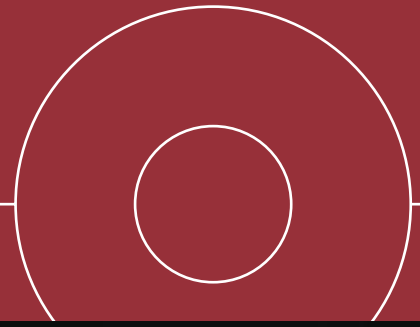


ALFA INTERNATIONAL

THE GLOBAL LEGAL NETWORK



WHEN THE SPOTLIGHT TURNS INWARD:
Legal, Business and Ethical
Issues in Internal Investigations

2013 BUSINESS LITIGATION PRACTICE GROUP SEMINAR

Hosted by ALFA International's BUSINESS LITIGATION PRACTICE GROUP

September 19-20, 2013
The Langham Hotel
Chicago, Illinois

www.alfainternational.com

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The member firms of ALFA International invite you to join us at Chicago's newest luxury hotel, The Langham, for the ALFA International Business Litigation Practice Group Seminar. This seminar will focus on identifying the legal, business and ethical issues that are likely to arise when a company must perform an internal investigation, and jointly developing strategies to deal with them. On Thursday, the ALFA Business Litigation Practice Group will present a hypothetical business problem requiring an internal investigation, which an outstanding panel of ALFA lawyers and clients will then address. The panel's presentation will be followed by two sessions of round table discussions during which the ALFA lawyers and clients in attendance will address the legal and business issues which they are likely to face during such an investigation, and develop checklists, best practices and strategies to deal with these issues. The round table format, which proved to be highly successful during last year's Business Litigation Practice Group Seminar, will enable the attendees to address issues and solutions that are likely to affect their particular companies and industries. The results of these round table discussions will be summarized by the table leaders into a report that should prove highly informative and useful to those in attendance.

On Friday morning, the ALFA Business Litigation Practice Group will address the ethical issues which are likely to arise from an internal investigation, and other ethical issues which in-house counsel are likely to face. Again, the ethical issues will be addressed in a round table format so that all attendees can contribute to and learn from their colleagues during a discussion of the ethical issues and how to deal with them. These round table discussions will be followed by an expert panel that will address these and other ethical issues. The Friday portion of the program is designed to enable all attendees to obtain ethics credit toward your mandatory continuing legal education requirements.

The ALFA Business Litigation Practice Group believes this program will provide a unique opportunity for you to become prepared to deal with any internal investigations which may arise in your company, and learn from your colleagues how they have addressed issues you may face. The entire seminar will be interactive, informative and entertaining. This brochure will provide you with the details of the educational and social aspects of the seminar. We hope to see you in Chicago in September for what promises to be an outstanding seminar.

DARRYL M. BLOODWORTH

Program Chair, Business Litigation Practice Group
DEAN, MEAD, EGERTON, BLOODWORTH,
CAPOUANO & BOZARTH, P.A.
Orlando, Florida



All About Chicago

Located on the shores of Lake Michigan, Chicago has emerged from its humble beginnings as a trade outpost and military base into an international hub for finance, industry, telecommunications and infrastructure. This bustling Midwestern metropolis offers world renowned architecture, dozens of theaters and music venues, professional sports teams, and a variety of sight-seeing destinations including Millennium Park and Navy Pier. The Langham Chicago is a brand new luxury hotel located just steps from the Chicago River – and minutes from Chicago's business and financial centers. The unrivaled guest-room views of the downtown skyline will leave a lasting impression of the "Second City" long after your visit. A taxi or private sedan is recommended and both options are easily accessible at Chicago's two international airports.

Thursday, September 19, 2013

REGISTRATION 12:00 p.m. – 1:30 p.m.
Devonshire Ballroom Foyer

LUNCH 12:00 p.m. – 1:30 p.m.
Cambridge

WELCOME REMARKS & PROGRAM INTRODUCTION

1:30 p.m. – 1:45 p.m.
Devonshire Ballroom

Carol B. Ervin
Vice-Chair, ALFA International
Board of Directors
YOUNG, CLEMENT, RIVERS LLP
Charleston, South Carolina

William E. Ireland
Chair, Business Litigation
Practice Group
HAIGHT BROWN &
BONESTEEL LLP
Los Angeles, California

Darryl M. Bloodworth
Program Chair, Business
Litigation Practice Group
DEAN, MEAD, EGERTON,
BLOODWORTH, CAPOUANO
& BOZARTH, P.A.
Orlando, Florida

INTERNAL INVESTIGATIONS: A Cauldron for Inadvertent Error, Embarrassing Exposure and Early Termination

Devonshire Ballroom

1:45 p.m. – 3:00 p.m. **PANEL PRESENTATION**
3:00 p.m. – 3:15 p.m. **BREAK**
3:15 p.m. – 4:00 p.m. **ROUND TABLES – ROUND 1**
4:00 p.m. – 4:15 p.m. **BREAK**
4:15 p.m. – 5:00 p.m. **ROUND TABLES – ROUND 2**

