35TH ANNUAL CORPORATE COUNSEL CONFERENCE

TURN UP THE Heat

FEBRUARY 24 - 26, 2022

JW MARRIOTT
MIAMI TURNBERRY RESORT
AVENTURA, FL

THE COMMERCIAL LAW SECTION
Connecting People, Ideas and Opportunities



www.nbacls.com

THE COMMERCIAL LAW SECTION

Connecting People, Ideas and Opportunities



TORRENCE R. PHILLIPS
CHAIR

Dear Conference Attendees,

Bienvenidos a Miami! This is the **35th Annual National Bar Association Commercial Law Section ("NBA-CLS") Corporate Counsel Conference**, and it is my honor to welcome each of you to a three-day experience focused on our Section's mission of providing networking and educational forums to address our members' interests.

The confluence of the social justice conflagration sparked by the events of the summer of 2020 and the simmering industry-wide changes ignited by the smoldering global pandemic have kindled a critical moment where conversations around diversity, equity and inclusion are ablaze. In this spirit, we ask that you join the effort to **"Turn Up the Heat!"**

This year's conference will be the first opportunity for our Commercial Law Section family to gather in-person since our last time was in 2020 in the city of New Orleans. Although we were denied the ability to be in-person, we joined together to host a dynamic virtual conference in 2021 where we celebrated our social justice program, Black Lawyers Matter, and expanded our network with the inclusion of many first-time attendees and organizations. We remained united in the intensity of our efforts despite our distances and now as we, once again, gather in-person, we will **"Turn Up the Heat".**

The heart of our conference is the relationships that are formed and strengthened in discussions, in the sessions, in the hallways, and over meals and drinks, that foster our familial spirit, and provide a space where we empower each other. Over the next three days, we encourage you to get fired up as we **Turn Up the Heat** in our commitment to this ideal.

I am thankful to have the outstanding support of our Honorary Conference Co-Chairs: **Monica Howard Douglas**, Senior Vice President and General Counsel Coca Cola Company, **April Miller Boise**, Executive Vice President, Chief Legal Officer, Eaton, **LaTanya Langley**, *Newly Appointed* Chief Legal Officer, Edgewell Personal Care Company, and **Brad Lerman**, former Senior Vice President, General Counsel and Corporate Secretary of Medtronic, Inc.

To our sponsors, THANK YOU for your unwavering dedication and partnership with the NBA-CLS. We could not collectively impact our industry without your support and commitment to making diversity, equity and inclusion a priority. Thank you to the members of the NBA-CLS Executive Committee who donated their time, talent and experience to the mission of the NBA-CLS and bringing this Conference to fruition. All the successes of the CLS are a direct result of your leadership, dedication, and service. Finally, I salute the current NBA President Carlos Moore who has been entrusted to advancing the National Bar Association for this bar year.

Let us celebrate the wisdom of our trailblazers, embrace the spirit of a pathfinder and commit to, in turn, being a bridge builder for those who follow. And, though our flame burns bright, let us be intentional in our intensity and **Turn Up the Heat**!

Torrence

TORRENCE R. PHILLIPS
Chair, NBA Commercial Law Section

35TH ANNUAL CORPORATE COUNSEL CONFERENCE

TURN UP THE Heat

CONFERENCE AGENDA

CONFERENCE AGENDA

35TH ANNUAL CORPORATE COUNSEL CONFERENCE
TURN UP THE Heat

DAY 1 - THURSDAY, FEBRUARY 24, 2022

7:00 AM - 4:00 PM
CONFERENCE REGISTRATION
Garden Foyer

8:00 AM - 9:00 AM
NETWORKING BREAKFAST
King South Foyer

9:00 AM - 10:15 AM
WELCOME SESSION & JUDICIAL PANEL
King Ballroom

DESCRIPTION:
The Honorable Darrin P. Gayles and The Honorable Rodney Smith will be joined by Attorney Jerry Hamilton for a discussion about the road to the judiciary and why diversity on the bench is increasingly important.

