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- Ethics
- Family Law
- Gaming, Sweepstakes & Franchise Law
- Legal Writing, Ethics & Persuasion
- Litigation
- Mergers & Acquisitions
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THE AMERICAN BAR ASSOCIATION WOULD LIKE TO THANK THE FOLLOWING ORGANIZATION FOR HOSTING THE CLE IN THE CITY SERIES IN CHICAGO:

Chicago-Kent College of Law
Greenberg Traurig LLP
Jenner & Block LLP
John Marshall Law School
Locke Lord LLP
Mayer Brown LLP
Schiller DuCanto & Fleck LLP
THURSDAY, AUGUST 2

10:30 AM–12:00 PM
Cybersecurity Law: Deciphering the Landscape of Legal Requirements Applicable to Businesses and Law Firms

All businesses have a legal obligation to provide “appropriate” or “reasonable” cybersecurity for their data. But what does that mean? This session will explore the nature of the duty to provide reasonable cybersecurity, the source of the duty, and the requirements that must be satisfied to comply with that obligation. It will address requirements for cybersecurity readiness, and the landscape of legal requirements for proactive compliance. It will also address board-level responsibilities for cybersecurity, as well as the additional ethical duties regarding cybersecurity imposed on lawyers, law firms, and in-house legal departments.

CHAIR & SPEAKER
Thomas J. Smedinghoff, Locke Lord LLP, Chicago, IL

SPEAKERS:
William A. Denny, Potter Anderson Corroon LLP, Wilmington, DE
Lisa R. Lifshitz, Torkin Manes LLP, Toronto, ON
Jill D. Rhodes, Option Care Enterprises, Inc., Lake Forest, IL
Thomas J. Smedinghoff, Locke Lord LLP, Chicago, IL

12:00 PM–1:00 PM
Networking Lunch

1:15 PM–2:45 PM
Surviving a Cybersecurity Attack: Addressing the Challenges of Incident Response

Notwithstanding its best efforts, every business (and law firm) will, at some point, be the victim of a cyber-attack. Preparing for and responding to such a cyber-attack will be critical. This session will explore the legal and practical requirements for breach preparedness and response, addressing issues such as developing incident response plans, the practicalities of responding to a breach, working with law enforcement, the timing and content of breach notification requirements, handling press and PR issues, insurance options, and alternatives for remediation and recovery. Issues addressed will include when to disclose a breach, when to contact law enforcement, how to manage a forensic investigation, how to handle the notification process, how to handle regulator notification, regulator response, and the inevitable lawsuits, what insurance is available, and what is covered, what is not, and the role of the insurer in addressing breaches.

CHAIR & SPEAKER
Theodore P. Augustinos, Locke Lord LLP, Chicago, IL

SPEAKERS:
Theodore P. Augustinos, Locke Lord LLP, Chicago, IL
Bill Hardin, Vice President, Charles River Associates, Chicago, IL
Molly McGinnis Stine, Locke Lord LLP, Chicago, IL
Liisa M. Thomas, Sheppard Mullin Richter & Hampton LLP, Chicago, IL
**ETHICS TRACK**
American Bar Association
321 N. Clark Street

**THURSDAY, AUGUST 2**

**10:30 AM–12:00 PM (ETHICS)**

*Our Path to Lawyer Well-Being: Initiatives to Promote Healthy Practices and Lives*

Recent research demonstrates that lawyers are far more likely to suffer from substance use and mental health disorders compared to other professions and the public as a whole. The research led to the creation of the National Task Force of Lawyer Well-Being, which has issued a report with a series of recommendations for the full range of stakeholders. This program outlines those recommendations and discusses the practical steps that can be taken by practitioners, law firms, bar leaders, judges, legal educators and disciplinary counsel to shift our culture from one that too often is self-destructive to one that focuses on the well-being that is expected by all those who look to the legal system for justice.

**MODERATOR:**
Terry L. Harrell, Indiana Judges & Lawyers Assistance Program, Indianapolis, IN

**SPEAKERS:**
Bree Buchanan, State Bar of Texas Lawyers Assistance Program, Austin, TX
David B. Jaffe, Associate Dean of Student Affairs, American University Washington College, Washington, DC
Chris L. Newbold, Executive Vice President, ALPS Corporation, Missoula, MT

**12:00 PM–1:00 PM**

*Networking Lunch*

**1:15 PM–2:45 PM (ETHICS)**

*Model Rule 8.4—Update, Discussion, and Best Practices in a #MeToo World*

This timely and topical program will provide information and updates on Model Rule of Professional Conduct 8.4. Rule 8.4 covers attorney misconduct and 8.4(g) has been the topic of serious discussion and debate since its amendment in 2016. Speakers will provide an update on the state by state implementation of the rule and an examination of the various conflicts and constitutional issues regarding the rule, its implementation, its enforcement by regulators, its application, etc. The program will then transition into a discussion of Rule 8.4’s potential application to attorneys in the workplace in light of the nationwide awareness and dialogue concerning sexual harassment and the #MeToo movement. The panel will also provide an overview of best practices and training for law firms revolving around a discussion on the ABA's ongoing work to provide information and guidance on workplace bias interrupters.

