



CORPORATE COUNSEL COLLEGE

APRIL 7 - 8, 2022
THE RITZ-CARLTON
CHICAGO, ILLINOIS USA

HIGHLIGHTS

- **When Congress Calls: Strategies for Preparing for Investigations and Testimony on the Hill**
- **The Equifax Data Breach: From Suspicion to Settlement**
- **The Art and Science of Disagreeing with Management**
- **Have You Checked On Your Corporate Compliance Program Lately? If Not, You Should!**
- **Lessons for Lawyers from the Science of Well-Being**
- **Managing Litigation with Effectiveness and Efficiency**
- **Lawyers as Trusted ESG Advisors to the Business**
- **Asking the Right Questions During a Crisis While Running a Business to Serve Customers**



SCHEDULE

WEDNESDAY, APRIL 6, 2022

12:30 – 5:00 p.m.

CORPORATE COUNSEL TRAINING ACADEMY

For in-house counsel newer to the role. For more information, please view the Corporate Counsel Training Academy brochure on www.iadclaw.org.

5:00 – 6:30 p.m.

COCKTAIL RECEPTION

THURSDAY, APRIL 7, 2022

7:15 – 8:00 a.m.

BREAKFAST

8:00 – 8:15 a.m.

OPENING REMARKS

John T. Lay, Jr., *Corporate Counsel College Dean, Gallivan, White & Boyd, P.A., Columbia, SC USA*

Spencer H. Silverglate, *IADC President, Clarke Silverglate, P.A., Miami, FL USA*

8:15 – 9:30 a.m.

When Congress Calls: Strategies for Preparing for Investigations and Testimony on the Hill

One of the most daunting challenges for both in-house and outside counsel is guiding your client through the unique world of Congressional investigations. What are the best strategies for responding to a request for records from a Congressional subcommittee? Once an investigation begins, can anything be done to slow it down or stop it? How do you select the best person to give sworn testimony before Congress, and what advice do you give them? Our experienced panelists will offer practical advice on what your clients should and should not do when faced with a Congressional inquiry. The panel will also analyze the sensitive intersection between responding to Congress and balancing the risk to civil litigation and other governmental actions.

Moderator: **Mark A. Behrens**, *Shook, Hardy & Bacon LLP, Washington, DC USA*

Panelists: **Alyssa DaCunha**, *WilmerHale, Washington, DC USA*; **Kristina Moore**, *FTI Consulting, Washington, DC USA*; **Sally Q. Yates**, *King & Spalding LLP, Atlanta, GA USA*

9:30 – 9:45 a.m.

REFRESHMENT BREAK

9:45 – 11:00 a.m.

The Equifax Data Breach: From Suspicion to Settlement

What started out as a notification of a suspicious intrusion unfolded into a global data breach. In this fireside chat, Equifax leaders who were on the front line will describe how the company handled this breach, working with United States government officials, international world leaders, regulators, and investors for close to three years to bring the matter to resolution.

Moderators: **Emily G. Coughlin**, *Coughlin Betke LLP, Boston, MA USA*; **Alex J. Hagan**, *Ellis & Winters LLP, Raleigh, NC USA*

Presenters: **Julia Houston**, *Chief Transformation Officer, Equifax, Atlanta, GA USA*; **Paul Zurawski**, *Senior Vice President of External Affairs, Equifax, Atlanta, GA USA*

11:00 – 11:15 a.m.

REFRESHMENT BREAK

11:15 a.m. – 12:15 p.m.

The Art and Science of Disagreeing with Management

When corporate misdeeds occur, the regulators, shareholders, and the public look for someone to blame, and that is often the in-house counsel team. This session explores the realities of the relationship between the legal team and management and the human dynamics that play a role in the legal team's ability to disagree with management. A recent behavioral study suggests these issues may be rooted in a disconnect between how each views their respective role in the decision-making process. Through a series of prompts, the panelists will address the expectations, the challenges, and offer strategies for addressing conflicts with management in the context of compliance, litigation strategy, and internal investigations.

Moderator: **Sandra J. Wunderlich**, *Tucker Ellis LLP, St. Louis, Mo USA*

Panelists: **R. Matthew Cairns**, *Associate General Counsel – Litigation, Tectron Inc., Providence, RI USA*; **Melanie Margolin**, *Chief Legal Officer, Thumbtack, Denver, CO USA*

SCHEDULE

12:15 – 1:15 p.m.