MODERATOR:
Jerry D. Hamilton
Managing Partner, Hamilton Miller & Birthisel LLP

PANELISTS:
Judge Darrin Gayles
United States District Court, Southern District of Florida

Judge Rodney Smith
United States District Court, Southern District of Florida

10:30 AM - 11:30 AM
CLE #1 – ALL ABOUT THE DATA: LEVERAGING DATA AND OTHER OPPORTUNITIES FOR INNOVATION WHILE MANAGING REGULATORY CHALLENGES
King Ballroom

DESCRIPTION:
The use and protection of data, especially consumer data, has been top of mind for U.S., U.K., EMEA and APAC governments and regulators. Data has been pegged the new oil that fuels different technologies, products and services in all sectors, including financial services and fintech. In the United States, the Biden Administration and the SEC and FTC have identified the protection of consumer data as a high priority on their agendas. During this Fourth Industrial Revolution, the complex maze of how we advise our clients on best practices to use and share both corporate and consumer data is important.

MODERATOR:
Kevin Armstrong
General Counsel & Chief Legal Officer, Docupace

PANELISTS:
Val Dahiya
Partner, Perkins Coie

Conway Ekpo
Director, Associate General Counsel, Brex

Izu Emagwali
Executive Director & Asst. General Counsel, JP Morgan

Lorraine McGowen
Partner, Orrick, Herrington & Sutcliffe LLP

CONFERENCE AGENDA

35TH ANNUAL CORPORATE COUNSEL CONFERENCE
TURN UP THE Heat

DAY 1 - THURSDAY, FEBRUARY 24, 2022

10:30 AM - 11:30 AM

CLE #2 – RECENT DEVELOPMENTS IN ESG

Veranda 1-2

DESCRIPTION:

Environmental, Social and Governance, commonly known as "ESG" is more than a buzz word. It is three broad categories of interest for socially responsible investors. It is also a set of standards for how a company operates regarding the planet and its people. Does your organization's culture reflect the statements that are made publicly? No longer will corporate boards be able to stand by while executives run the show. What is driving the need for a focus on ESG programs and why is ESG compliance something you should be concerned with? What are the steps you should take to achieve it? This panel will dive deeper into social and environmental issues that are a driving force behind the push for compliance and will inform and guide you on ways to develop or strengthen corporate governance.

MODERATOR:

Monty Cooper
Counsel, Crowell Moring

PANELISTS:

J. Simone Jones
Environmental Partner, Sidley

Shai Littlejohn
Director, Corporate Counsel – Global Supply Chain, Innovation & Commercial, Starbucks Coffee Company

Jayme Smoot
Vice President, Corporate Sustainability and External Affairs Operations, Nationwide Insurance

Johnny L. Moore, Sr.
Vice President/Associate General Counsel for Regulation, Truist

11:45 AM - 1:30 PM

LUNCHEON AND SIGNATURE PANEL - DE FACTO DEI PROFESSIONALS AND THE DEI DATA DILEMMA

King Ballroom

DESCRIPTION:

With the increase in diversity initiatives and promises made by law firms and corporations related to the organizations' DEI efforts, many Black partners/in house counsel have become de facto DEI professionals. In addition, internal and external stakeholders have demanded employers release diversity, equity and inclusion ("DEI") data regarding hiring, promotion and pay practices of underrepresented groups. While releasing data is a powerful tool to show transparency, plaintiffs and government agencies may view this data as evidence of systemic discriminatory practices thereby leading to class action litigation. Moreover, organizations that take affirmative steps to correct past practices and change their numbers might trigger a reverse discrimination class action. How do you balance the new found receptiveness (and the backlash) to diverse initiatives in the workplace with ongoing business objectives and metrics that define promotion and progression? How can organizations show transparency and release data to advance DEI efforts while minimizing liability? Do you want to transition to a DEI role? This session will explore the diversity efforts of law firms and corporate law departments and the progress they have made. This esteemed panel will provide guidance on the release of DEI data and how to manage a transition to a DEI professional without loss of seniority, rank and privilege compared to colleagues on a more traditional advancement track and trajectory?