**MODERATOR:**
Myles V. Lynk, ABA Board of Governors, Professor of Law, Sandra Day O’Connor College of Law, Phoenix, AZ

**SPEAKERS:**
John Gleason, Special Counsel, Burns Figa & Will PC, Greenwood Village, CO
Wendi S. Lazar, ABA Commission on Women in the Profession, Partner, Outten & Golden LLP, New York, NY
Jayne R. Reardon, Executive Director, Illinois Supreme Court Commission on Professionalism, Chicago, IL
THURSDAY, AUGUST 2

10:30 AM–12:00 PM

100 Days Before Trial

Pace your journey to a final trial and minimize your stress with this presentation which will provide a comprehensive guide to trial preparation starting 100 days out. Steven Peskind, author of the ABA Section of Family Law-published books *100 Days Before Trial* and *The Family Trial Evidence Handbook*, will provide tips on maintaining self-discipline, developing a plan of action and a check-list of must-do’s and when to do them to guide your case to trial with confidence.

**SPEAKER:**
Steven N. Peskind, Esq., Peskind Law Firm, St. Charles, IL

1:15 PM–2:45 PM

Highlights of the New Tax Code for Family Lawyers

With the recent tax code changes, attorneys of all varieties are anxious to learn more about how those changes relate to their individual practices. Although it may take several months to understand all the changes completely, this seminar will highlight the important components of the revisions as they relate to family lawyers. In addition to alimony deduction changes, the speakers will discuss the changes to the mortgage interest deductions, charitable and business deductions and highlight other nuances every family lawyer should know.

**MODERATOR:**
Patrick T. Ryan, Esq., CFP, Schiller DuCanto & Fleck, Chicago, IL

**SPEAKERS:**
Michelle F. Gallagher, CPA, ABV, CFF, Adamy Valuation, Grand Rapids, MI
John Schumacher, CFA, Adamy Valuation, Chicago, IL
THURSDAY, AUGUST 2
10:30 AM–12:00 PM
Emerging Issues in Franchise Litigation

Hear from a panel comprised of practitioners entrenched in the world of franchise law, including inhouse counsel, address the latest developments in franchise litigation. They will look at both nationwide and state-side trends and the issues most commonly raised in litigation, such as franchisee terminations, renewal disputes, alleged disclosure violations, restrictive covenants, and civil rights. The panel will not only focus on litigation strategy, but also on proper pre-filing case assessment and preventive measures to best eliminate or narrow litigation between individual and multi-unit franchisees.

SPEAKERS:
Paul J. Ferak, Shareholder, Greenberg Traurig, LLP, Chicago, IL
Alan R. Greenfield, Shareholder, Greenberg Traurig, LLP, Chicago, IL
Stacy A. Howard, Senior Counsel, Commercial Litigation, McDonald's Corporation, Oak Brook, IL

12:00 PM–1:00 PM
Networking Lunch

THURSDAY, AUGUST 2
1:15 PM–2:45 PM
Brave New World - Current Developments in Online, Social, and Global Gaming

Gaming regulation is no longer just about obtaining a casino license in a single jurisdiction. New forms of activity are now getting on the radar, including e-sports tournaments with entry fees and cash prizes, virtual currencies and rewards in “freemium” video games with optional pay-to-play features, online “social” gaming with ancillary sweepstakes or other offers of real-world prizes, fantasy sports, and more. Learn about these emerging areas, plus get an update on trends and developments around the world, including U.S. regulatory focus on video gaming and skill-based games; the latest news on online gaming in the U.S. market, progress in Asian markets to legalize gaming, how Brexit might affect gaming regulatory matters, and other general international trends and developments.

