



Thomson Reuters Legal Insights & Analytics
and
The International Society of Primerus Law Firms

present

**2014 Business Law Institute Symposium:
The Corporation in Crisis
Practical Approaches for Success**

May 15, 2014

Thomson Hall
195 Broadway
New York, NY

Agenda (all times local)

8:45am – 9:25am **Registration & Continental Breakfast**

9:25am – 9:30am **Introduction**

9:30am – 10:30am **Crisis Communications: Managing Corporate Relations and Public Opinion**

The role of general counsel entails a number of responsibilities, including advisor to the board or senior management and counsel in times of crisis. A shrewd advisor understands that corporate communications affect how the general public perceives an organization—including, of course, how regulatory bodies or potential investors view the company's short and long-term health. This opening conversation outlines several key strategies available to management that can help protect the company and restore order in the court of public opinion.

Moderator:

Andrew Apfelberg, *Partner*, Greenberg Glusker (Los Angeles, CA)

Panelists:

Andrew Brimmer, *Vice Chairman*, Joele Frank, Wilkinson Brimmer Katcher

Halsey Knapp, *Partner*, Krevolin & Horst (Atlanta, GA)

Robert E. Muhs, *Vice President Government Affairs & Counsel*, Avis Budget Group, Inc.

Thomas J. Walsh, Jr., *Principal*, Brody Wilkinson PC (Southport, CT)

10:30am – 10:45am **Break**

10:45am – 11:45am **Managing Bet-the-Company Litigation: Keys to Success**
Surviving bet-the-company litigation requires deft skill and strong management to help weather the insurmountable storm. Preparation is key. But even the savviest general counsel may feel overwhelmed by the demands placed on his or her shoulders by the myriad challenges and pitfalls ahead. Come hear our veteran panel share success stories and valuable advice on a number of key techniques for establishing a response plan and fortifying one's position in court.

Moderator:
TBD

Panelists:
Brijesh P. Dave, *Senior Vice President, Office of the General Counsel*, Lehman Brothers Holdings Inc.
Lee A. Dresie, *Partner*, Greenberg Glusker Fields Claman & Machtinger LLP (Los Angeles, CA)
Darryl J. Horowitz, *Partner*, Coleman & Horowitz, LLP (Fresno, CA)
Jeffrey D. Horst, *Partner*, Krevolin & Horst LLC (Atlanta, GA)
Magilyn T. Loja, *Partner*, Esguerra & Blanco (Makati City, Philippines)

11:45am – 12:45pm **Luncheon**

12:45pm – 1:45pm **Combating Hostile Takeovers and Activist Investors in a Global Marketplace**
Competing in a global marketplace is challenging for both public and private companies alike. Leaders at publicly held companies face a number of potential crises, including hostile takeover bids, activist investors, or even outside regulatory sanctions. Leaders at privately held companies, conversely, face a litany of challenges ranging from increased competition for clients, global growth, tax and regulatory developments, and angst about market conditions. This interactive session will offer strategic approaches for all business leaders looking to steer their company toward success.

Moderator:
Matthew Sherman, *President*, Joele Frank, Wilkinson Brimmer Katcher

Panelists:
Robert M. Donlon, *Member*, Horack Talley (Charlotte, NC)
Norman Monhait, *Shareholder*, Rosenthal, Monhait & Goddess, P.A. (Wilmington, DE)
Scott S. Winter, *Managing Director*, Innisfree M&A Incorporated

1:45pm – 2:00pm **Break**

2:00pm – 2:50pm **Navigating Through Liquidation or Bankruptcy**
At a time when economic growth remains largely tepid, many corporations are encountering scenarios whereby a major customer—or even the corporation itself—files for Chapter 7 or 11 bankruptcy. If the customer or corporation owes money, a number of issues arise that test the general counsel's resolve. This panel outlines some of the common challenges facing corporate creditors and the various initiatives available for recourse.

Moderator:
TBD

Panelists:
Barry P. Kaltenbach, *Shareholder*, Kubasiak, Fylstra, Thorpe & Rotunno, P.C. (Chicago, IL)
Byron L. Saintsing, *Partner*, Smith Debnam Narron Drake Saintsing & Myers, LLP (Raleigh, NC)

2:50pm – 3:00pm

Break

3:00pm - 4:00pm

Social Media-Related Crises in the Workplace

The way people communicate within a corporation is rapidly changing, thanks in large part to emergent forms of social media that continue to appear almost daily. When it comes to labor and employment law, legislatures and courts cannot ignore the challenges presented by the use of social media in the workplace. This session offers an overview of the various challenges facing employers that use social media as both a business development tool and (internal) communications platform. Attendees will learn how best to leverage social media in accordance with strict ethical guidelines that promote growth and value to the business.

Moderator:
TBD

Panelists:
Dennis J. Alessi, *Partner*, Mandelbaum Salsburg Lazris & Discenza, P.C. (West Orange, NJ)
Mark A. Berman, *Partner*, Ganfer & Shore, LLP (New York, NY)
Timothy J. Owens, *Partner*, Lane Alton Horst, LLC (Columbus, OH)
Steven J. Pynes, *Principal*, Ferris & Britton, A P.C. (San Diego, CA)
David B. Walston, *Partner*, Christian & Small LLP (Birmingham, AL)

4:00pm - 4:05pm

Closing Remarks

4:05pm – 5:00pm

Reception