

FEDERATION OF DEFENSE & CORPORATE COUNSEL



**FDCC**

DEFENSE LAWYERS. DEFENSE LEADERS.

# 2024 CORPORATE COUNSEL SYMPOSIUM

THE WINDSOR COURT HOTEL  
NEW ORLEANS, LA  
SEPTEMBER 15-17, 2024





## CORPORATE COUNSEL SYMPOSIUM 2024

“A problem is a chance for you  
to do your best.” - Duke Ellington

**W**hether you are in-house or defense counsel, problems are commonplace. How you solve problems—especially the hard ones—sets you apart within your teams, companies, or firms. Do you want to take your problem-solving skills to the next level? Interested in how you can turn the most challenging problem into an opportunity for excellence? Join us for the FDCC Corporate Counsel Symposium, September 15-17, 2024, at the historic Windsor Court Hotel in New Orleans, Louisiana. In the birthplace of jazz, we will explore best practices for problem-solving and showcase cutting edge discussions of the most critical legal issues facing lawyers today.

The range of topics will include practical uses of AI, communicating with corporate boards, handling unusual venues, managing risk, DEI after *SFFA*, developments in employment law, avoiding runaway verdicts, new policies impacting civil litigation, mentoring to retain legal teams, wearing the many hats of corporate counsel, and addressing burn-out among lawyers.

We are excited to feature the Honorable Judge Janis van Meerveld, U.S. Magistrate Judge from the Eastern District of LA, who will present a program, inspired by the movie, *Barbie*,

highlighting the challenges faced by women in the profession and the role everyone plays in creating equality.

Also, throughout the Symposium, FDCC in-house counsel members will share personal stories of encounters with hard problems and how they addressed those challenges in a Ted Talk format.

To foster interactive discussions, we are bringing you this Symposium without PowerPoint presentations. The Program has been specifically designed to include problem-solving ideas from all-star panels about the issues that confront you every day. In addition to the dynamite CLE, the Symposium will feature ample opportunities for fellowship and networking, including Dine Around dinners in some of the best restaurants in New Orleans. All FDCC defense and corporate counsel members are welcome to attend and encouraged (but not required) to bring a client or colleague.

**You can be sure that you'll leave the 2024 Corporate Counsel Symposium in the Big Easy ready to solve the problems faced by our clients, companies, and firms.**

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## PROGRAM TOPICS & PANELS

This year's Symposium includes an incredible lineup of subject matter experts, in-house counsel and practitioners from some of the world's top law firms and corporations, including First Acceptance, AmTrust Financial Services, Asurion, Rimini Street, Freeport LNG, Gillette Children's Specialty Healthcare, Island Companies, Lockton Companies, Monogram Food Solutions, Ryan, Corium, UFG Insurance, Matthews International, Richmond National Insurance, Harford Mutual Insurance Group, Builders FirstSource, Latitude, Zachry Industrial, DAA Draexlmaier and Waev. To enhance the discussion, PowerPoints will not be used. Instead, the panels will encourage questions, thoughts and interactive discussion from the attendees at the Symposium.

The topics could not be more timely in the challenging business environment of today. These topics include:

- Approaches When Dealing with Unusual Venues
- Managing Risk: From Procuring Insurance to Navigating Claims
- Developments in Employment Law
- DEI in the Workplace After *SFFA*
- Successfully Working with Boards of Directors
- Lawyering with Gen AI
- Mentoring in Order to Retain Legal Teams
- Rules and Policies Impacting Civil Litigation Landscape
- Preventing, Noticing and Addressing Burn Out
- Trial Strategies in Avoid Runaway Verdicts
- Wearing the Many Hats of Corporate Counsel

## AGENDA

### SUNDAY, SEPTEMBER 15, 2024

- 2 pm - 4 pm      Registration
- 4 pm - 4:15 pm      Welcome by CCS Chairs and FDCC Officers
- 4:15 pm - 4:25 pm      Fed Talks on Problem Solving  
Kelley Barnett, Senior Vice President, Senior Managing Counsel, AmTrust Financial Services
- 4:25 pm - 5:25 pm      Haunted Venues and Legal Voodoo

While haunted houses and voodoo tours are usually reserved for fun visits to New Orleans, corporate counsel and defense lawyers may find themselves spooked in practice when faced with unusual laws and challenging venues. Hear from: a Louisiana native on how to approach one of the country's most unique legal systems; a Past Chair of the FDCC's International Practice Group on navigating the differences in international law and venues; an appellate lawyer who serves as embedded appellate counsel at the trial level to advise counsel specifically on how to tackle unusual venues and legal outliers, and corporate counsel who regularly contends with difficult venues and judicial hellholes. Learn how they approach these challenges and walk away with a talisman against such evils in your own practice/company.