This panel of highly experienced internal counsel, headed by a former Assistant United States Attorney, will lead attendees through the problems and pitfalls of a difficult internal investigation. Issues covered will range from whether and how to conduct an internal investigation to how to handle the results flowing there from. Questions presented will include:

- Is it necessary to conduct an internal investigation?
- Who should conduct the investigation – in-house counsel, regular outside counsel, or a new firm altogether?
- How broad should the scope of the investigation be?
- What steps need to be taken to preserve and review relevant documents?
- How does the corporation preserve attorney-client and work product protections?
- What are the nuts and bolts of conducting witness interviews?
- Should the “Upjohn warnings” to employees be in writing?
- Should a written investigative report be prepared?
- If misconduct is found, should the company self-report to the government?
- If the company does self-report, how to handle problems that arise with privilege and exposure to civil suits?

Prior to the presentation, a handout setting forth a hypothetical will be distributed describing the fact pattern that the panel will address and which will be the predicate for the Roundtable discussions that follow. Following the presentation, attendees will have the opportunity to participate in break-out groups to delve more deeply into specific issues raised by the panelists as they relate to the hypothetical.

PANELISTS

Jeffrey H. Newman
Internal Investigations
Program Chair
SILLS CUMMIS & GROSS P.C.
Newark, New Jersey/
New York, New York

Mark S. Olinsky
Moderator
SILLS CUMMIS & GROSS P.C.
Newark, New Jersey/
New York, New York

Chris Marlin
Vice President and Counsel
LENNAR CORPORATION
President
LENNAR INTERNATIONAL
Miami, Florida

Marvin J. Levine
Executive Vice President &
Chief Legal Officer
GENERAL GROWTH PROPERTIES
Chicago, Illinois

Kathryn T. Ditmars
EVP, Global Litigation Director
JONES LANG LASALLE
INCORPORATED
Chicago, Illinois

ROUND TABLE CAPTAIN

Patrick W. Michael
DINSMORE & SHOHL LLP
Louisville, Kentucky

TABLE LEADERS

Cynthia L. Buchko
WHYTE HIRSCHBOECK
DUDEK S.C.
Milwaukee, Wisconsin

Michael R. Gibson
HIGGS FLETCHER & MACK, LLP
San Diego, California

Shawn A. Kachmar
HUNTER MACLEAN
EXLEY & DUNN, P.C.
Savannah, Georgia

Tara Martens Miller
GREENER BURKE
SHOEMAKER PA
Boise, Idaho

David P. Morrison
COSGRAVE VERGEER
KESTER LLP
Portland, Oregon

M. Neal Rains
FRANTZ WARD LLP
Cleveland, Ohio

Robert S. Thompson
HAWKINS PARNELL
THACKSTON & YOUNG LLP
Atlanta, Georgia

Women's Initiative Cocktail Reception

5:15 p.m. – 6:00 p.m. *Melbourne*

Women attendees are invited to arrive for dinner a bit early in order to make connections with their female counterparts at this special cocktail reception. Please join attending women ALFA International attorneys and corporate counsel for a meet-and-greet before the official cocktail party and dinner buffet begins.

Karen Tidwall
*Women's Initiative
Practice Group Liaison*
WHYTE HIRSCHBOECK
DUDEK S.C.
Milwaukee, Wisconsin

6:00 p.m. – 7:00 p.m.

COCKTAIL RECEPTION

Melbourne & Piccadilly

Catch up with your colleagues over cocktails and a dinner buffet while enjoying the beautiful views from the Langham Hotel.

7:00 p.m. – 9:00 p.m.

DINNER BUFFET

Cambridge

Friday, September 20, 2013

7:30 a.m. – 8:30 a.m.

BREAKFAST BUFFET AND ROUND TABLES

Cambridge

Informal, fun and free flowing conversations on issues that touch our lives both in and out of the courtroom will occur during this breakfast round table session. Topics will range anywhere from our hobbies, favorite sports, most intriguing legal issues, most bizarre witness experience, most embarrassing moments, most significant victories, and so forth.

Robert S. Thompson

HAWKINS PARNELL THACKSTON & YOUNG LLP
Atlanta, Georgia

8:30 a.m. – 8:45 a.m. **BREAK**

8:45 a.m. – 9:15 a.m.

INTERNAL INVESTIGATION ROUND TABLE REPORTS

Devonshire Ballroom

The table leaders will provide a summary report of the issues and solutions developed during the previous day's roundtable discussions. This report will serve as an overview of the white paper that will be produced by the table leaders following the conclusion of the seminar.

SHADES OF GREY: Ethical Issues for In-House Counsel

Devonshire Ballroom

9:15 a.m. – 10:30 a.m.

ROUND TABLES

10:30 a.m. – 10:45 a.m.

BREAK

10:45 a.m. – 12:00 p.m.