SPEAKERS:
Ed Chansky, Shareholder, Greenberg Traurig, LLP, Las Vegas, NV
Mark A. Clayton, Shareholder and Co-Chair of Global Gaming Practice, Greenberg Traurig, LLP, Las Vegas, NV
Martha A. Sabol, Shareholder and Co-Chair of Global Gaming Practice, Greenberg Traurig, LLP, Chicago, IL
Edward Y. Winkofsky, Shareholder, Greenberg Traurig, LLP, Chicago, IL
THURSDAY, AUGUST 2
10:30 AM–12:00 PM (1.5 ETHICS)
The Art and Craft of Legal Writing: Advice from Master Writers

Lawyers are professional writers. As such, they should strive to become masters of their craft. Panelists will share insights to help participants improve their writing in ways that enhance persuasiveness and credibility. Particular focus will be given to ethical aspects of sound writing practice as it relates to relevant ABA Model Rules of Professional Conduct (MRPC), including Competence (MRPC 1.1), Candor toward the Tribunal (MRPC 3.3), and Fairness to Opposing Party and Counsel (MRPC 3.4).

MODERATOR:
Paula Hudson Holderman, President, The John Marshall Law School Board of Trustees, Chicago, IL

SPEAKERS:
Linda Coberly, Chair, Appellate & Critical Motions, and Chicago Managing Partner, Winston & Strawn LLP
Anthony Franze, Counsel, Arnold & Porter, Washington, DC; critically-acclaimed novelist
Mark E. Wojcik, President, Scribes–The American Society of Legal Writers and Professor, The John Marshall Law School, Chicago, IL

12:00 PM–1:00 PM
Newtorking Lunch

1:15 PM–3:15 PM
The Power of Personal Narrative: The Role of Compelling Storytelling in Criminal and Civil Cases

Crafting a compelling narrative is a skill all attorneys should master. This panel will feature English Professor Jill Patterson, a former Soros Justice Fellow who serves as the Case Storyteller for the Texas Regional Public Defenders Office for Capital Cases. Professor Patterson regularly works as a litigation team member, interviewing capital clients and helping the attorneys develop the client’s narrative and the themes for trial. She will provide techniques for developing powerful personal narratives for clients. She will be followed by attorney-filmmaker Doug Passon, who has pioneered the field of producing videos for sentencing hearings. In an interactive session, accomplished attorneys will discuss how they and the audience might integrate Patterson’s and Passon’s techniques, and other storytelling tips, into civil and criminal cases, and non-litigation matters. The program will also address ethical issues related to crafting client narratives.

MODERATOR:
Darby Dickerson, Dean and Professor, The John Marshall Law School and Past President, Scribes—The American Society of Legal Writers, Chicago, IL

SPEAKERS:
Natalie C. Chan, Sidley Austin LLP, Chicago, IL
Tinos Diamantatos, Morgan Lewis, Chicago, IL
Doug Passon, President & Creative Director, Doug Passon Law, Scottsdale, AZ
Jill Patterson, Professor, Texas Tech University, Lubbock, TX
**THURSDAY, AUGUST 2**

**10:30 AM–12:00 PM**

**The Corporate Crisis: A Litigator’s Guide to Identifying and Reconciling Potentially Competing Considerations**

The interactive panel will discuss and debate strategies to navigate a “bet the company” crisis that propels a company into a storm of civil suits, government investigations, regulatory demands and public relations and corporate governance challenges. The panel will explore best practices for developing, executing, and managing a coordinated strategy that must account for diverse—and sometimes conflicting—demands when a crisis erupts. The discussion will explore, among other topics, how interactions with government investigators at the federal and state levels can impact civil litigation posture; considerations of attorney-client privilege and how early decisions can have far reaching consequences in litigation down the road; the role of the Board and the potential need for independent counsel and subcommittees; and communication strategies to manage the crisis while mitigating the risk of company admissions or false statements. The panel will consist of senior in-house executives and outside counsel discussing high profile examples of companies in crisis.

**MODERATOR:**
Craig C. Martin, Jenner & Block LLP, Chicago, IL

**SPEAKERS:**
Kristin M. Coleman, the Executive Vice President, General Counsel and Chief Compliance Officer of US Foods
M. Todd Henderson, Michael J. Marks Professor of Law and Mark Claster Mamolen Research Scholar, University of Chicago Law School, Chicago, IL
Frances Jeter, Managing Director, Sard Verbinnen & Co., Houston, TX

**12:00 PM–1:00 PM**

**Networking Lunch**

**1:15 PM–2:45 PM**

**How Do I Get That Tweet Admitted? The Rules of Evidence in the Digital Age**

Modern trials increasingly involve the requested admission of social media posts, website content and other forms of digital evidence. Court, in the meantime, have at times struggled to apply traditional rules of evidence to rapidly developing technologies. This panel will examine the potential challenges associated with the admission of digital evidence under current federal evidentiary rules, the steps that some courts have taken to try to address those challenges and concrete advice for practitioners interested in admitting or contesting the admission of digital evidence.

