



*Presents*

# **ELEVATING BLACK EXCELLENCE REGIONAL SUMMIT SERIES**

**A Showcase for Black Partners**

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**June 17 | Midwest | 8:30am - 4:15pm CT**

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AIG

# OCS OUTSIDE COUNSEL SEARCH

## 1 Search by Ethnicity

Find Outside Counsel

Search by Keyword Go

Race & Ethnicity Practice Area Industry Law Firm

Type to search Ethnicity

- ☐ American Indian or Alaska Native
- ☐ Asian
- ☒ Black or African American
- ☐ Hispanic or Latino

Clear All

## 2 Search by Industry

Find Outside Counsel

Search by Keyword Go

Race & Ethnicity Practice Area Industry Law Firm

Black or African American x Energy and Natural Resources

Type to search Industries

- ☐ Consumer Good, Food & Retail
- ☒ Energy and Natural Resources
- ☐ Financial Services
- ☐ Government Contracting

Clear All

## 3 Search by Practice Area

Find Outside Counsel

Search by Keyword Go

Race & Ethnicity Practice Area Industry Law Firm

Black or African American x Corporate

Type to search Practices

- ☒ Corporate
- ☐ Employment
- ☐ Finance

Clear All



**In June of 2021, Chief Legal Executive will launch a beta version of Outside Counsel Search (OCS), a digital directory and resource for identifying, researching, and sourcing attorneys at law firms across the country.**

# 4

## Search Results

### Find Outside Counsel

Search by Keyword

Go

Race & Ethnicity Practice Area Industry Law Firm

Black or African American Corporate Energy and Natural Resources Clear All



**Michael St. Patrick Baxter**  
Alix Partners

Michael St. Patrick Baxter solves problems for clients involved in insolvency or bankruptcy situations. He does this effectively because of more



**Leslie Stevens**  
Covington & Burling

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**Desire Hoy**  
Reed Smith

Desi Hoy dolor sit amet, consectetur adipiscing elit. Cras condimentum nunc vel justo mattis, ac pretium nisi aliquet. Sed quis ultricies ante, sed luctus nibh.



**Jamar Williams**  
Covington & Burling

Jamar solves problems for clients involved in insolvency or bankruptcy situations. He does this effectively because of more than 30 years'



**Lebron James**  
Covington & Burling

Lebron solves problems for clients involved in insolvency or bankruptcy situations. He does this effectively because of more than 30 years'



**Theresa Webb**  
Covington & Burling

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**Troy Charis**

Troy solves problems for clients involved in insolvency or bankruptcy situations. He does this effectively because of more than 30 years' experience helping clients



**Martin Lee**  
Allen & Overy

Martin solves problems for clients involved in insolvency or bankruptcy situations. He does this effectively because of more than 30 years'



**Tanya Hairston-Whitner**  
Assistant General Counsel  
The Home Depot



**John Iino**  
Partner  
Reed Smith LLP



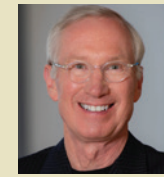
**Karen Jordan**  
Partner  
Dentons



**James McClammy**  
Partner  
Davis Polk & Wardwell LLP



**Anthony T. Pierce**  
Partner  
Akin Gump Strauss Hauer & Feld LLP



**Mark Roellig**  
Senior Client Advisor  
Perkins Coie LLP



**Adwoa Seymour**  
Assistant General Counsel  
Cox Enterprises, Inc.



**Omar Sweiss**  
Chief Executive Officer  
Justice Bid



**Merle Vaughn**  
Managing Partner  
Major, Lindsay & Africa



**Gerry Williams**  
Partner  
DLA Piper LLP

The OCS will serve as a platform for corporate legal departments to identify, qualify, and engage with attorneys of color at major law firms while increasing awareness of their individual accomplishments.

The OCS is a proprietary online platform searchable by name, expertise, self-reported ethnicity, education, firm, or specialty. Participating attorneys will create and maintain their own profiles on the platform and populate a library of matters that highlights their talents and experience.

Corporate legal departments will use the OCS to identify attorneys that meet a wide range of criteria in order to better achieve client demands.

