

7:30 A.M.–8:30 A.M.

SESSION 1A ★ THE CLEAN POWER PLAN: THE FUTURE OF ENERGY POLICY AND AGENCY AUTHORITY IN AMERICA

Speakers: Kevin Desharnais, Troutman Sanders LLP; Roger R. Martella Jr., Sidley Austin LLP; Vickie Patton, Environmental Defense Fund; Sheila Slocum Hollis, Duane Morris LLP

Learn about the Clean Power Plan, including the court challenges, the impact of the Supreme Court's recent decision in *West Virginia et al. v. EPA et al.* and the scope of agency rulemaking authority, as well as the impacts on the national power industry of this massive rulemaking proposal.

SESSION 1B ★ THE FREEDOM OF INFORMATION ACT AT 50

Speakers: Jonathan L. Entin, Case Western Reserve University; William Holzerland, Food and Drug Administration (invited); Adam A. Marshall, The Reporters Committee for Freedom of the Press; Erin E. Rhinehart, Faruki Ireland & Cox P.L.L.

Passed in 1966, the Freedom of Information Act has generated a large body of litigation and jurisprudence. Hear an overview of FOIA after 50 years from a variety of perspectives, including federal agency information request policy, promotion of openness and accountability in government, and commercial litigation regarding media and First Amendment law.

SESSION 1C ★ THE IMPACT OF RECENT SUPREME COURT, FEDERAL CIRCUIT, AND PTAB DECISIONS AND PATENT LAW REFORM EFFORTS ON PATENT LITIGATORS, IN-HOUSE GENERAL AND PATENT COUNSEL, AND THE JUDICIARY

Speakers: Coby Nixon, Taylor English Duma LLP; Robert Rando, The Rando Law Firm PC

These are exciting times in patent law: the Supreme Court continues to show interest in patent cases, the number of new patent case filings has stayed consistent, post-grant proceedings in the USPTO have seen a surge in popularity, and patent reform legislation remains a topic of discussion in Congress. This dynamic session will address recent rulings on several patent law doctrines and give a preview of potential developments including intersecting administrative and constitutional law issues just around the corner.

9:00 A.M.–10:00 A.M.

SESSION 2A ★ DISCOVERING MADOFF: MANAGING THE EVIDENCE OF THE LARGEST FINANCIAL FRAUD IN U.S. HISTORY

Speakers: Edward "Ted" Jacobs, BakerHostetler; Karin Scholz Jenson, BakerHostetler; Nicole Schmarre, BakerHostetler

Join the BakerHostetler attorneys who lead the discovery aspects of the ongoing liquidation of Bernard Madoff's defunct firm and the firm's professional technology manager, who oversees both litigation technology and proprietary systems required to manage the SIPA Trustee's Madoff Recovery Initiative—recovering more than \$11 billion to date on behalf of Madoff's fraud victims.

SESSION 2B ★ "CRIMMIGRATION": THE INTERSECTION OF CRIMINAL LAW AND IMMIGRATION LAW

Speakers: Erin Brown, Robert Brown LLC; Robert Brown, Robert Brown LLC; Aleksandar Cuic, Robert Brown LLC

When criminal defense and immigration practitioners speak a common language, the noncitizen is effectively represented, ensuring intelligent and knowledgeable pleas and finality to a prosecution.

SESSION 2C ★ HOW TO INFLUENCE JUDGES AND WIN APPEALS

Speaker: Conor A. McLaughlin, Thompson Hine; Hon. Jeffrey Sutton, U.S. Circuit Court of Appeals for the Sixth Circuit; Irene Keyse-Walker, Tucker Ellis LLP

A panel of judges from the U.S. Court of Appeals for the Sixth Circuit and highly-regarded appellate litigators will engage the audience in an interactive discussion regarding effective appellate advocacy and common mistakes in brief writing and at oral argument that prevent effective appellate advocacy in both civil and criminal appeals. The panel members will take your questions and provide insight that will be invaluable to your next appeal.



10:15 A.M.–11:15 A.M.