CO-MODERATORS:

Andrew Nunes
Partner, FASKEN

Michael Thomas
Partner, Jackson Lewis

SPEAKERS:

Jennifer Chen
Director, ACC Foundation

Ernest DeLoach, Jr.
Vice President, Legal, Balfour Beatty US

Regina Heyward
Head of Supplier Diversity, MassMutual

Janice Innis-Thompson
Senior Vice President, Litigation and Legal Operations, Nationwide Mutual Insurance

CONFERENCE AGENDA

35TH ANNUAL CORPORATE COUNSEL CONFERENCE
TURN UP THE Heat

DAY 1 - THURSDAY, FEBRUARY 24, 2022

2:00 PM - 5:00 PM
LAW FIRM EXPO
Garden 1-2 + King East Foyer

6:00 PM - 7:00 PM
PRIVATE RECEPTION: TOP TIER SPONSORS AND IN-HOUSE COUNSEL
Orchard Lounge

7:00 PM - 8:30 PM
WELCOME RECEPTION
Palm Court

DAY 2 - FRIDAY, FEBRUARY 25, 2022

7:00 AM - 4:00 PM
CONFERENCE REGISTRATION
Garden Foyer

7:30 AM - 9:30 AM
BREAKFAST AND WOMEN'S WELLNESS SESSION
FROM MINDFULNESS TO HEALING: COPING WITH DUAL PANDEMICS
King Ballroom

DESCRIPTION:
In 2021, the NBA CLS launched its first-ever gender focused wellness panels during our virtual conference. Back by popular demand, we are excited to host this program for a live audience where we will celebrate Black Women's health and wellness. Over the past two years, we have endured the emotional toll of being physically separated, due to a global pandemic. Although we have survived physically, our mental health and wellbeing are still vulnerable as Black Women attorneys and we are different from when we last gathered in person in 2020.

We are thrilled to have best-selling author – Minda Harts for a moderated fireside chat to discuss her new book, "*Right Within: How to Heal from Racial Trauma in the Workplace.*" The program will begin promptly with a mindfulness session led by attorney Spiwe Jefferson to prepare us for this important discussion. Attendees are encouraged to dress comfortably and bring their authentic selves without apology to this dynamic and curated program." The first 100 women to arrive will receive a copy of Minda's book.

MODERATOR:
Rashida MacMurray-Abdullah, Esq.
Chief Diversity Officer, Wiley

KEYNOTE:
Minda Harts
Author, *Right Within: How to Heal from Racial Trauma in the Workplace*

PRESENTER:
Spiwe Jefferson
Deputy General Counsel, Amplify Education
Author, *Mindful in 5*

CONFERENCE AGENDA

35TH ANNUAL CORPORATE COUNSEL CONFERENCE
TURN UP THE Heat

DAY 2 - FRIDAY, FEBRUARY 25, 2022

8:30 AM - 10:00 AM

BREAKFAST AND MEN'S WELLNESS SESSION
MENTAL AND EMOTIONAL CHALLENGES OF BLACK MALE ATTORNEYS:
INDIVIDUAL HUMAN VS. "THE BLACK GUY" AVATAR

Garden 1 - 2

DESCRIPTION:
This interactive session, featuring five board-certified Black psychiatrists will feature private discussions, therapeutic interventions, and mindfulness exercises.

PANELISTS:

Otis Anderson, III, MD
Chairman of the Board, Day Academy Network

Napoleon B. Higgins, Jr., MD
President and CEO, Bay Pointe Behavioral Health Service, Inc./South East Houston Research Group, Inc.