# REGIONAL SUMMIT SERIES KEYNOTE SPEAKERS

SEPTEMBER 29, 2021

OPENING KEYNOTE  
8:30 - 9:00 CT



**Tanya Hairston-Whitner**  
*Assistant General Counsel*  
The Home Depot



**Teresa Roseborough**  
*EVP, General Counsel and Corporate Secretary*  
The Home Depot

GC LUNCH PANEL  
12:15 - 1:00 CT



**MODERATOR**

**Yolanda Seals-Coffield**  
*Principal, Deputy People Leader*  
PwC



**Sandra Phillips Rogers**  
*Group Vice President, General Counsel, Chief Legal Officer, Chief Diversity Officer & Corporate Secretary*  
Toyota Motor North America



**April Miller Boise**  
*Executive Vice President and General Counsel*  
Eaton



**Denise Cade**  
*Senior Vice President, General Counsel and Secretary*  
IDEX Corporation

OCTOBER 21, 2021

GC LUNCH PANEL  
12:15 - 1:00 ET



**MODERATOR**

**Stacey Grigsby**  
*Partner*  
Covington & Burling LLP



**Tony West**  
*Senior Vice President, Chief Legal Officer, and Corporate Secretary*  
Uber



# WELCOME LETTER

Dear Friends,

Over the last 35 years, millions of dollars and thousands of otherwise billable hours have been directed to increase the amount of legal work sent to Black partners. Focusing exclusively on the numbers, the rhetoric does not match the reality. Pledges by general counsel have done little to change the landscape for Black lawyers.

In 2021, promises are insufficient. Courage, commitment to diversity, and hard data demonstrating progress are all that matters. Everything else is performative.

We are at an inflection point. The path forward is simple to state – but difficult to execute. We need at least 200 general counsel measuring their internal and external efforts to increase work sent to Black partners. Law firms that take a real introspective look and truly do something different will see Black partners with big books of business flock to their doorsteps.

But that won't happen by itself. An entity is needed to provide a cost effective and efficient bridge between in-house counsel and Black partners. The Black In-House Counsel Network is the solution the industry needs now.

Over the course of one day, we hope to bridge the chasm between in-house legal teams and Black partners. To achieve this, you will be introduced to attorneys practicing in mission critical areas of corporate law and contributing to legal and strategic decisions that are shaping the business landscape.

Assembled for the first time ever, these attorneys and the insight they will share, will have a profound impact on the global economy as we emerge from the COVID-19 pandemic. I look forward to learning from them alongside each of you.

The Elevating Black Excellence Regional Summit Series is the most recent initiative of the larger Black In-House Counsel Network (BIHC). Founded in the spring of 2020 and comprised of in-house counsel and top law firms, BIHC is the publisher of the Black In-House Counsel Annual Report as well as the developer of the Outside Counsel Search (OCS) platform ([www.outsidecounselsearch.com](http://www.outsidecounselsearch.com)). This innovative resource, now in beta preview, will better enable in-house legal teams to identify, hire, and retain attorneys of color at major law firms. I hope you will visit our website at [www.chieflegalexec.com](http://www.chieflegalexec.com) to learn more about our programs.

I would be remiss if I did not make a very special acknowledgement of Ivan Fong at 3M. Over the course of the past year, Ivan has been my thought partner in the development of the BIHC platform.

The journey from performative diversity to transformative profitability begins today. Thank you for your courage and commitment to this historic initiative.

Best regards,



*CEO, Chief Legal Executive and founder, Black In-House Counsel Network*



**Lloyd M. Johnson, Jr.**

*CEO, Chief Legal Executive and founder, Black In-House Counsel Network*

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# LAW FIRM FACULTY

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& Varlack LLP

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Goodwin Procter LLP

Greenberg Traurig LLP

Gunderson Dettmer Stough  
Villeneuve Franklin &  
Hachigian, LLP

Hall Render Killian Heath  
& Lyman, P.C

Hogan Lovells US LLP

Hughes Hubbard & Reed LLP

Jones Day

K&L Gates LLP

Lafayette & Kumagai LLP

Paul Hastings LLP

Quinn Emanuel Urquhart  
& Sullivan, LLP

Reed Smith LLP

Riley Safer Holmes  
& Cancila LLP

Seyfarth Shaw LLP

Squire Patton Boggs LLP

Wachtell, Lipton, Rosen  
& Katz

Weil, Gotshal & Manges LLP

Willkie Farr & Gallagher LLP

WilmerHale

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# TESTIMONIALS



*Diverse teams drive better outcomes. This is true for Boards of Directors, C-Suites and in house legal, compliance and regulatory groups. Equally important, is having diverse outside advisors who can provide invaluable perspectives and expertise to*