SESSION 3A ★ TRADE SECRETS, ECONOMIC ESPIONAGE, UNAUTHORIZED COMPUTER ACCESS, CONSPIRACY, AND THE OREO COOKIE

Speakers: Hon. Dan Aaron Polster, U.S. District Court for the Northern District of Ohio; Virginia Davidson, Calfee, Halter & Griswold LLP; Jim Robenalt, Thompson Hine; Matthew Wilson, The University of Akron School of Law

Developments in the area of economic espionage are reflected in the recent conviction of an individual who stole the recipe for the cream in the Oreo Cookie. Learn why trade secret theft, unlike computer hacking, is almost always an “inside job;” how to defend or to negotiate an advantageous plea agreement if necessary; and whether you should engage in civil litigation, refer the case to the authorities for investigation, or both, and how to navigate each path.

SESSION 3B ★ ON BEING A CATALYST FOR REFORM: A CONVERSATION WITH THE MONITOR OF THE CLEVELAND POLICE CONSENT DECREE

Speakers: Matthew Barge, Police Assessment Resource Center; Ayesha Bell Hardaway, Case Western Reserve University School of Law; Sanford Watson, Tucker Ellis LLP

Hear a timely discussion on the use of a monitor with court-enforced consent decrees—designed to reform law enforcement agencies with a pattern of excessive force in violation of the U.S. Constitution, federal law, and state law. As the monitor in Cleveland and other major cities, PARC (Police Assessment Resource Center) has insights that will benefit any judge or practitioner who handles justice department investigations or use of deadly force cases.

SESSION 3C ★ THE PRESENT AND FUTURE OF FEDERAL APPELLATE LITIGATION

Speaker: David E. Mills, The Mills Law Office LLC; Charles Faruki, Faruki, Ireland & Cox PLL; Hon. Deanell Reece Tacha, Pepperdine School of Law

A panel of judges from the U.S. Court of Appeals for the Sixth Circuit and other federal circuits will provide insight into the present and future of appellate litigation, including trends in how appellate courts deal with expert issues 20 years after Daubert, the rise of appeals based on dispositive motions, appeals of criminal sentences, appeals from administrative agencies, and the future of oral argument.

11:30 A.M.–12:30 P.M.

SESSION 4A ★ WHAT YOUR CLIENT NEEDS

Speakers: Nancy Berardinelli-Krantz, The Goodyear Tire & Rubber Co.; Mark T. Freeman, KeyCorp; Helen Jarem, The Sherwin-Williams Company; Bobby C. Psaropoulos, Eaton Corporation

Hear in-house counsel from four Ohio-based national corporations—Eaton, KeyBank, Sherwin-Williams, and Goodyear—discuss the internal pressures they face and the corresponding needs and preferences from their outside counsel. Specifically, they will share the greatest challenges each company and its in-house counsel are currently facing, including the role of diversity and inclusion in selection of outside counsel, cybersecurity, internal policies, and e-discovery.

SESSION 4B ★ E-DISCOVERY ETHICS: EMERGING STANDARDS OF TECHNOLOGICAL COMPETENCE

Speaker: Hon. Joy Flowers Conti, U.S. District Court for the Western District of Pennsylvania; Richard N. Lettieri, Lettieri Law Firm, LLC

Review the 9 basic skills recently articulated by the California Standing Committee on Professional Responsibility and Conduct to define e-discovery competence—in accordance with the new ABA Model Rule 1.1 calling for lawyers to “keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology”—and gain practical advice outlining how each of these skills can be developed and/or acquired.

CLE SESSIONS ★ THURSDAY, SEPT. 15



DID YOU KNOW?

Cleveland firsts include the first use of the phrase **“Rock ‘n’ Roll”** by Cleveland DJ Alan Freed in 1952 and the first NFL **“Monday Night Football”** game in 1970 at Cleveland Municipal Stadium, with the Cleveland Browns defeating the New York Jets 31-20.