**MODERATOR:**
Terri L. Mascherin, Jenner & Block LLP, Chicago, IL

**SPEAKERS:**
Emile H. Banks, Emile Banks & Associates, Milwaukee, WI
Hon. Ruben Castillo, Chief Judge, U.S. District Court for the Northern District of Illinois, Chicago, IL
Patricia Lee Refo, Snell & Wilmer, Phoenix, AZ
Dustin S. Sachs, Navigant, Houston, TX
THURSDAY, AUGUST 2

10:30 AM–12:00 PM
Hot Topics in M&A

Over the last year, the global economy experienced robust M&A activity and dealmakers are eager to learn more about the latest hot topics and issues to consider whether as a buyer or seller in an M&A transaction. This session will provide insight and analysis on current trends relating to mergers and acquisitions as well as touching on other relevant and timely topics. We will focus on the following areas:

• Recent Developments in M&A Law
• Privacy and Cybersecurity Issues in M&A Transactions
• Maturation of Transactional Insurance Market
• Digital Transformation

SPEAKERS:
Paul M. Crimmins, Partner, Chicago, IL
Christian W. Fabian, Partner, Chicago, IL
William R. Kucera, Partner, Chicago, IL
Lei Shen, Partner, Chicago, IL

12:00 PM–1:00 PM
Networking Lunch

1:15 PM–2:45 PM
Impact of the Trump Administration on M&A

During this session, our M&A practitioners and subject-matter specialists will provide updates on critical legal issues arising out of the Trump administration relating to mergers and acquisitions. This session will examine how the regulatory approach of the administration can impact deal-making in the US and abroad focusing on the following areas:

• Sanctions
• Antitrust
• Foreign Corrupt Practices Act (FCPA)
• Committee on Foreign Investment in the United States (CFIUS)

SPEAKERS:
Esther Chang, Associate, Chicago, IL
Jennifer L. Keating, Partner, Chicago, IL
William R. Kucera, Partner, Chicago, IL
Ryan H. Ferris, Associate, Chicago, IL
THURSDAY, AUGUST 2
10:30 AM–12:00 PM
Exposed: Privacy, Security, and the Smart City (Part 1)
This CLE Event will focus on the legal issues created by the ubiquitous surveillance of smart cities. The event will analyze how decisions about the balance between privacy and benefits of information processing are made and how they should be made. It examines the control we do and should have over our information, and the extent to which we could and should use technology and the law to gain greater control. The event will cover: 1) Are Smart Cities a Smart Choice? discussing the benefits and risks of developing hyperconnected cities. 2) Reaping Benefits, Respecting Privacy considering how we can design with adequate respect for privacy. 3) Security, Psychology, and the Internet of Things examining technological requirements, psychological effects, and legal issues involved in providing adequate security. 4) Surveillance and Its Connection to Larger Social Issues.
MODERATOR:
Lori B. Andrews, Distinguished Professor, Chicago-Kent College of Law, Chicago, IL
SPEAKERS:
Robert Sloan, Professor and Chair, Computer Science Department, University of Illinois at Chicago, Chicago, IL
Aaron K. Tantleff, Foley & Lardner LLP, Chicago, IL
Richard Warner, Professor, Chicago-Kent College of Law, Chicago, IL

12:00 PM–1:00 PM
Networking Lunch

1:15 PM–2:45 PM
Exposed and Insecure: Privacy and Cybersecurity in the US and the EU (Part 2)
Data breaches happen at the rate of over three a day. Anyone can be a victim. Cambridge Analytica’s misuse of Facebook’s data shows how easy it is to lose control over one’s information and the dangers of doing so. The social cost is extremely high—not just because of the quantifiable cost to the organizations but also because of the loss of individuals’ privacy, instances of identity theft, and the increased sense of insecurity. Security experts have long explained how to defend better. So why do we still live with a large loss that we have the means to avoid? The unending wave of data breaches re-veals the inadequacy of the current legal regimes that attempt to improve security and privacy. This conference compares US and EU approaches in order to find better solutions.
MODERATOR:
Lori B. Andrews, Distinguished Professor, Chicago-Kent College of Law, Chicago, IL
SPEAKERS:
Joan LeBow, Quintairos Prieto Wood & Boyer, Chicago, IL
Amir Missaghi, PricewaterhouseCoopers LLP, Chicago, IL
Barbara Sondag, Fenwick & West, San Francisco, CA
## SCHEDULE AT-A-GLANCE

**THURSDAY, AUGUST 2, 2018 • 10:30 AM – 12:00 PM UNLESS OTHERWISE INDICATED**

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