*augment internal resources. The BIHC Network provides a platform to showcase Black law firm attorneys who may not otherwise have traditional networking opportunities available to them. The key to building successful, diverse teams is looking outside traditional comfort zones to identify great talent, understand the value each lawyer brings to the table, and build trusted relationships. Events such as the Elevating Black Excellence Summit allow both in house and law firm professionals to learn about each other, the specific needs of a corporation, and where Black attorneys can play an important role in enhancing in house capabilities to help solve complex problems.*

— **Lucy Fato**, EVP, General Counsel and Global Head of Communications & Government Affairs, AIG



*The quality of the content and the caliber of the faculty for the Elevating Black Excellence Regional Summit series is absolutely outstanding and unlike anything I have come across in my years as an*

*attorney. I was especially impressed with the perspective, analysis and insight of the participating lawyers who seemed to represent the biggest and best firms in the country. As a Latina executive and leader of a corporate legal team, I am thrilled that the outside counsel search platform will be extended to include LatinX partners in 2022.*

— **Elisa Garcia**, Chief Legal Officer  
Macy's Inc.



*The talent and skills of Black attorneys represents an enormous well of untapped resources at major law firms. It's refreshing to finally see an initiative like Elevating Black*

*Excellence to showcase and spotlight attorneys that have, for too long, been marginalized. You have made the process of meeting and developing relationships with attorneys turn-key and I have no doubt this initiative will have an industry-changing impact.*

— **Petrina A. McDaniel**, Partner  
Squire Patton Boggs (US) LLP



*Although, the BIHC Network focuses primarily on Black in-house attorneys, Black partners and Black public company directors, all attorneys of color face similar challenges. The unique vision that inspired Lloyd's*

*development of the MCCA almost 25 years is the same driving force behind the creation of the BIHC Network. Expanding the legal industry to better embrace attorneys of color, including the APA and the LatinX communities, women and the LGBTQ community, is no longer an option, it is an imperative. I am proud to work with the APA community to grow the BIHC vision. Finally, I am thrilled that the outside counsel search platform will be extended to include APA partners in 2022.*

— **Don Liu**, EVP & Chief Legal & Risk Officer  
Target Corporation



# AGENDA AT A GLANCE

**8:30 am CT – 4:15 pm CT**

Each panel will feature 1 in-house counsel and 3 Black partners.

8:30 am – 9:00 am **OPENING KEYNOTE PANEL**

9:00 am – 10:00 am	<b>MERGERS &amp; ACQUISITIONS</b> <b>201 – Private Equity, Cross Border Transactions and M+A Trends</b>	<b>LITIGATION</b> <b>301 – Products Liability &amp; Mass Torts</b>	<b>COMPLIANCE &amp; INVESTIGATION</b> <b>401 – Biden Administration Policy Impact on Economic Sanctions and Investigations</b>
10:05 am – 11:05 am	<b>MERGERS &amp; ACQUISITIONS</b> <b>202 – FinTech Trends</b>	<b>LITIGATION</b> <b>302 – Class Action Trends</b>	<b>COMPLIANCE &amp; INVESTIGATION</b> <b>402 – Shareholder Activism Trends</b>
11:10 am – 12:10 pm	<b>MERGERS &amp; ACQUISITIONS</b> <b>203 – Current Trends in Corporate Financing and Commercial Lending</b>	<b>LITIGATION</b> <b>303 – White Collar Investigations</b>	<b>COMPLIANCE &amp; INVESTIGATION</b> <b>403 – Whistleblower Investigations and Regulatory Enforcement Trends</b>