PANEL PRESENTATION

The ALFA Business Litigation Practice Group will address the ethical issues which are likely to arise from an internal investigation, and other ethical issues which in-house counsel are likely to face. Topics to be covered include:

- The lawyers' "Duties to the Truth" under the Rules of Professional Conduct, including the duties of truthfulness to others and the duty of candor to the tribunal.
- Rule of Professional Conduct 8.3: the duty to report attorney misconduct and the Disciplinary Board process.
- Determining who is the client: the entity, its Board, and/or its officers, and the role of counsel.
- Contact with ex-employees.
- Privileged communications.
- The unauthorized practice of law – representing a client outside the lawyer's state of admission and the rules for Pro Hac Vice admission.
- Terminating the representation of the client
- Conflicts – Ethical conflicts versus business conflicts and when to ask for or give a waiver?

Participants at the seminar will discuss these issues in a roundtable format and a panel discussion will follow. .

PANELISTS

Kandice Kerwin Hull

Ethics Program Chair, Moderator
MCNEES WALLACE & NURICK LLC
Harrisburg, Pennsylvania

Donald B. Kaufman

MCNEES WALLACE & NURICK LLC
Harrisburg, Pennsylvania

David G. Johannsen

Vice President & Counsel
NORDSTROM, INC.
Seattle, Washington

David Hope

Vice President, Chief Financial Officer & General Counsel
AMERICAN CRANE & EQUIPMENT COMPANY
Douglasville, Pennsylvania

ROUND TABLE CAPTAIN

Kandice Kerwin Hull

MCNEES WALLACE & NURICK LLC
Harrisburg, Pennsylvania

TABLE LEADERS

William E. Ireland

HAIGHT BROWN & BONESTEEL LLP
Los Angeles, California

David G. Hymer

BRADLEY ARANT BOULT CUMMINGS LLP
Birmingham, Alabama

Andrew A. Bassak

MANATT, PHELPS & PHILLIPS, LLP
San Francisco, California

Scott A. Shanes

STRASBURGER & PRICE, LLP
Dallas, Texas

Karen Tidwall

WHYTE HIRSCHBOECK DUDEK S.C.
Milwaukee, Wisconsin

Ryan L. Winter

HALL & EVANS, L.L.C.
Denver, Colorado

Joseph G. Fortner

HALLORAN & SAGE LLP
Hartford, Connecticut

Teresa J. Kimker

NILAN JOHNSON LEWIS PA
Minneapolis, Minnesota

12:00 p.m. – 12:05 p.m.

CONCLUDING REMARKS

Cubs Game—Bleacher Patio

12:15 p.m. – 5:30 p.m.

Two shuttles will depart the hotel for the Chicago Cubs game at 12:15 p.m. and 12:30 p.m., respectively. Lunch and refreshments will be available at the game on the group's private Bleacher Patio. The game should last from approximately 1:20 p.m.- 4:30 p.m. and shuttles will transport attendees back to the hotel for arrival by approximately 5:30 p.m. (as long as there aren't any extra innings!).

Optional Friday Night Dinner

7:00 p.m. – 10:00 p.m.

Tortoise Club- 350 N. State Street

The Tortoise Club is a retro-styled River North fine dining destination that evokes the supper club era with a menu packed full of traditional American favorites, plus brown spirits and classic cocktails. The occasion-worthy traditional setting is filled with posh furnishings, a grand piano and fireplace, and artwork featuring horses and Chicago celebs through the years.

WHAT IS ALFA INTERNATIONAL?

ALFA International is a premier network of independent law firms. Founded in 1980, ALFA is the oldest and continues to be one of the largest and strongest legal networks. We have 145 member firms throughout the world. Our 80 U.S. firms represent 95 of the 100 largest metropolitan areas. Our 65 international firms are located throughout Europe, Asia, Australia/New Zealand, Africa, Canada, Mexico and South America.

ALFA International's mission is to provide high quality, cost efficient legal services wherever our clients need them. The ALFA model enables our members to use their local expertise to deliver highly effective legal solutions, often drawing upon the collective wisdom and experience of other member firms. ALFA clients benefit from a geographically comprehensive network of exceptional law firms and accomplished trial and business counsel. Our member firms meet high standards to be part of the ALFA network and are well respected by their peers in the legal and business community.

FACULTY BIOS

ANDREW "DREW" A. BASSAK is a litigation partner at Manatt, Phelps & Phillips, a California based law and consulting firm with offices in New York and Washington, D.C. Mr. Bassak's business litigation and trial practice focuses on the resolution of multi-faceted commercial disputes in federal and state courts, including class actions and multi-district litigation. His clients are leaders in their respective industries, and include businesses involved in the manufacture or sale of consumer and commercial products and/or services, clients in the real estate and financial services sectors, and clients with intellectual property disputes. He is skilled in the resolution of intricate real estate and finance disputes, and often litigates or negotiates workouts of failed transactions, resolves concerns of state and federal agencies, and assists clients in navigating the resolution of environmental liabilities. Mr. Bassak is a graduate of Santa Clara University, School of Law (1992 - JD - Senior Articles Editor, Santa Clara Law Review) and the University of Wisconsin (1988 - B.S., Sociology, with distinction) where he was a member of the Men's Rowing Team. He is a member of the Board of Governors of the Association of Business Trial Lawyers and California Trout. Mr. Bassak has been honored with California Lawyer Magazine's California Lawyer of the Year (CLAY) Award (2010), the National Law Journal's Pro Bono Award (2010), is rated AV by Martindale Hubble, and has been repeatedly selected as a California Super Lawyer.