NETWORKING LUNCHEON WITH MODERATED TABLE DISCUSSIONS

A buffet lunch will be provided and attendees will have the opportunity to choose a table at which a specific and timely topic of particular interest to corporate and/or in-house insurance counsel will be discussed. Some of the dozen or so topics to be discussed will include: responding to cyberattacks, managing through the Great Resignation, complying with COVID mandates, addressing the impacts of supply chain disruptions, and mitigating the potential for nuclear verdicts. The full list of timely topics to choose from will be available closer to the conference.

1:15 – 2:30 p.m.

Have You Checked On Your Corporate Compliance Program Lately? If Not, You Should!

In June 2020, the U.S. Department of Justice updated its previous guidance on the evaluation of corporate compliance programs in the criminal context. U.S. Department of Justice, Criminal Division, Fraud Section – Evaluation of Corporate Compliance Programs. As part of that update, the DOJ referenced specific factors prosecutors should consider when conducting an investigation of a corporation, determining whether to bring charges, and negotiating plea or other agreements. Moreover, the DOJ also included three “fundamental questions” prosecutors should ask when making informed investigative decisions: (1) Is the corporation’s compliance program well designed? (2) Is the program being applied earnestly and in good faith? (3) Does the corporation’s compliance program work in practice? This two-part workshop will explore answering each of these questions in the affirmative through the effective design, adequate resourcing, dedicated empowerment, and focused implementation of effective – and best in class – corporate compliance programs.

Introductions: **Kimberly Martin**, *Bradley Arant Boult Cummings LLP, Hunstville, AL USA*

Co-Moderators: **Ashley Garry**, *Head of Compliance Investigations, Roche Diagnostics Corporation, Indianapolis, IN USA*; **Jason P. Mehta**, *Bradley Arant Boult Cummings LLP, Tampa, FL USA*

Special Guests: **Lauren Kootman**, *Assistant Chief (Acting), Corporate Enforcement, Compliance & Policy Unit, Fraud Section, U.S. Department of Justice, Washington, DC USA*; **Donald J. Ridings Jr.**, *Covington & Burling LLP, Washington, DC USA*

2:30 – 2:45 p.m.

REFRESHMENT BREAK

2:45 – 3:45 p.m.

Lessons for Lawyers from the Science of Well-Being

This panel will discuss an evidence-based approach to improving well-being for lawyers. According to recent research, lawyers continue to struggle with depression, anxiety, suicide, and substance abuse at alarming levels. Shayna Cook and Emma Ross will present insights from Yale Professor of Psychology Dr. Laurie Santos’s course on the Science of Well-Being, including recent publications about happiness and evidence-based practical tools that make a lasting difference in well-being. Brett Strand will present an in-house counsel perspective on well-being. Judge Betsy Chestney will provide a judicial perspective on the importance of well-being for lawyers.

Moderator: **Shayna S. Cook**, *Goldman Ismail Tomaselli Brennan & Baum, Chicago, IL USA*

Panelists: **Honorable Elizabeth S. (“Betsy”) Chestney**, *United States Magistrate Judge for the Western District of Texas, San Antonio, TX USA*; **Emma C. Ross**, *Goldman Ismail Tomaselli Brennan & Baum, Chicago, IL USA*; **Brett Strand**, *Vice President and Chief Employment Counsel, 3M Company, St. Paul, MN USA*

3:45 – 4:00 p.m.

REFRESHMENT BREAK

4:00 – 5:00 p.m.

Managing Litigation with Effectiveness and Efficiency

Clients and their counsel recognize the increasing and critical need for education and training in how better to manage litigation effectively (doing the right things) and efficiently (doing those things in the right way). To be effective and efficient, true litigation management must be conducted ethically and professionally while achieving the client’s goals. This approach requires a team who structures management of cases around the right plan, employs the right team, applies the right processes and tools, delivers services at the right cost, and continuously focuses on achieving the right result for actual client objectives.

This panel combines academic thought leaders, corporate counsel, and practicing trial lawyers who can share insight on litigation management from all perspectives. Panelists will address these crucial tenets in litigation management in an interactive format. First, they will demonstrate how to assess litigation risk with early case assessments and decision tree analysis as a basis for litigation planning and strategy. Second, the panel will address and engage the audience in planning and how the correct use of the “Iron Triangle” (Schedule, Scope, and Resources) can enable alternative pricing methods that are beneficial to both law firm and client.

