Specifically, the program will cover (1) How to use facts and information in pictorial form; (2) Useful graphic techniques for trial exhibits or presentations; and (3) Good and bad data visualization methods, pitfalls, and other considerations when creating or analyzing a graph.

Speakers: **Matthew R. DalSanto**, Winston & Strawn LLP, Chicago, IL; **Kristen Fournier**, Orrick Herrington & Sutcliffe LLP, New York, NY; **Jeremy Guinta**, Ankura Consulting Group LLC, Los Angeles, CA

PROGRAMMING

FRIDAY, MAY 3 (Continued)

Arbitration: Where Does It Belong and Not Belong?

8:00 AM – 9:00 AM

General CLE

Shubert Complex, Level 6

Arbitration has been the subject of numerous recent U.S. Supreme Court decisions that generally have supported its use in a wide variety of areas. As the use of arbitration has grown, there has been a counter-movement to prevent what has been termed “forced arbitration” from stifling class actions and preventing lawsuits by consumers, employees, customers of securities brokers, and victims of discrimination. This program will explore the law as it stands and discuss the practical and policy issues on both sides of these sometimes divisive issues.

Moderators: **Betsy A. Hellman**, Skadden Arps Slate Meagher & Flom LLP, New York, NY; **Mitchell L. Marinello**, Novack and Macey LLP, Chicago, IL
Speakers: **F. Paul Bland, Jr.**, Public Justice, Washington, D.C.; **Eugene I. Farber**, Farber Pappalardo & Carbonari, White Plains, NY; **Henry C. “Hank” Johnson, Jr.**, U.S. House of Representatives, 4th Congressional District of Georgia, Atlanta, GA; **Debbie Masucci**, Masucci Dispute Management and Resolution Services, New York, NY

Developments in Insurance Law: The Top 10 Things Every Litigator Must Now Know About Insurance

8:00 AM – 9:00 AM

General CLE

Majestic Complex, Level 6

Whether you represent the plaintiff or defendant, every lawyer must have a basic understanding of insurance to adequately represent the client. Insurance is often a game changer. It can provide the path to a meaningful recovery or serve as an important safety net. Insurance is important because “Somebody Else Pays!”

Moderator: **Ernest Martin, Jr.**, Haynes and Boone LLP, Dallas, TX
Speakers: **Mary E. Borja**, Wiley Rein LLP, New York, NY; **Hon. Arnold L. Natali**, Superior Court of New Jersey, Appellate Division, Jersey City, NJ

Rising Litigation and Compliance Risks Facing Higher Education

9:10 AM – 10:10 AM

General CLE

Majestic Complex, Level 6

This program will explore increasing complexities facing universities as they try to identify and address existential risks before they result in multifaceted litigation, enforcement actions, and reputational risks. The panel will delve into the growing risks that face universities from international research activities, NCAA regulations, and the #MeToo movement, among other topics. Panelists will explore how universities—and in particular their legal and compliance personnel—face unique challenges in identifying and mitigating these risks because of autonomy-afforded professors, more decentralized departments, and incentive structures that differ from typical corporate organizations.

Moderator: **Erin R. Schrantz**, Jenner & Block LLP, Chicago, IL
Speakers: **Donna P. Fenn**, Columbia University, New York, NY; **Priya J. Harjani**, Northwestern University, Evanston, IL; **Sankar Suryanarayan**, Princeton University, Princeton, NJ

PROGRAMMING

“Trumping” International Law? The Administration at The Half-Term

9:10 AM – 10:10 AM

General CLE

Astor Ballroom, Level 7

Just past the halfway mark, how has the Trump administration done on immigration? UN relations? International trade? International criminal law? The law of war and the military? Nuclear security? Press freedoms? International environmental affairs? Women’s and minority rights? What are the implications for the U.S.’s standing in the world?

Moderator: **Hon. Delissa A. Ridgway**, U.S. Court of International Trade, New York, NY
Speakers: **Catherine Amirfar**, Former Counselor on International Law to Legal Adviser, U.S. Department of State (2014-2016), Debevoise & Plimpton LLP, New York, NY; **John B. Bellinger III**, Former Legal Adviser, U.S. Department of State (2005-2009), Arnold & Porter LLP, Washington, D.C.

Money, Money, Money: How to Control Litigation Budgets

9:10 AM – 10:10 AM

Law Office Management CLE

Shubert Complex, Level 6

In-house counsel are judged on budgets. But, when done right, a budget can be the most effective communication tool with your internal client. This panel will discuss best practices for controlling a litigation budget and how you can use it to your advantage with your internal client.