12:15 pm – 1:00 pm **LUNCH: GENERAL COUNSEL PANEL**

1:00 pm – 2:00 pm	<b>PRIVACY &amp; DATA PROTECTION</b> <b>N/A</b>	<b>HOT TOPICS I</b> <b>N/A</b>	<b>HOT TOPICS II</b> <b>701 – Shaping Policy in the Biden Administration</b>	<b>LABOR &amp; EMPLOYMENT</b> <b>801 – Employers Pandemic Dilemma-Looking Forward</b>
2:05 pm – 3:05 pm	<b>PRIVACY &amp; DATA PROTECTION</b> <b>502 – Cybersecurity Privacy &amp; Data Protection</b>	<b>HOT TOPICS I</b> <b>602 – ESG Cross Over Issues for All Lawyers in the Legal Department</b>	<b>HOT TOPICS II</b> <b>702 – Corporate Governance Trends</b>	<b>LABOR &amp; EMPLOYMENT</b> <b>802 – Antitrust</b>
3:10 pm – 4:10 pm	<b>ENERGY POLICY</b> <b>503 – Energy Policy &amp; Climate Change in the Biden Administration</b>	<b>HOT TOPICS I</b> <b>603 – Patent Litigation Trends</b>	<b>HOT TOPICS II</b> <b>703 – Crisis Management: What to Do When Disaster Strikes</b>	<b>LABOR &amp; EMPLOYMENT</b> <b>803 – Labor Issues in the Biden Administration</b>

# KEYNOTE SPEAKERS

OPENING KEYNOTE | 8:30 am - 9:00 am CT



**MODERATOR**

**Uche Ndumele**

*Vice President & Chief Counsel  
Employment Law & Corporate Finance  
Legal & Government Affairs  
Conagra Brands, Inc.*



**Sharon R. Barner**

*Vice President – Chief Administrative Officer  
& Corporate Secretary  
Cummins Inc.*



# KEYNOTE SPEAKERS

GC LUNCH PANEL | 12:10 pm - 1:00 pm CT



**MODERATOR**  
**Timothy Abrahams**  
*Partner*  
**PwC**



**Wanji Walcott**  
*Executive Vice President, Chief Legal  
Officer & General Counsel*  
**Discover Financial Services**



**Don Liu**  
*Executive Vice President  
& Chief Legal & Risk Officer*  
**Target Corporation**



**Jim Stuckey**  
*Chief Deputy General Counsel – Litigation,  
Labor and Employment, and Utility Operations*  
**Dominion Energy Services, Inc.**

— GENERAL COUNSEL LUNCHEON SPONSOR —



# Pathways for Success

By taking a focused, forthright approach to diversity and inclusion, Willkie fosters a culture of mutual respect, support, and comfort that, combined with unlimited opportunity and practice group excellence, creates an exceptional environment for success, advancement, and partnership.



## **Kim A. Walker**

With Willkie since summering in 1990 and leading diversity efforts since 2003, Walker says a key component in the drive for equal opportunity is listening to clients: “They want insight into who handles their matters, which, as chief diversity and inclusion officer, I find terrific.”

In prioritizing retention, the firm asks the same of itself. “In 2016, at the direction of the firm’s chairman, we created a task force to scrutinize and guide the development of each associate. This creates clear pathways for success.” Walker, a New York-based partner, is invested in maintaining Willkie’s differentiating embrace of inclusion: “From addressing unconscious bias—still the profession’s greatest barrier to diversity, equity, and inclusion—to diversifying our leadership, our care for our people produces major dividends.”



## **Phillip Isom**

Now a partner in the firm’s Asset Management Group, Isom joined Willkie in 2011 specifically for the career opportunity. “At a time when the market was changing, their unique private equity practice squarely fit my ambitions and skills,” he says.

Made to measure, too, was the culture of camaraderie and respect. “The firm’s diversity and inclusion efforts have only enhanced the comfort of working here, which has been integral to my success,” he says. “While BigLaw has traditionally focused on the individual, we consistently support each other. I would not have achieved the success I have had at Willkie without our partners’ focus on collective growth.”



### **Solomon Wifa**

Attracted by Willkie's rapidly growing European footprint and market-leading private equity capabilities, Wifa joined the firm's integrated asset management team in 2015 confident of "the fantastic platform on which to build out my practice."

Willkie's "collaborative and entrepreneurial" culture was another deciding factor for the London-based partner. "I was impressed at how welcoming, inclusive, and energetic everyone was, and how the firm strives to value and respect every individual," he says.

His practice has exceeded his expectations. As he puts it: "Engaging on highly technical transactions with skilled teams from different geographies has given me a truly international industry view and, importantly, the opportunity to work alongside leaders in their field."



### **Randall Jackson**

Jackson, a New York-based litigation partner, was irresistibly drawn to the firm's "deep and varied practice area expertise, culture of collegiality and dedication to our clients, and commitment to diversity and pro bono work."