Source: ThisisCleveland.com
Photo Source: www.cleveland.com/ohio-sports-blog/index.ssf/2010/11/cleveland_browns_vs_new_york_j.html

2:15 P.M.–3:15 P.M.

SESSION 5A ★ STATE OF THE PROFESSION: SUPPLY, DEMAND, AND THE FUTURE OF LAWYERS

Speakers: Craig M. Boise, Syracuse University College of Law; Toby Brown, Akin Gump Strauss Hauer & Feld LLP; William Henderson, Indiana University Maurer School of Law

Learn about changes to the practice of law affecting all lawyers—from big firms to solo practitioners—in the wake of the Great Recession, how law schools are responding, and what the practice of law will look like in the coming years.

SESSION 5B ★ CREATIVE SOLUTIONS IN GOVERNMENT ENTITY BANKRUPTCIES: INSIDE THE DETROIT BANKRUPTCY AND EMERGING ISSUES IN PUERTO RICO

Speakers: Hon. Gustavo A. Gelpi, U.S. District Court for the District of Puerto Rico; David G. Heiman, Jones Day; Andrea Marconi, Thorpe Shwer, P.C.; Kevyn D. Orr, Jones Day; Steven W. Rhodes, Steven Rhodes Consulting LLC (U.S. Bankruptcy Court Judge, ret.); Hon. Gerald E. Rosen, U.S. District Court for the Eastern District of Michigan

It's in the news every day: government entities ranging from hospitals to municipalities and territories have faced financial problems. The constituents, assets, infrastructure, and political implications differ when the government cannot afford to pay for public services. Hear a discussion on the challenges of resolving these issues in the context of the highly-publicized financial crises in Puerto Rico and Detroit.

3:30 P.M.–4:30 P.M.

SESSION 6A ★ THE ROLE OF FEDERAL COURTS IN POLICE REFORM

Speakers: Hon. Gustavo A. Gelpi, U.S. District Court for the District of Puerto Rico; Alfredo Castellanos Bayouth, Castellanos Group P.S.C

The attorney general of the United States has instituted numerous civil rights actions against states, territories, counties, and municipalities as a result of constitutional and civil rights violations by police departments. The federal court, in turn, is called upon to monitor compliance of consent decrees issued in response. Learn about such federal actions, the court's and parties' roles in the process, and the problems that arise during implementation.

SESSION 6B ★ THE NEW FEDERAL CIVIL RULES PACKAGE—“BIG DEAL” CHANGES TO DISCOVERY, CASE MANAGEMENT, CULTURE, AND E-DISCOVERY – COMING TO A COURTHOUSE NEAR YOU!

Speakers: R. Eric Kennedy, Weisman, Kennedy & Berris Co., L.P.A.; Rita A. Maimbourg, Tucker Ellis LLP; Hon. Jack Zouhary, U.S. District Court for the Northern District of Ohio

Hear about the practical impact of the Amended Federal Civil Rules from the triad of perspectives in trial practice—plaintiff counsel, defense counsel, and the bench. The panel is composed of Fellows of the American College of Trial Lawyers who will discuss how the Civil Rules Package is intended to change the way judges and lawyers handle cases to reduce cost and delay, rein in discovery guided by proportionality and cooperation, and increase a judge's role “to achieve prompt and efficient resolutions of disputes.

SESSION 6C ★ DRONES—THE PERFECT STORM: THE INTERSECTION OF SECURITY, PRIVACY, AND FIRST AMENDMENT ISSUES IN THE AGE OF UNMANNED AERIAL VEHICLES

Speakers: Jeffrey T. Cox, Faruki, Ireland & Cox PLL; Scot Ganow, Faruki, Ireland & Cox PLL; Dean Griffith, Federal Aviation Administration; Dr. Andrew D. Shepherd, Sinclair College

Explore the current legal framework (or lack thereof) impacting unmanned aerial vehicles, or drones, at both the federal and state level; non-legal issues that can have a significant impact on the future of the technology; speculation on the future of drones; and best practices to be followed in the absence of established law. As with many emerging issues, the law may be the forum where myths are dispelled, real harms identified, and remedies provided.