DARRYL M. BLOODWORTH is the senior litigation attorney and former president of the Dean Mead law firm in Orlando, Florida. He practices in the areas of business and commercial litigation, legal malpractice defense, probate and fiduciary litigation. He has tried commercial and business lawsuits in state and federal courts throughout Florida and elsewhere. Mr. Bloodworth is a graduate of the United States Air Force Academy and the University of Florida Levin Law School. He is board certified in civil trial law by The Florida Bar. He is a former president of the Central Florida Chapter of the American Board of Trial Advocates and is a Fellow in the American College of Trial Lawyers. He is also a former president of the Orange County (Florida) Bar Association and a past president of The Florida Bar Foundation. He served on the Board of Governors of The Florida Bar, and has chaired several committees of The Florida Bar.

CYNTHIA L. BUCHKO is a shareholder in Whyte Hirschboeck Dudek S.C.'s Madison, Wisconsin office. Ms. Buchko's practice is concentrated in real estate litigation, commercial litigation, and energy and mining law. She has successfully represented clients in a wide variety of real estate-based matters, including eminent domain proceedings, easement and restrictive covenant enforcement actions, and zoning and land use disputes. Ms. Buchko also represents clients involved with business disputes, including contract, restrictive covenant and employment matters, before state and federal courts located throughout Wisconsin and the Midwest. She also assists clients in obtaining federal, state and local permits necessary for their energy, mining or construction projects, and defends clients against enforcement actions initiated by federal, state and local agencies.

KATHRYN T. DITMARS serves as the Global Litigation Director, focused primarily on enterprise risk management and overseeing the Company's global litigation portfolio. Ms. Ditmars also is the Americas Ethics Officer, participating in the Global Ethics Committee, responding to ethics inquiries and complaints and providing ethics training. She also serves as the Chief Employment and Litigation Counsel for the Americas, where she leads the employment and litigation team to provide litigation and employment law support to all of the Company's business lines. Ms. Ditmars works closely with senior management to address and resolve complex litigation and disputes that arise. She also tracks litigation experience to identify trends and opportunities for process improvements and proactive risk management. Prior joining Jones Lang LaSalle, Ms. Ditmars was an associate at Jackson Lewis Schnitzler & Krupmen where she represented employers in national practice defending employment discrimination claims in state and federal agencies and courts. While an associate at McDermott, Will & Emery in Chicago, she conducted national trial practice with concentration in employment areas and presented employment discrimination seminars throughout the United States. Ms. Ditmars is a licensed in Illinois and Michigan. She is a member of the bar in the US Supreme Court, the US Courts of Appeal, Seventh and Tenth Circuits, US District Courts for the Northern District of Illinois, Eastern District of Wisconsin and Eastern District of Michigan and a member of the Michigan State Bar Association. She graduated with a Juris Doctor (cum laude)

from the University of Michigan where she was the Note Editor for the University of Michigan Journal of International Law and has a BA from Princeton University.

CAROL B. ERVIN is a partner in the Charleston, South Carolina ALFA law firm of Young, Clement, Rivers LLP. She received her B.A. *summa cum laude* from the University of the South in Sewanee, Tennessee and was named to Phi Beta Kappa. Ms. Ervin received her J.D. from Duke University School of Law. Ms. Ervin serves as Chair of her firm's Employment Law Practice Group. She is an experienced trial attorney and focuses her practice on the representation of businesses in employment law and litigation. Ms. Ervin is a Fellow in the American College of Trial Lawyers and an Associate Member of the American Board of Trial Advocates. She is certified by the South Carolina Supreme Court as a specialist in labor and employment law. Ms. Ervin is the Vice Chair of ALFA's Board of Directors and is currently the Chair Emeritus of ALFA's Labor and Employment Law Practice Group. Ms. Ervin possesses an AV-Rating from Martindale-Hubbell, the highest available rating for professional abilities and ethics, and is listed with the "Best Lawyers in America" and South Carolina's "Super Lawyers" in Labor and Employment Law.

JOSEPH G. FORTNER is a partner in the Hartford, Connecticut office of Halloran & Sage, LLP, and is Co-Chair of its Business Litigation Practice. He represents clients in business, commercial and intellectual property litigation and arbitration, including contract disputes, trade regulation, unfair business practices, business torts, other complex litigation, and matters relating to trademarks, trade dress, domain names, and other intellectual property disputes. He also counsels clients regarding intellectual property and other commercial issues. Mr. Fortner was the 2007-2009 Chair of the Commercial Litigation Committee of DRI – the Voice of the Defense Bar, and has written and lectured on trademark and trade dress litigation, trade secrets, trade regulation, risk management, and cybersquatting. He is a 1978 graduate of Duke University, graduated from Vanderbilt University School of Law in 1982, and is a member of the Connecticut and New York bars.