Moderator: **Daniel A. Schnapp**, Fox Rothschild LLP, New York, NY
Speakers: **Damien Atkins**, The Hershey Company, Harrisburg, PA; **Merrick L. Gross**, Carlton Fields Jorden Burt PA, Miami, FL; **Rose Stella**, SANDOW and Material Bank, Denver, CO

Rule Changes for Rule 30(b)(6) Depositions: How to Meet the New Requirements in a Post-Rule Change World

9:10 AM – 10:10 AM

General CLE

Manhattan Ballroom, Level 8

Few rules cause more controversy and confusion than 30(b)(6), governing depositions of businesses. At the Section’s request, the Advisory Committee on Civil Rules undertook to review the rule and has made revisions. Hear from judges and practitioners on how the rule will change and what practitioners need to know, including how many topics you can select, how many witnesses will be produced (and for how long), what objections can be made and when, how binding witness testimony is, and what to do with inadequately prepared witnesses.

Moderator: **Jeffrey J. Greenbaum**, Sills Cummis & Gross PC, Newark, NJ
Speakers: **Jennifer B. Bechet**, Walmart Inc., Bentonville, AR; **Gregory R. Hanthorn**, Jones Day, Atlanta, GA; **Rebecca Santoro Melley**, Hangley Aronchick Segal Pudlin & Schiller, Philadelphia, PA; **Hon. Leda Dunn Wettre**, U.S. District Court for the District of New Jersey, Newark, NJ

Developing Our Next Generation of Litigators: Creating Opportunities for Courtroom Experience

9:10 AM – 10:10 AM

Law Office Management CLE

Soho Complex, Level 7

Oral advocacy opportunities for young litigators have become more scarce, especially in high-exposure, bet-the-company lawsuits. What can law firms, corporate counsel, and courts do to ensure that young litigators get oral advocacy opportunities? Panelists will discuss best practices and new innovations in developing the next generation of litigators, as well as the unique challenges faced by young women and minority litigators.

Moderator: **Alex Chan**, Tensegrity Law Group LLP, Redwood Shores, CA
Speakers: **Lindsay D. Breedlove**, Pepper Hamilton LLP, Philadelphia, PA; **Hon. Abbe F. Fletman**, Philadelphia Court of Common Pleas, Philadelphia, PA; **Hon. Gene E.K. Pratter**, U.S. District Court for the Eastern District of Pennsylvania, Philadelphia, PA; **Catherine M. Recker**, Welsh & Recker PC, Philadelphia, PA

PROGRAMMING

PROGRAMMING

FRIDAY, MAY 3 (Continued)

A Delicate Balance:
Arbitrating Your Client's
Complex Commercial
Case Without Sacrificing
Speed, Efficiency, and
Cost Savings

9:10 AM – 10:10 AM

General CLE

**Empire Complex,
Level 7**

David v. Goliath v. David:
An Opening Statements
Showdown Between
Small Firm and Big Firm
Litigators

10:25 AM – 12:00 PM

General CLE

**Broadway North,
Level 6**

Bridging the Gap
Between Law School
and Practice

2:00 PM – 3:00 PM

Law Office
Management CLE

**Soho Complex,
Level 7**

Matchmaker,
Matchmaker, Make Me
a Match: Best Practices,
Ethical Considerations,
and Effective Use of
Local Counsel

2:00 PM – 3:00 PM

Ethics CLE

**Astor Ballroom,
Level 7**

Commercial arbitrations often involve complex disputes with multiple parties, issues, and procedural problems. If not well-managed, the hearings become too lengthy, reducing the ability of counsel and the panel to move with alacrity and cost-effectiveness. Using videos and a hypothetical construction case as an example, three commercial practitioners/arbitrators with extensive experience presenting and arbitrating complex disputes will discuss the newest and best practices that will help small and big firm advocates get their clients' disputes resolved in a fair manner without sacrificing content, speed, or cost.

Speakers: **Neal M. Eiseman**, Goetz Fitzpatrick LLP, New York, NY; **Herbert H. "Hal" Gray III**, Ragsdale Beals Seigler Patterson & Gray LLP, Atlanta, GA; **Judith B. Ittig**, Ittig & Ittig PC, Washington, D.C.

David's victory over Goliath was assured by an extraordinary opening salvo. Come learn from nationally-recognized and sought-after trial attorneys as they showcase their talents by presenting mock opening statements to insightful and respected jurists and a seasoned jury consultant.