James Lee, Jr., MD
Inpatient Psychiatrist, Springbrook Behavioral Health

Michael J. Pratts, MD
Medical Director, Cayuga County Community Mental Health Center

Karriem L. Salaam, MD
Board-Certified Psychiatrist/Medical Director, Adolescent Services at Friends Hospital

10:15 AM - 11:15 AM

CLE #3 – THE INTERSECTION OF INTELLECTUAL PROPERTY + BLOCKCHAIN, CRYPTOCURRENCY, NFTS, AND THE METAVERSE

King Ballroom

DESCRIPTION:
The pandemic may have slowed the world down, but the intellectual property landscape has continued to evolve. The uses for Blockchain are seemingly endless; so too are the industries ripe for disruption, which include fintech, gaming, healthcare, data privacy, and even legal. We're on the verge of a new frontier, and companies need to remain vigilant as it unfolds. Is your company ready to utilize Blockchain, Cryptocurrency, or the Metaverse? Do you know what an NFT is? Did you know that companies are already filing for intellectual property protection for use in the Metaverse? This session will explain these technologies, their use cases, and the implicated intellectual property issues, including best practices for licensing.

MODERATOR:

Ferlillia Roberson
Partner, DLA Piper

PANELISTS:

William Barrow
Partner, Mayer Brown

Lawrence Jarvis
Senior Associate, Fish & Richardson

Monique E. Liburd
Senior Trademark Counsel, Google

Shayne O'Reilly
Associate General Counsel, Head of Licensing & Open Source, Meta

Terry M. Sanks
Partner, Beusse Sanks

CONFERENCE AGENDA

35TH ANNUAL CORPORATE COUNSEL CONFERENCE
TURN UP THE Heat

DAY 2 - FRIDAY, FEBRUARY 25, 2022

10:15 AM - 11:15 AM

CLE #4 – LABOR AND EMPLOYMENT HOT TOPICS

Garden 1 - 2

DESCRIPTION:

Along with the slow return to normalcy will come an increased focus on non-pandemic-related labor and employment issues. Experienced employment attorneys will examine the various changes to federal labor and employment policies and the increase in enforcement. This engaging panel will discuss hot topics such as (1) global mobility of the labor force, (2) workplace harassment, (2) OSHA investigations, (3) revised wage and hour guidance, (4) EEOC enforcement and involvement and (5) paid family leave.

MODERATOR:

Katessa Charles
Principal, Jackson Lewis

PANELISTS:

Kerri Griggs
Senior Associate, Alston & Bird, LLP

Kristi Matthews
Senior Director & Senior Managing Counsel for Diversity & Inclusion, VISA

Olaoluwaposi Oshinowo
Of Counsel, Wiley

Jimmy Robinson
Managing Shareholder, Ogletree

11:30 AM - 12:30 PM

CLE #5 – PRIVACY AND BORDERLESS DATA – GLOBAL RISK AND COMPLIANCE

King Ballroom

DESCRIPTION:

What are the risks and regulations that impact your personal and business data? In the cloud, your data may be subject to regulation, compliance and risk from a wide range of jurisdictions. How do you comply with the myriad of laws affecting data as it rests or is processed locally or internationally? Your data subjects may be anywhere in the world. This panel will address the conflict of laws and global compliance challenges affecting personal data and data security compliance on a worldwide scale. Issues to be addressed include:

- The latest global and US privacy laws;
- Contractually enforcing obligations on contractors and down chain contractors;
- Best practices in dealing with the improper transfer of data, whether personally identifying, financial, health or other types of sensitive information;

Join this esteemed panel to gain insights on how to plan for and protect against potential breaches; to facilitate proper crisis management including an understanding of how damages are addressed in litigation; and how customers and services providers can protect their bottom line.