MICHAEL R. GIBSON at Higgs Fletcher & Mack, LLP, in San Diego, California, focuses his practice on advice counsel and complex commercial litigation, including risk management, business-versus-business disputes, construction, real estate, environmental law, and cross-border matters. He also represents clients before state and federal administrative agencies when licensing and regulatory compliance issues are involved. A graduate of the University of Southern California and the University of San Diego School of Law, he currently chairs his firm's Construction Practice Group and the Construction Section of the San Diego County Bar Association.

DAVID HOPE serves as Vice President, Chief Financial Officer & General Counsel and a Director of American Crane & Equipment Corporation, a privately held manufacturer of custom designed, electric overhead cranes and material handling systems. He is responsible for strategic planning, administration, finance, legal affairs, and human resources. Mr. Hope, a graduate of Dartmouth College and Harvard Law School, worked as a law clerk for Denton Hall & Burgin (now Dentons) in London representing London based movie

production companies and for Chief Justice Joseph Tauro of the Massachusetts Superior Court. He was a partner in the Philadelphia law firm of Schnader Harrison Segal & Lewis and later joined Stradley Ronon Stevens & Young and was in charge of both firm's bankruptcy practices. Both firms were selected by *US NEWS* as "Best Law Firms" in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law in Philadelphia, PA, in 2013. Immediately following law school, Mr. Hope served in the US Army in Viet Nam as an Infantry and Intelligence officer and then in Boston as a Counter-Intelligence Special Agent. He remained in the Army Reserve for several years as a Special Security Officer. While in private practice, Mr. Hope was outside General Counsel to, as well as a Director and shareholder of Modern Group, Ltd., one of the largest forklift truck distributors in the United States, and outside General Counsel to CGB Rehab, Inc. Mr. Hope has served as General Counsel to the producer of *Mother's Little Helpers*, an independent film, and General Counsel to and a Director of an evangelical Christian foundation, and various startup companies.

KANDICE KERWIN HULL is co-chair of the Appellate & Post Trial Practice Group at McNees Wallace & Nurick LLC. She is also a member of the firm's Litigation Group and the chairperson of the firm's ALFA Committee. Kandice is also a member of McNees' Ethics Committee. She focuses her practice on the representation of corporate clients in business litigation disputes, handling both federal and state claims. She has represented businesses in cases involving contract disputes, eminent domain, and land use matters, among others. In addition to her work in the state and federal trial courts, she also handles numerous appellate litigation matters before the Pennsylvania State and Federal appellate courts. Kandice is a 2000 graduate of the University of Virginia School of Law, and a *summa cum laude* graduate of Franklin and Marshall College. She has been honored as one of the Best Lawyers in America in the field of Appellate Law since 2010.

DAVID G. HYMER is a partner in the Birmingham, Alabama office of Bradley Arant Boult Cummings LLP. He is a member of the Firm's Board of Governors and Chairs its Complex Business Litigation Practice Team. David has extensive experience handling and trying high stakes lawsuits for a variety of corporate clients. David's practice focuses on complex business and commercial litigation, which includes a significant plaintiff's practice on behalf of corporate clients as well as a more traditional corporate defense practice. Most recently, David was lead counsel for HealthSouth Corporation in a trial resulting in a \$2.8 billion judgment in favor of HealthSouth against its former CEO Richard Scrusby for damages suffered as a result of fraudulent financial reporting during Scrusby's tenure as CEO. David is recognized by The Best Lawyers in America in the fields of "Bet the Company" and Commercial Litigation, and is listed in Alabama Super Lawyers in the field of Business Litigation. He has been recognized by Benchmark Litigation's Guide to America's Leading Litigation Firms and Attorneys as a litigation star in the State of Alabama. The National Law Journal also recognized David in its annual listings of the nation's top defense verdicts for his successful defense of a contractor against claims of defective work during construction of the containment vessel for a nuclear power plant in the State of Washington. David is Chair of the Alabama

State Bar Board of Bar Examiners. He obtained his J.D. degree from the University of Alabama School of Law.

WILLIAM E. IRELAND is a Partner in Haight, Brown & Bonesteel's Los Angeles office and group leader of the Business Solutions practice group. He is the chair of the ALFA International Business Litigation Practice Group. His practice focuses on intellectual property, real property, environmental litigation and related business torts. He has extensive experience in handling matters at all phases of dispute resolution from negotiation, counseling, alternative dispute resolution to trial. Mr. Ireland represents clients on matters involving real property issues, commercial transactions, trade secret disputes, and applying equitable remedies, injunctions and temporary restraining orders. Representative clients include real property developers, public entities, property managers, financial services companies, and importers. Examples of matters Mr. Ireland has handled include, representing a lead defendant in 900 plus plaintiff coordinated matters arising from claimed environmental exposure; commercial litigation, employment and intellectual property matters for a creative marketing and merchandise solutions company; as well as alleged violations of the California Unfair Business Practices Act (Business & Professions Code § 17200).