Moderator: Shelly Masters, Principal,  
Cokinos Young, Austin, TX

Panelists: Jeffery M. Guillory, Senior Director and Associate General Counsel, First Acceptance Insurance Company

David Bertschi, Senior Partner, BOS Law (Bertschi Orth Solicitors and Barristers LLP), Ottawa and Calgary, Canada

John M. Reeves, Reeves Law LLC, St. Louis, MO

Ebony S. Morris, Associate Attorney, Foley & Mansfield, New Orleans, LA

5:25 pm – 6:30 pm      Networking Reception

7:00 pm      Dine Arounds





## MONDAY, SEPTEMBER 16, 2024

7:30 am – 8:15 am Registration and Continental Breakfast

8:15 am – 8:30 am Welcome and Introduction of Committee Members



8:30 am – 9:25 am Managing Risk: From Procuring Insurance to Navigating Claims

The panel will focus on the in-house risk manager's perspective. The panelists will discuss the complex landscape of insurance placement, being flexible and nimble in the face of shifting market dynamics, and how to build strong partnerships with brokers and insurers (both underwriting and claims) to develop trust and respect while collaborating to manage ever-changing risk.

Moderator: Melissa D'Alelio, Partner, Robins Kaplan LLP, Boston, MA

Panelists: Lauren Thibodeaux, Senior Director, Enterprise Risk Management, Freeport LNG

Paula Montgomery, Chief Administrative Officer and General Counsel, Gillette Children's Specialty Healthcare  
Elizabeth A. Fitzpatrick, C.R.I.S., Chief Risk Officer, Island Companies

Douglas Richmond, Senior Vice President, Lockton Companies, LLC

9:25 am – 9:35 am Fed Talks on Problem Solving  
Nicole Brunson, Legal Risk & Strategy Leader

9:35 am – 10:30 am Solving the Hard Problems in Employment

The FTC wants to ban most noncompete agreements and the NLRB is attacking them as well. The Department of Labor and the NLRB have issued new tests for determining who is an employee

or independent contractor. The Department of Labor has announced significant increases to the salary threshold for certain overtime and minimum wage exemptions under the FLSA. The panel will discuss these developments, as well as pay equity issues, in this informative, and timely employment law update.

Moderator: Chad Hatmaker, Partner, Woolf McClane, Knoxville, TN

Panelists: Marie Holvick, Partner, Gordon Rees, San Francisco, CA

Liz Roussel, Partner, Adams & Reese, New Orleans, LA  
Beverly Gates, Executive Vice President and Chief Legal Officer, Monogram Food Solutions, LLC

10:30 am – 10:45 am Networking Break



10:45 am – 11:45 am "It is Literally Impossible To Be a Woman [Lawyer]"

Inspired by Oscar-nominated America Ferrera's monologue as Gloria in *Barbie*, and supported by studies, statistics, anecdotes, law review articles, 30 years of litigating, a decade of studying implicit bias, and eight years on the bench, as well as fun references to *Barbie*, Judge van Meerveld will start with her own monologue about the continuing plight of women in the profession. This will be followed by topical, "gamified" prompts (sexism bingo, to be precise) designed to inspire sharing personal stories and brainstorming professional solutions for everyday instances of sexism and implicit bias that women in the legal community still face, and the role of both women and men in recognizing, counteracting, and correcting it. Discussion will include topics ranging from pay inequities, disparate application of both subjective- and objective- performance criteria, prove-it-again syndrome, and the maternal wall.



Judge Janis van Meerveld, U.S. Magistrate Judge, U.S.  
District Court for the Eastern District of Louisiana

**11:45 am - 1:00 pm   Networking Lunch**

**1:00 pm - 2:00 pm   DEI in the Workplace After SFFA**

The United States Supreme Court's decision in *Students for Fair Admissions v. Harvard*, 143 S. Ct. 2141 (2023), while limited to the admissions process in higher education, has generated much discussion and debate about the legality of diversity, equity and inclusion initiatives in other settings. This session will address the cases that have been commenced in the wake of *SFFA* and the most recent decisions addressing the legality of certain DEI initiatives. The panelists will offer practical suggestions on how workplaces and other organizations can continue to foster and champion diversity, equity and inclusion without running afoul of the law.