MODERATOR:

Shannon Schoultz
Associate, Shook, Hardy & Bacon

PANELISTS:

Charlotte Borroughs
Corporate Counsel, Salesforce

Jennifer Coates
Partner, Dorsey

Elimu Kajunju
Head of Health Information Privacy, Google

Fatima Khan
Director, Corporate Counsel of Privacy and Product, Okta

CONFERENCE AGENDA

35TH ANNUAL CORPORATE COUNSEL CONFERENCE
TURN UP THE Heat

DAY 2 - FRIDAY, FEBRUARY 25, 2022

11:30 AM - 12:30 PM

CLE #6 – HOT TOPICS IN LITIGATION

Garden 1 - 2

DESCRIPTION:

As courts have slowly opened their doors to in-person practice, a significant uptick in post-pandemic litigation activity can be seen across the country. This panel of esteemed litigators will explore a wide range of hot topics, including multi-district litigation, force majeure clauses, bankruptcy, contract disputes, and the latest trends in litigation from recent state and federal court opinions throughout the country. How can you mitigate risk and exposure due to global and global supply chain issues? What tips and tricks can you deploy to reduce the overall value of a multi-plaintiff case? This experienced panel will offer best practices to help you along your litigation journey.

MODERATOR:

Raymond Williams
Senior Counsel, DLA Piper

PANELISTS:

Shahira Ali
Director & Associate General Counsel, Workday

Lori Baggett
Vice President & Associate General Counsel, Pads

Chris Bellamy
Senior Counsel, Peabody Energy

Anitra Raiford Clement
Partner, Shook Hardy & Bacon

Odera C. Nwaeze
Partner, Faegre

Naim S. Surgeon
Partner, Stroock

12:45 PM - 2:15 PM

LUNCHEON AND GENERAL COUNSEL ROUNDTABLE

King Ballroom

DESCRIPTION:

A lively discussion featuring our Honorary Co-Chairs discussing a plethora of topics related to their career paths, retaining outside counsel, diversity, and other issues defining the role of General Counsel.

MODERATOR:

Kwamina Thomas Williford
Partner, Holland & Knight

PANELISTS:

April Miller Boise
Executive Vice President and Chief Legal Officer, Eaton Corporation

Monica Howard Douglas
Senior Vice President and General Counsel, The Coca-Cola Company

LaTanya Langley
Chief Legal Officer, Edgewell Personal Care Company

Brad Lerman
Former Vice President, General Counsel and Corporate Secretary, Medtronic

CONFERENCE AGENDA

35TH ANNUAL CORPORATE COUNSEL CONFERENCE
TURN UP THE Heat

DAY 2 - FRIDAY, FEBRUARY 25, 2022

3:00 PM - 4:00 PM

CLE #7 – WE HAVE A PROBLEM: ADDRESSING THE WIDENING GAPS IN COMPENSATION, DEVELOPMENT AND PROMOTION OF BLACK LAWYERS

King Ballroom

DESCRIPTION:

This panel will discuss the widening gap between black attorneys and professional opportunities, career development and promotions that are more readily available to others. We will also address the elimination of bias in the workplace, ongoing concern about Imposter Syndrome and how it effects all legal practitioners, whether practicing at a small or large law firm, or as in-house legal counsel. We will address how to identify and overcome these issues, offer guidance on how to manage the heightened scrutiny of black attorneys and offer advice on ways to protect your mental health in the workplace.

MODERATOR:

Joseph West
Partner and Chief Diversity & Inclusion Officer, Duane Morris

PANELISTS:

Pia Flanagan
Chief of Staff to the CEO, Mass Mutual and CEO Action for Racial Equity, Mass Mutual

Omari French
Senior Product Counsel, Apple

Shirell Gross
Vice President & Chief Counsel, Medtronic

Rashida MacMurray-Abdullah
Chief Diversity Officer, Wiley

Yolanda Strader
Shareholder, Carlton Fields

Paul Sweeney
Partner, K&L Gate

3:00 PM - 4:00 PM

CLE #8 – BEST PRACTICES FOR CRISIS MANAGEMENT AND GOVERNMENT INVESTIGATIONS

Garden 1 - 2

DESCRIPTION:

As the saying goes, it's always good to expect the unexpected. And that certainly goes for organizations – corporations, financial institutions and funds – that receive the dreaded notification of a possible government investigation. If the notification initiates a "what's next?" reaction rather than the immediate activation of a well-constructed and tested plan, then organizations are already playing catch-up in an area in which "getting out in front" is always a critical approach. This panel of highly skilled practitioners will engage in a direct, to-the-point discussion on how to effectively manage a crisis and how government investigations (including whistleblower suits) begin, develop and successfully get resolved.