DAVID G. JOHANSEN is Vice President and Counsel for Nordstrom, Inc. Mr. Johansen joined Nordstrom in 2000 after a 25-year association with the Lane Powell law firm in Seattle, where he was a partner, Chairman of the Real Estate Department and Co-Chairman of the Business Department. Mr. Johansen also serves on the Board of Directors of UNICO Investment Group LLC, and UNICO Investment Company and is a Trustee of the Edmund F. Maxwell Foundation. Mr. Johansen graduated *cum laude* from Harvard University in 1972, and received his law degree from the University of California at Davis in 1975.

SHAWN A. KACHMAR is a partner at Hunter Maclean in Savannah, Georgia, where he practices in the areas of Employment Law and Business Litigation. He routinely represents business of all sizes in state and federal courts in Georgia and South Carolina and before federal and state administrative agencies. He has extensive experience with multi-party litigation and class and collective actions, as well as alternative dispute resolution. He is a registered arbitrator with the State of Georgia. Mr. Kachmar has been selected as a Georgia Rising Star in litigation by Law & Politics and Atlanta Magazine, was named one of Savannah's "40 Under 40" by the Savannah Business Report & Journal, is AV rated and listed in Chambers, and has received numerous awards for his work in the community. He received his B.S., with high distinction, from Penn State and his J.D., with distinction, from Emory Law School. Mr. Kachmar served as law clerk for Justice Hugh P. Thompson, Georgia Supreme Court while in law school, and Judge Ira DeMent, Middle District of Alabama following law school. He also serves on the Savannah-Chatham County Public School Board.

DONALD B. KAUFMAN is a member of the law firm McNees Wallace & Nurick LLC, and works at the MWN office in Harrisburg, Pennsylvania. He practices primarily in the areas of commercial litigation and disputes involving trusts and estates. He has appeared in federal and state courts in

Pennsylvania at the trial and appellate levels, and has represented clients in private arbitrations and mediations. Donald also is a member of his firm's Ethics and Conflicts Committee. He has a B.A. from Yale University, a M.A.T. from Northwestern University, and received his J.D. from the Dickinson School of Law.

TERESA J. "TERRI" KIMKER is a shareholder with the ALFA International firm of Nilan Johnson Lewis P.A., in Minneapolis, Minnesota. She has a broad-ranging business litigation and trial practice, representing large and small clients in a variety of industries, including financial services, energy, telecommunications, and healthcare. Her experience also includes representing banks, insurance companies, and brokerage firms in fiduciary and securities and civil fraud litigation. Terri has successfully tried numerous cases in state and federal courts and before arbitration panels. Ms. Kimker is a member of the steering committee of the Business Litigation Practice Group of ALFA International, and she is the Chair of Nilan Johnson Lewis's Commercial Litigation Practice Group. She has taught Pretrial Skills at the University of Minnesota Law School as an Adjunct Professor. Ms. Kimker received her B.A. and J.D. degrees from the University of Minnesota.

MARVIN J. LEVINE, 63, joined GGP in January 2011 and currently serves as Executive Vice President & Chief Legal Officer. From 2002 until he joined GGP, he served as Of Counsel to Wachtel, Masyr & Missry, LLP. From 2000 through 2001 he served as partner of Blackwell Sanders Peper Martin, LLP. From 1994 until 1999 he served as a partner and member of the management committee of Wachtel, Masyr & Missry, LLP. Mr. Levine received a B.S. from Lehigh University and a J.D. from New York University.

CHRIS MARLIN is a vice president of and counsel to Lennar Corporation (NYSE:LEN) and president of one of its subsidiaries, Lennar International. Wearing various legal and business hats at Lennar, Chris advises the company on issues associated with international engagement, including international sales, debt and equity opportunities, and spends much of his time in San Francisco working on Lennar's efforts to redevelop the closed naval bases of Hunters Point Shipyard/Candlestick Point and Treasure Island—one of the largest redevelopment efforts in the U.S. since World War II. Lennar's projects will reshape the City of San Francisco. Prior to his current role, Chris served as Deputy General Counsel for Litigation and Special Matters at Lennar and remains active with the Office of the General Counsel. Chris is the former head of the Miami office of Sitrick And Company, widely regarded as one of the top strategic and crisis communications firms in the United States. Chris has broad experience in a variety of high-profile crises and legal matters, including criminal cases, sensitive internal investigations, security threats, union organizing campaigns, environmental issues, government investigations, international trade crises, ballot initiatives, and large-scale product liability cases.