Panelists: Nicole J. Benjamin, Shareholder, Adler Pollock & Sheehan P.C., Providence, RI

Jeffrey S. Miller, Vice President, Legal & Division General Counsel, Ryan, LLC

Mark A. Baugh, Shareholder, Chief Diversity and Inclusion Officer, Baker, Donelson, Berman, Caldwell & Berkowitz, P.C., Nashville, TN

**2:00 pm - 2:10 pm   Fed Talks on Problem Solving**

Sarahannah McMurtry, EVP, General Counsel,  
First Acceptance Insurance Company

**2:10 pm to 3:10 pm   Successfully Working with Boards of  
Directors: Real Stories & Best Practices**

Are you a general counsel or in-house lawyer looking to learn about the latest issues, common challenges, and best practices for working with company boards? Are you outside counsel seeking to understand how company boards work and how you can add more value? Learn all this and more during a wide-ranging panel discussion with in-house lawyers sharing their perspectives from companies across industries and settings.

Moderator: Tim Moore, Vice President, Head of  
Commercial Legal & Compliance, Corium

Panelists: Sarah E. Madsen SVP, Chief Legal Officer &  
Corporate Secretary, UFG Insurance

Brian D. Walters, Executive Vice-President and General  
Counsel, Matthews International Corporation



Michael Spencer, GVP & Chief Counsel, Chief Ethics and  
Compliance Officer, Rimini Street, Inc.

**3:10 pm - 3:25 pm   Networking Break**

**3:25 pm - 4:25 pm   Marching Toward Innovation: Jazzing Up  
Your Lawyering with GenAI**

Whether in-house or outside counsel, benefit from this panel's experience using of Generative AI platforms to break out of standard lawyering. The panel will address best practices for responsible selection, use and implementation of GenAI. Hear strategies to protect your companies' and clients' data while using these innovative tools. This panel discussion will help you generate ideas and elevate the services of your legal department to your company and of your firm to clients.

Moderator: Beth Bauer, Partner, HeplerBroom LLC,  
Edwardsville, IL

Panelists: James Chapman, CEO and Co-Founder,  
eSumry, Norfolk, VA

Tannis Liviniuk, Digital Advancement Executive, Zachry  
Group, San Antonio, TX



Frank Ramos, Partner, Goldberg Segalla, Miami, FL  
David T. Vanalek, Chief Legal and Compliance Officer,  
Richmond National Insurance Company

**4:25 pm -5:25 pm    Mentoring Mindset: The Art of Developing  
and Retaining a Solid and Cohesive  
Legal Team**

Do you find it difficult to recruit and retain talent? If so, join the Mentoring Mindset panel discussion to learn how inside and outside counsel are approaching the challenges of maintaining a cohesive and generationally diverse workforce. We will hear from attorneys with varying levels of experience in law firm and in-house counsel roles to discuss best practices in mentoring, methods of communicating with people in different generations, and why mentorship is critical to retention—particularly now.

Moderator: Alonzo D. Washington, Member, Flaherty  
Sensabaugh Bonasso, PLLC, Morgantown, WV

Panelists: Teresa J. Dumire, Member, Kay Casto & Chaney  
PLLC, Morgantown, WV

Kelly Brilleaux, Partner, Irwin Fritchie Urquhart Moore &  
Daniels LLC, New Orleans, LA

Geneau M. Thames, Vice President, General Counsel and  
Secretary, Harford Mutual Insurance Group

Janie Perelman, Senior Vice President and Assistant  
General Counsel, Builders FirstSource

**5:25 pm – 6:30 pm    Networking Reception**

**6:30 pm                      Dine Arounds**

## TUESDAY, SEPTEMBER 17, 2024

**7:30 am - 8:00 am    Breakfast**

**8:00 am – 8:55 am    Rules and Policies Impacting the Civil  
Litigation Landscape**

This panel will discuss the new and proposed litigation rule changes, and the processes impacting them, that should be on every corporate counsel's mind. The topics include changes to expert evidence admissibility, new MDL rules, TPLF disclosure, the impact of the American Law Institute, and the evolution of the plaintiff's bar tactics on policy issues.