MODERATOR:

Da'Morus Cohen
Partner, Holland & Knight

PANELISTS:

David Allen
Head of Litigation, MassMutual Financial Group

Chantal Fiebig
Partner, Weil

Vanessa Singh Johannes
Of Counsel, Carlton Fields

Byron McLain
Partner, Foley Lardner

Doreen Rachal
Partner, Sidley Austin

CONFERENCE AGENDA

35TH ANNUAL CORPORATE COUNSEL CONFERENCE

TURN UP THE Heat

AWARDS

Gala & Dinner

FRIDAY, FEBRUARY 25, 2022

6:30 PM - 10:00 PM

King Ballroom

Join us as we enjoy the evening celebrating the excellence of our NBA-CLS members and guests. We will present the John Lewis, Jr. Corporation of the Year Award to Allstate for its demonstrated commitment to diversity. We will also present the Chair's Vanguard Award to Jerry Blackwell, Founder and Chairman of Blackwell Burke P.A. in recognition of his exemplary service to the legal community. The legacies of CLS stalwart, the great Taylor Fields and our beloved former Executive Committee Member, Jean-Marie Sylla, Jr. will be honored.

We will conclude the evening dancing the night away. Come wearing your best cocktail attire. You don't want to miss it!



CONFERENCE AGENDA

35TH ANNUAL CORPORATE COUNSEL CONFERENCE
TURN UP THE Heat

DAY 3 - SATURDAY, FEBRUARY 26, 2022

8:00 AM - 5:00 PM
HEADSHOT LOUNGE
Veranda 1-2

8:00 AM - 6:00 PM
SPA
âme Spa & Wellness Collective

8:30 AM - 1:30 PM
GOLF TOURNAMENT
Miller Course

9:00 AM - 10:00 AM
BREAKFAST
Garden Foyer

10:00 AM - 11:00 AM
CLE #9 – DISRUPTIVE TECHNOLOGY AND DIGITAL TRANSFORMATION
Garden 1-2

DESCRIPTION:
With unprecedented advancements in disruptive and popular technologies such as 5G, Autonomous Vehicles, Robotics, Cyber Security, Artificial Intelligence and Machine Learning, companies must determine how to digitally transform in order to take advantage of the opportunities technology presents. You will learn about legal and regulatory developments affecting new and disruptive technologies–both from the U.S. and abroad and how to navigate, create or influence legal frameworks to allow technology to achieve its potential, while preserving individual and societal rights and improving lives and the planet. What do you need to know about technology licensing? What steps do you need to take to comply with laws, address issues involving data rights and anticipate upcoming regulatory changes that will impact use of these new technologies? Are there some technologies where the potential risks outweighs the benefits? This engaging and informative session will cover what your company or client needs to know before using these technologies and what to think about during your organization's digital transformation.

MODERATOR:
Diana Dessources
Senior Counsel, Workday

PANELISTS:
Melanie Scott Bennett
Vice President, Associate General Counsel, Peloton

John Gibson
Partner, DLA Piper

Njeri Mutura
Senior Managing Counsel, Microsoft

Jennifer Prioleau
Senior Vice President, Chief Legal Office & Chief Compliance Officer, B. Braun Medical

Gabriella Ziccarelli
Software Products Counsel, Apple

12:00 PM - 1:30 PM
LUNCH
Magnolia Courtyard

6:00 PM - 8:00 PM
FAREWELL RECEPTION
Magnolia Courtyard