PATRICK W. MICHAEL is a partner in the Louisville, Kentucky ALFA International firm of Dinsmore & Shohl. He is a business advisor and trial lawyer whose practice is concentrated in the area of commercial litigation and business consulting including contract and business disputes, non-competition agreements,

bankruptcy and the Uniform Commercial Code. He has recently conducted a number of seminars concerning business ethics, e-discovery, document retention programs and identity theft. Patrick is also chairing a committee that is creating a one-of-a-kind courtroom audio visual presentation system that will revolutionize the way lawyers present cases. He was awarded the Distinguished Service Award by the Louisville Bar Association for his work on this project in January 2012. He was recognized in the February 2013 edition of Louisville Magazine as one of the top business lawyers in the Louisville legal community. Patrick was awarded a B.F.A. in acting and an M.F.A. in directing from the University of Illinois, an M.B.A. from Bellarmine University and a Juris Doctor from the University of Louisville. He has attended a number of National Institute of Trial Advocacy programs and is a certified NITA instructor. Patrick is the past-chair of ALFA International's Business Litigation Practice Group, has served as program chair for three International Client Seminars, and is a member of the 2014 ICS Planning Committee.

TARA MARTENS MILLER is a Shareholder in the firm of Greener Burke Shoemaker Oberrecht, PA., the ALFA International law firm located in Boise, Idaho. Tara is a member of the ALFA Business Litigation Practice Group and practices primarily in the areas of commercial litigation, products liability and professional malpractice defense. Tara obtained her J.D. from Tulane University School of Law in 1997, cum laude, and her economics degree from Boise State University, magna cum laude.

DAVID P. MORRISON is a partner in the Cosgrave Vergeer Kester law firm in Portland, Oregon. Mr. Morrison has tried over 100 civil jury trials in state and federal court focusing on business litigation and the defense of two Class 1 railroads. He is a former regional vice president of the National Association of Railroad trial counsel. Mr. Morrison is listed in Best Lawyers in America in 3 categories, is a member of the American Board of Trial Advocates, a fellow of the Litigation Counsel of America and is recognized as a "Super Lawyer" in business litigation.

JEFFREY H. NEWMAN is a partner, member of the executive and management committees, and Chair of the Real Estate Department of Sills Cummis & Gross P.C., ALFA International's New York City and Newark, New Jersey-based law firm with offices at Rockefeller Center, New York City and Princeton, New Jersey. Mr. Newman has been practicing in the area of real estate, real estate litigation and real estate finance for over twenty five years bringing to his practice a background in corporate and business law, coupled with a Master's Degree in Taxation. Prior to practicing law, Mr. Newman worked as a financial analyst at E.F. Hutton & Co. Mr. Newman has developed a national reputation and represents institutional clients on a nationwide basis. This reputation has been developed through his representation of numerous retailers, developers, landlords and lenders, as well as the result of numerous speaking engagements throughout the country. In addition, Mr. Newman has published numerous articles in both the Real Estate Review and Commercial Leasing, Laws and Strategy. He has been selected for inclusion in the 2004-2012 editions of Chambers USA® published by Chambers & Partners under New Jersey Real Estate, the 2001-2013 editions of The Best Lawyers in America®

published by Woodard/White under Real Estate Law, the 2005-2012 editions of New Jersey Super Lawyers® published by Thompson Reuters under Real Estate, Business Litigation and Business/Corporate, and the 2006-2012 editions of New York Super Lawyers® published by Thompson Reuters under Real Estate. Mr. Newman was also awarded the "Trustees Distinguished Service Award" by the International Council of Shopping Centers. Mr. Newman recently signed a three-book contract with Aspen Publishers, one of the four brands of Wolters Kluwer Law and Business, a leading information provider for attorneys. Two of the books, Mastering the Art and Skill of Negotiation: A Guide to Negotiation and The Leadership Matrix, are currently available at www.aspenpublishers.com, with a third to be published shortly. *For ranking methodologies, please see www.chambersandpartners.com, www.bestlawyers.com and www.superlawyers.com.

MARK S. OLINSKY has been a civil and criminal trial lawyer for thirty years. He served as a federal prosecutor in the Office of U.S. Attorney Samuel A. Alito, Jr., and received DOJ's Special Achievement Award for Sustained Superior Performance of Duty. Mr. Olinsky's diverse case load includes complex business disputes, health care litigation and white-collar criminal defense. His courtroom experience includes many jury and bench trials, arbitrations and appellate arguments, and his expertise includes defense of federal and state RICO actions. Mr. Olinsky is Co-Chair of the Sills Cummis & Gross Health Care Government Investigations Practice Group. He has conducted numerous internal investigations involving allegations of corporate fraud and has represented both individuals and corporations in a wide variety of government investigations, particularly in the health care and pharmaceutical industries. He successfully represented New Jersey's largest health care system in a federal Medicare investigation, and has represented several high-level executives in recent investigations involving alleged violations of the False Claims Act, the Anti-Kickback Statute, and other federal health care statutes and regulations.