Moderator: Chelsey M. Golightly, Partner, Jones, Skelton &  
Hochuli, P.L.C., Phoenix, AZ

Panelists: Mark Behrens, Partner, Shook, Hardy & Bacon  
LLP, Washington, D.C.

Molly Jones, Sr. Assistant General Counsel,  
Bayer, St. Louis, MO

Dan Steen, Lawyers for Civil Justice, Arlington, VA

**8:55 am – 9:05 am    Fed Talks on Problem Solving**  
Jay Old, General Counsel, Zachry  
Industrial, Inc.



**9:05 am – 9:55 am    The Mindful Legal Department: Preventing,  
Noticing and Addressing Burnout**

Burnout is real, but what exactly is it? Have you - or your team - experienced burnout? If so, you are not alone. If you haven't, you may at some point in your legal career. In a recent ABA survey, lawyers said they experienced burnout in their jobs 52% of the time. The traditional attempts to deal with burnout have focused on wellness and self-care, but to prevent and avoid burnout, legal departments must tackle the underlying issues within their organizations and those that plague the legal profession, which are causing burnout. The panel will discuss how legal





departments can recognize, prevent, and address burnout by using a mindful teams-based approach.

Moderator: Valerie Kellner, Of Counsel, Wilson Elser Moskowitz Edelman & Dicker, Philadelphia, PA

Panelists: Darleene Peters, Partner, Irwin Fritchie Urquhart Moore & Daniels LLC, New Orleans, LA

Candice Reed, Executive Vice President & Partner, Latitude

Miranda Soto, Partner, Buchanan Ingersoll & Rooney PC, Miami, FL

#### 9:55 am – 10:10 am Networking Break

#### 10:10 – 11:00 am Reptiles and Runaways

As we face an onslaught of verdicts that should shock the conscience of reasonable jurors, the panel will take a deeper dive into attacking the “Reptile” or “Edge” theory of trial advocacy. Beyond witness preparation, the panelists will share strategies to attack Plaintiff’s tactics and place them on the defense from the start of trial. This will include techniques for how to conduct voir dire, how to make your opening and closing statements, and everything in-between.

Moderator: Kat Frazier, Partner, Shook, Hardy & Bacon LLP, Houston, TX

Panelists: Evelyn Davis, Senior Partner, Hawkins Parnell & Young, LLP, Atlanta, GA

Andy Johnson, Partner, Bradley Arant Boult Cummings LLP, Birmingham, AL

John R. Rahoy, Principal, Brown & James Law Firm PC., St. Louis, MO

#### 11:00 am – 12:00 pm

#### Wearing the Many Hats of Corporate Counsel

A day in the life of in-house counsel rarely involves simply providing legal advice. Instead, in-house counsel find themselves wearing many hats—formally and informally—as they strive to be trusted advisors and business partners. This panel will explore the different roles in-house counsel may play, whether as a law department of one, as a corporate counsel who oversees non-legal functions, or simply as a leader within the company. The panel will also discuss how to navigate those roles while not creating undue risk, for yourself or your company, given attorney-client privilege and other ethical considerations.

Moderator: April Y. Berman, SVP, Deputy General Counsel, Asurion

Panelists: Aaron Gentry, Regional General Counsel, USA, DAA Draexlmaier Automotive of America LLC

Amy Richardson, Partner, HWG LLP, Raleigh, NC

Michael Spencer, GVP & Chief Counsel, Chief Ethics and Compliance Officer, Rimini Street, Inc.

Paul C. Vitrano, SVP, Chief Legal & Policy Officer and Head of International Business Development, Waev Inc.

#### 12:00 PM

#### CLOSING REMARKS



## CONTINUING LEGAL EDUCATION CREDITS

Accreditation will be sought in those jurisdictions requested by registrants that have continuing education requirements.

## FDCC MISSION STATEMENT

We are a professional trade association of peer-reviewed, premiere defense and corporate counsel and industry executives, dedicated to leading the profession by advancing the principals of civil justice, actionable knowledge, and fostering the trust and value of fellowship.

## WHY FDCC?

To be THE inspired community of vetted defense counsel, exceptional leaders and even better people.

## 2024 CCS CO-CHAIRS



April Y. Berman  
Asurion



Shelly Masters  
Cokinos Young



Valerie Kellner  
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