Trial Attorneys: **Karen Y. Bitar**, Seyfarth Shaw LLP, New York, NY; **Bruce H. Nagel**, Nagel & Rice LLP, Roseland, NJ; **Stephanie A. Scharf**, Scharf Banks Marmor LLC, Chicago, IL; **John Zavitsanos**, Ahmad Zavitsanos Anapikos Alavi & Mensing PC, Houston, TX

Judges: **Hon. Stanley R. Chesler**, U.S. District Court for the District of New Jersey, Camden, NJ; **Hon. Eva Martinez Guzman**, Texas Supreme Court, Austin, TX

Jury Consultant: **Ronald Beaton**, Trial Behavior Consulting, San Francisco, CA

Most lawyers graduate from law school realizing they still have much to learn about the nuts and bolts of practice. This interactive fireside chat will address some of the gaps between law school and practice, and how associates can successfully navigate the early years of the profession.

Moderator: **Demetrius Pyburn**, Haynsworth Sinkler Boyd, Greenville, SC
Speakers: **Andrew D. Atkins**, McGuireWoods LLP, Charlotte, NC; **Michelle M. Burke**, Porzio Bromberg & Newman PC, Morristown, NJ; **Jamie L. Lanphear**, Dykema Gossett PLLC, Washington, D.C.

Wherever your client needs representation in an unfamiliar court, local counsel arrangements can provide important assistance and insights, but not without some risks. This program will identify ethical pitfalls and tips to avoid them and highlight best practices for selecting, retaining, and effectively using local counsel.

Moderator: **Michael W. Jahnke**, Thompson Hine LLP, New York, NY
Speakers: **Elise Greenspan**, AECOM, Charleston, SC; **Steven S. Kaufman**, Kaufman & Company LLC, Cleveland, OH; **Ellen Yaroshefsky**, Monroe H. Friedman Institute for the Study of Ethics, Hofstra University, Hempstead, NY

Run from the Border?
Recent Developments
in Jurisdiction in Cross-
Border Litigation

2:00 PM – 3:00 PM

General CLE

**Manhattan Ballroom,
Level 8**

GDPR: General Data
Protection Regulation
One Year Later

2:00 PM – 3:00 PM

General CLE

**Majestic Complex,
Level 6**

"Stranger in a Strange
Land": Cross-Cultural
Issues in the Courts

2:00 PM – 3:00 PM

General CLE

**Empire Complex,
Level 7**

Mediation in Bankruptcy:
Overview and Special
Topics

2:00 PM – 3:00 PM

General CLE

**Shubert Complex,
Level 6**

Three's a Crowd:
Appealing the Multi-
Party Judgment

3:15 PM – 4:15 PM

General CLE

Soho Complex, Level 7

This panel will explain recent decisions in the U.S. and Canada in cross-border litigation, class actions, and mass tort cases. Panelists will discuss the practical implications of the countries' different approaches to jurisdiction, including jurisdiction against foreign defendants, national and global class actions involving absent foreign claimants, and securities claims against foreign-listed issuers.

Moderator: **John C. Coffee, Jr.**, Columbia Law School, New York, NY
Speakers: **Nathan Hoffman**, Dechert LLP, Chicago, IL; **Byron Shaw**, McCarthy Tétrault LLP, Toronto, ON; **Audra J. Soloway**, Paul Weiss Rifkind Wharton & Garrison LLP, New York, NY

What have we learned after a year under the GDPR? What implications does it have for the U.S. under the California Consumer Privacy Act and other possible U.S. privacy regulations?

Moderator: **Harout J. Samra**, DLA Piper LLP, Miami, FL
Speakers: **Alexander R. Bilus**, Saul Ewing Arnstein & Lehr LLP, Philadelphia, PA; **Tyler G. Newby**, Fenwick & West LLP, San Francisco, CA; **Tara M. Swaminatha**, Squire Patton Boggs, Washington, D.C.

In courtrooms across the country, immigrants are pleading "the cultural defense," invoking the traditions of their homelands to explain their actions. Even when they are not raised per se, customs are a factor in many cases—civil and criminal. How should these "cross-cultural" cases be decided? You be the judge!

Moderator: **Jonathan Turley**, Legal Commentator, NBC & CBS; George Washington University School of Law, Washington, D.C.
Speakers: **Hon. Bernice B. Donald**, U.S. Court of Appeals for the Sixth Circuit, Memphis, TN; **Rene L. Valladares**, Author/Editor, *Cultural Issues in Criminal Defense*, Federal Public Defender for the District of Nevada, Las Vegas, NV

A U.S. bankruptcy judge and three practitioners will discuss how to prepare for mediation, and special considerations involving mediation of disputes in bankruptcy. This program is suitable for attorneys and judges, both experienced and inexperienced with mediation. General practitioners and seasoned bankruptcy practitioners will also benefit from this program.