SCHEDULE

Moderator: **Elizabeth M. “Liz” Fraley**, *Co-Director of the Executive LL.M. in Litigation Management, Professor, Baylor Law, Waco, TX USA*

Presenters: **Kyle H. Dreyer**, *Program Coordinator, Executive LL.M. in Litigation Management, Adjunct Professor, Baylor Law, Waco, TX USA*; **James Peacock**, *Vice President for General Counsel of Claims, Litigation, and Risk Prevention, Baylor Scott & White Health, Dallas, TX USA*; **Erin Snyder**, *Vice President and Managing Counsel – Litigation and Investigations, Atrium Health, Charlotte, NC USA*; **James E. “Jim” Wren**, *Leon Jaworski Chair of Practice and Procedure, Director of the Practice Court Program, Co-Director of the Executive LL.M. in Litigation Management, Baylor Law, Waco, TX USA*

5:00 – 5:10 p.m.

CONCLUDING REMARKS – DAY ONE

John T. Lay, Jr., *Corporate Counsel College Dean, Gallivan, White & Boyd, P.A., Columbia, SC USA*

5:15 – 6:15 p.m.

COCKTAIL RECEPTION

FRIDAY, APRIL 8, 2022

7:15 – 8:00 a.m.

BREAKFAST

8:00 – 9:30 a.m.

Lawyers as Trusted ESG Advisors to the Business

There is no company that can escape the ever-growing environmental, social, and governance (ESG) mandates. This panel will explore the structure and the fundamental practices and regulatory requirements of ESG issues as they relate to supporting ESG metrics aimed to promote sustainability strategies. The panelists will share their own experiences and best practices for navigating their businesses through this rapidly evolving field, and how lawyers, as risk mitigation experts, can play a critical role in all aspects of the business to reach concrete ESG targets while also meeting the mandates of all relevant stakeholders from investors to customers to communities.

Moderator: **Heidi B. Friedman**, *Thompson Hine LLP, Cleveland, OH USA*

Panelists: **Jennifer Kraft**, *Senior VP & Deputy GC, Starbucks*; **W. Robert Main**, *COO and Managing Partner, Sustainable Governance Partners, Philadelphia, PA USA*; **Brendan Morrissey**, *Senior Director for ESG Strategy & Engagement, Walmart, Bentonville, AR USA*

9:30 – 9:45 a.m.

REFRESHMENT BREAK

9:45 – 11:15 a.m.

Asking the Right Questions During a Crisis While Running a Business to Serve Customers

South Carolina’s state-owned utility made the business decision to cease construction of two nuclear generation units. The resulting fallout entailed lawsuits, legislative inquiry, government investigations, and extensive media coverage. This panel covers the questions any company should raise in the face of a multi-front scenario. From assembling the right team, to addressing the needs of the stakeholders, and on to continuing to operate the business. The focus will be making sure the right questions are asked and how you need to be ready to stay focused on a prudent business outcome during chaotic times.

Moderator: **A. Mattison Bogan**, *Nelson Mullins Riley & Scarborough LLP, Columbia, SC USA*

Panelists: **Deborah B. Barbier**, *Attorney at Law, Columbia, SC USA*; **Shawan Gillians**, *Director of Legal Affairs and Corporate Secretary, Santee Cooper, Moncks Corner, SC USA*; **Cal Land**, *Member of Board of Directors and Head of Legal Affairs Committee, Santee Cooper, Manning, SC USA*; **Pamela Williams**, *General Counsel, Santee Cooper, Moncks Corner, SC USA*

11:15 – 11:30 a.m.

CONCLUDING REMARKS

John T. Lay, Jr., *2022 Corporate Counsel College Dean, Gallivan, White & Boyd, P.A., Columbia, SC USA*
Craig A. Thompson, *2023 Corporate Counsel College Dean, Venable LLP, Baltimore, MD USA*

GENERAL INFORMATION



LOCATION

The Ritz-Carlton
160 East Pearson Street, Chicago, IL 60611 USA
Phone: +1.312.266.1000
Fax: +1.312.266.1194
<http://www.ritzcarlton.com/en/hotels/chicago>

The Ritz-Carlton is set atop Water Tower Place, high above prestigious North Michigan Avenue, and features exquisite décor, intuitive service, and one of the city's most acclaimed restaurants. The Ritz-Carlton Chicago offers a setting of unmistakable grandeur, ideal for business or for leisure.

RESERVATIONS AND ROOM RATES

The room rate, which is subject to the current applicable occupancy and sales tax per room, per night, is \$309 for a City View King Room with a maximum of 2 adults per room. **In order to make your hotel reservation, you must first register for the meeting with the IADC.** Once registered, a link will be generated by the IADC along with your registration confirmation that will allow you to secure a hotel room at The Ritz-Carlton. You must contact the hotel directly, either by web link or telephone. Reservations must be made prior to Monday, March 14, 2022. Unused rooms held for this meeting will be released on this date. Any reservation requests received after March 14, 2022 will be accepted only on a space available basis at the group rate. Please note that the room block may fill before March 14, so we encourage you to register with the IADC so that you can make your hotel reservation early. Cancellations must be made at least 48 hours in advance of check-in to avoid forfeiture of first night room deposit. Check-in time is 4:00 p.m. and check-out time is 12:00 p.m. CST.