M. NEAL RAINS graduated from the University of Iowa and the Northwestern University School of Law, and then joined the Cleveland firm of Arter & Hadden. As a partner in that firm Neal handled litigation and he served as a member of the firm's Management Committee. In 2001, Neal became a partner in Frantz Ward LLP. He has tried complex cases involving antitrust, contracts, products liability, and intellectual property. He has defended companies and individuals in Federal Grand Jury investigations and has represented professionals and professional organizations before state and federal licensing authorities. Among his noteworthy cases are the successful defense of a major home appliance manufacturer against antitrust claims arising out of the acquisition of a competitor; defense of Cleveland's Mayor and Law Director against employment discrimination charges; representation of an investor in real estate limited partnerships; lawsuits on for the world's largest sports marketing firm in a contract cases. Neal has served as President of the Cleveland Metropolitan Bar Foundation, is a Trustee of the Gordon Square Arts District, the Near West Theatre, the Advisory Board of the University of Iowa Department of Political Science, and he is a past President of the William K. Thomas Chapter of the American Inn of Courts and of the Northwestern University

Alumnae Club of Cleveland. He currently serves as "Judge" of the Court of Nisi Prius, a 112-year old organization of Cleveland lawyers who entertain their clients with songs, skits, and humor annually at The Grand Assize, a formal dinner which culminates in the award of the Double Cross to a leading business or political figure. Neal has been recognized as an Ohio Super Lawyer for many years and he is cited in the Best Lawyers in America for Bet the Company Litigation, Antitrust, and Business Litigation.

SCOTT A. SHANES is a partner with the law firm Strasburger & Price LLP in Dallas, Texas. Mr. Shanes has a broad-ranging business litigation and trial practice, including representation of clients in business torts, real estate, contract, and securities-related matters. He has tried numerous litigation and arbitration matters to verdict/decision in both federal and state courts in Texas and Missouri. Mr. Shanes has also handled high profile cases that have received extensive media exposure, both locally and nationally. He is skilled at interfacing with the media in order to communicate effective messages on behalf of clients. He earned his B.A. (summa cum laude) from The Ohio State University and his J.D. (with honors) from the University of Texas at Austin.

ROBERT S. THOMPSON is a Partner with Hawkins & Parnell, LLP and the Chairman of the firm's Business Litigation Group. Rob's litigation practice concentrates on Business torts,

Commercial and contract disputes, Intellectual Property disputes, fiduciary disputes, trusts and estates litigation, products liability, Restrictive Covenants and request for Equitable Relief. Rob enjoys the challenge of complex litigation, and is often called upon by his clients and partners to respond to urgent client needs, typically relating to the prosecution or defense of a request for a restraining order or preliminary injunction. Rob believes that clear and straightforward communication with his clients is vital in representing their interests, so Rob strives to develop a relationship that ensures that the client is fully informed and trusts that Rob is there for them.

KAREN TIDWALL is a shareholder at Whyte Hirschboeck Dudek S.C., where she is a member of the Litigation Department and the firm's Recruiting and Diversity Committees. Ms. Tidwall represents clients in complex business and commercial matters including contract and breach of warranty disputes, deceptive and unfair trade practices, fraud, embezzlement, theft by contractor, and other business torts. She also is the co-leader of the firm's Trust, Estate & Fiduciary Litigation Team and represents individual and corporate fiduciaries or beneficiaries in contested trust and estate matters and fiduciary litigation. Ms. Tidwall is a member of ALFA's Business Litigation Steering Committee and the Women's Initiative Practice Group Steering Committee. She received her J.D., *cum laude*, from the Creighton University School of Law.

RYAN L. WINTER is a partner with Hall & Evans, LLC, ALFA International's Denver, Colorado law firm. He has a diverse litigation practice and represents a wide array of regional and national businesses. He has successfully defended and tried cases in state and federal court, and served as the contact partner on numerous high exposure, and sometimes high profile, tort and commercial lawsuits. He is published and has lectured on a host of litigation related topics. Mr. Winter is Martindale-Hubbell® AV Preeminent Peer Review Rated, and was a Colorado Super Lawyers "Rising Star" in 2011 and 2012. He was admitted to practice law in 2000, after graduating from the University of Colorado School of Law. Prior to joining Hall & Evans, he was a Judicial Clerk for the Honorable Nancy E. Rice of the Supreme Court of Colorado. He currently serves on the ALFA International Business Litigation Practice Group and Retail Practice Group's Steering Committees. He may be contacted at winterr@hallevans.com.

PROGRAM INFORMATION

Meeting Location

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Hotel Information

The **ALFA International Room Block Rate is \$359.00 per night**, single or double occupancy. The deadline for obtaining a room reservation at the ALFA International rate is **August 28, 2013**. After that date, or once the hotel block is filled, reservations will be made based on hotel availability and at a rate determined by the hotel. It is possible that all rooms in the ALFA block will be reserved before the deadline so please **REGISTER EARLY**. Hotel reservation requests are submitted by completing the online seminar registration process. Please contact your ALFA International attorney to register.

Attire

The attire for the educational sessions throughout the conference is business casual. Casual attire is encouraged for the Chicago Cubs baseball game on Friday afternoon.

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