Moderator: **Kristin B. Mayhew**, McElroy Deutsch Mulvaney & Carpenter LLP, Southport, CT
Speakers: **Thomas A. Gugliotti**, Updike Kelly & Spellacy PC, Hartford, CT; **David M.S. Shaiken**, Shipman Shaiken & Schwefel LLC, West Hartford, CT; **Hon. James J. Tancredi**, U.S. Bankruptcy Court for the District of Connecticut, Hartford, CT

Obtaining and appealing multi-party judgments can be complicated. Join our panel of litigation and appellate experts to explore the substantive and procedural challenges posed by multi-party judgments including conflicts of interest, stays of execution, cross-appeals, settlements on appeal, joint or separate briefing, and how to handle oral argument.

Moderator: **Mary-Christine "M.C." Sungaila**, Haynes and Boone LLP, Los Angeles, CA
Speakers: **Tillman Breckenridge**, Pierce Bainbridge Beck Price & Hecht, Washington D.C.; **James M. Catterson**, Arnold Porter Kaye Scholer LLP, New York, NY; **Robert A. Olson**, Greines Martin Stein & Richland LLP, Los Angeles, CA; **Michal Rogson**, Tokio Marine HCC Surety Group, Los Angeles, CA

PROGRAMMING

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FRIDAY, MAY 3 (Continued)

Top Blunders to Avoid
with Experts

3:15 PM – 4:15 PM

General CLE

**Majestic Complex,
Level 6**

In-House Counsel: An
Open Discussion of Best
Practices and Career
Paths

3:15 PM – 4:15 PM

Non-CLE

**Empire Complex,
Level 7**

Judge, What Do
You Want to Hear?
Presenting a Bench Trial

3:15 PM – 4:15 PM

General CLE

**Manhattan Ballroom,
Level 8**

A Global View of
Litigation Finance:
Domestic and
International
Perspectives from
Practitioners, Funders,
and the Bench

3:15 PM – 4:15 PM

General CLE

**Astor Ballroom,
Level 7**

Learn from a distinguished panel from the bench and bar, and from experts themselves, what not to do when selecting, preparing, and presenting your expert at trial.

Moderator: **Devora W. Allon**, Kirkland & Ellis LLP, New York, NY
Speakers: **Hon. Richard D. Bennett**, U.S. District Court for the District of Maryland, Baltimore, MD; **Elizabeth C. Brandon**, Barnes & Thornburg LLP, Dallas, TX; **David Moes**, Ankura Consulting Group LLC, Chicago, IL

This breakout session is designed for in-house counsel to provide a roundtable format and open discussion, led by four in-house professionals and leaders, to share best practices for in-house counsel, discuss ways in which in-house counsel can maintain their commitment to ethics and integrity, balancing the role as in-house counselor and solver of problems with their duty to provide independent counsel, as well as career paths and strategies for a successful and satisfying career in-house, and to provide an open discussion among the participants about particular topics of interest.

Moderator: **Effie Silva**, Tyson Foods Inc., Chicago, IL
Speakers: **Jeffrey Eglash**, Nokia Corporation, Murray Hill, NJ; **Elisa Garcia**, Macy's Inc., New York, NY; **Antje Wilmer**, Rabobank, New York, NY

Presenting a trial before a judge can be significantly different than presenting to a jury. Trial lawyers should consider different styles and methods when arguing a bench trial to effectively represent their clients. This mini mock trial includes opening statements, a direct and cross examination of an expert witness, and a discussion with a panel of judges.

Moderator: **Hon. Keathan B. Frink**, 17th Judicial Circuit of Florida, Fort Lauderdale, FL
Speakers: **Rita M. Aquilio**, Lawrence Law LLC, Watchung, NJ; **Jonathan Lounsberry**, The Stevens Firm PA, Spartanburg, SC; **Stephanie Matalon**, Boies Schiller Flexner LLP, Hollywood, FL; **Hon. Chisa J. Putman**, York County Courts, York, SC; **Megan Sartor**, Sax LLP, Clifton, NJ

Litigation finance is expanding and evolving in the United States and around the world. Our panel will provide views from the bench, bar, and litigation finance community regarding the economic, legal, and ethical issues raised by third-party funding in both domestic and international disputes—exploring how these issues play out in a range of hypothetical cases.

Moderator: **Gerard McDermott**, Gerard McDermott QC, London, UK
Speakers: **Alan Guy**, Vannin Capital, New York, NY; **Noiana Marigo**, Freshfields Bruckhaus Deringer LLP, New York, NY; **Ben Quarmby**, MoloLamken LLP, New York, NY; **Hon. Shira Scheindlin (Ret.)**, Woodsford Litigation Funding, New York, NY

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