GROUND TRANSPORTATION

Average one-way cab fare to the hotel from O'Hare International Airport is \$45-\$55 and from Midway Airport is \$40-\$50. GO Airport Express provides service from both O'Hare and Midway airports to downtown Chicago for discounted fares. For more information, please visit the GO Airport Express website at www.airportexpress.com. During rush hour times, you may consider taking the Orange Line train (Midway) or Blue Line train (O'Hare) to the downtown Loop stations and taking a short cab ride to the hotel. (www.transitchicago.com)

CLIMATE AND DRESS

When packing for your trip, please note that average temperatures in Chicago this time of year range from a high of 50 degrees Fahrenheit to a low of 40 degrees Fahrenheit. Business attire is recommended for the meeting.

REGISTRATION FEES AND PROCEDURES

IADC outside counsel members – contact your in-house clients today and invite them to join you at the Corporate Counsel College. Outside counsel members and partners of members can attend the College only if they are accompanied by a client. The package registration fee is \$1,795 [includes one outside counsel (\$1,300) and one in-house client (\$495)]. The fee for additional clients is \$450 each. For in-house counsel and insurance executive members and in-house counsel and insurance executive non-members who are attending on their own, the fee is \$495. Please register online at www.iadclaw.org.

CLE CREDIT

Approximately 9.75 hours of general CLE credit in 60-minute states and 11.5 hours of general CLE credit in 50-minute states will be requested for accreditation from all mandatory continuing legal education jurisdictions.

CPD CREDIT (CANADA)

The IADC is a Pre-Approved Provider of CPD Credit with the Law Society of British Columbia. The Quebec CPD Committee recognizes courses approved by other Canadian bars as approved in Quebec. 9 CPD credits are available for attendance at the Corporate Counsel College.

GENERAL INFORMATION

CANCELLATION POLICIES

Registration Fee: A CASH REFUND, less a \$150 processing fee, will be made if a written notice of cancellation is received by the IADC office more than thirty (30) days prior to the first day of the meeting. No reason for the cancellation need be provided for a timely notice of cancellation. NO CASH REFUND will be made if notice of cancellation is received by the IADC office thirty (30) days or less prior to the first day of the meeting. However, if special circumstances arise before the meeting which prevent attendance, a member may request a future meeting credit. The request needs to be in writing and submitted to the IADC office. It should be directed to the Finance Committee's attention and note the special circumstances which caused cancellation. The credit request can only apply to meeting registration fees (not air, hotel, activity, tour, or special event fees) and, if approved, will be valid for use toward any IADC meeting for one (1) year from the date of the meeting for which credit is requested. A \$150 processing fee will be deducted from the total future meeting credit. All future meeting credit requests will be considered by the Finance Committee and the decision of that Committee will be final.

SPECIAL NEEDS

If you have any special needs during the meeting (i.e. diet or accessibility) or have any other questions about the Corporate Counsel College, please contact Melisa Maisel Vanis, Director of Professional Development, at mmaisel@iadclaw.org.

DATA PRIVACY AND COLLECTION

Data is collected on attendees through registration for the purposes of executing the meeting and communicating with attendees about the meeting. Meeting sponsors have access to the registration list provided to all attendees. If any attendee has questions on data use and privacy, please contact Executive Director Mary Beth Kurzak at mkurzak@iadclaw.org.

PHOTO POLICY

Photos are taken onsite at the meeting by staff and hired photographers and those photos of meeting attendees may be used in association marketing. If you wish to not be included in photos that are used in association marketing, please contact Ashley Hatfield, Director of Communications, at ahatfield@iadclaw.org.

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A special thanks to each member for their effort and expertise.

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WHO SHOULD ATTEND?

In-house counsel responsible for hiring and managing outside counsel /

Senior insurance industry executives / Corporate compliance officers /

Senior executives and counsel to non-profit corporations /

Heads of corporate governmental relations departments /

Heads of litigation departments / Experienced outside defense trial counsel

The IADC Corporate Counsel College is designed to be an interactive and dynamic learning experience that takes advantage of the vast knowledge and experience of panelists, in-house corporate counsel, and the outside counsel attendees. While each session will follow a slightly different format, panelists and moderators will share their experiences and what they learned. The moderators will engage the audience and panel members in a spirited and educational discussion about the issues, sometimes posing hypothetical situations to stimulate further discussion.