Formerly an Assistant U.S. Attorney for the Southern District of New York, Jackson gained national attention for his prosecutorial prowess in the Times Square Bomber and Bernie Madoff cases. He has only furthered his reputation at Willkie, including recognition as one of the *National Law Journal's* 2020 "Winning Litigators" for co-leading the acquittal of shipbuilding executive Jean Boustani in a \$2 billion securities fraud case.



### **A. Mark Getachew**

Summering at a major corporation as a first-year student at Fordham Law, Getachew impressed the GC, a former Willkie partner, who introduced him to the firm. "The interview process affirmed all the positives he had shared, including getting a sense of comfort from speaking with Black associates," recalls Getachew, who joined the firm as a first-year associate in 2000. Making his own strong impression, he was trusted with smaller M&A and private equity deals before handling his first billion-dollar M&A transaction at the beginning of just his fourth year. "Willkie recognizes ambition and cultivates talent," says the New York corporate and financial services partner, "which has allowed me the opportunity to build a thriving and rewarding practice."

# AGENDA

## SESSION #201 PRIVATE EQUITY, CROSS BORDER TRANSACTIONS AND M&A TRENDS

This panel will explore:

- M&A deal terms by the response to the pandemic.
- Deal process and preparation going remote.
- SPACs and de-SPACs becoming trendy (again?).
- Regulatory issues affecting deal making.
- National securities regimes that impact deals.
- Human rights, supply chain and due diligence complexity.
- Pandemic, public health.

**MODERATOR**  
**Chi Onyewuchi**  
PwC

**Brian Patterson**  
Gunderson Dettmer

**A. Mark Getachew**  
Willkie Farr & Gallagher LLP

## SESSION #202 FINTECH TRENDS

This panel will explore:

- The legal framework for regulation of payments and lending in the US.
- Trends in the types of FinTech enterprises emerging and regulatory implications.
- Key areas of focus for the Biden Administration and the 117th Congress with respect to financial institutions, FinTech, crypto/digital currencies and alternative payment mechanisms.
- The new forms of banks (e.g., payment charters, industrial loan companies, special purpose depository institutions) and acceptance within the banking community.

**MODERATOR**  
**Jeffrey Medeiros**  
Discover Financial Services

**Tiffany Smith**  
WilmerHale

**Clyde Tinnen**  
Foley & Lardner LLP

## SESSION #203 CURRENT TRENDS IN CORPORATE FINANCING AND COMMERCIAL LENDING

This panel will explore:

- Corporate bond transactions.
- Key loan terms and interest rate pricing in our current environment.
- The partnership with private equity.
- Unique real estate and project finance vehicles, such as tax credits and developments in Opportunity Zones.

**MODERATOR**  
**Adam Frankel**  
CBAM

**Gopal Burgher**  
BurgherGray LLP

**Brian Brown**  
Jones Day



## SESSION #301 PRODUCTS LIABILITY & MASS TORTS

### This panel will explore:

- How remote work, proliferation of social media and emerging technical advances in areas like robotics, autonomous driving, artificial intelligence, etc. are changing the way we litigate, discovery and the role of experts
- Whether the pandemic, civil unrest, and political turmoil of 2020 and other events will impact outcomes and verdicts in jury trials, and
- Overview of considerations when tackling high stakes mass tort litigation, multi-district class actions, product liability cases and the role of state consumer protection laws.

**MODERATOR**  
**Adam Deckinger**  
Tyson Foods, Inc.

**Josh Lee**  
Riley Safer Holmes & Cancila LLP

## SESSION #302 CLASS ACTION TRENDS

### This panel will explore:

- COVID-related class actions, including higher education suits;
- Consumer class actions;
- Jurisdictional defenses; and
- California class actions.

**MODERATOR**  
**Jonathan Griffith**  
Fannie Mae

**LaRue Robinson**  
Willkie Farr & Gallagher LLP

**Sabrina Rose-Smith**  
Goodwin Procter LLP

**Petrina McDaniel**  
Squire Patton Boggs

## SESSION #303 WHITE COLLAR INVESTIGATIONS

### This panel will explore:

- SEC enforcement trends
- DOJ enforcement trends
- FCPA settlements/enforcement
- Investigative tactics during the pandemic

**MODERATOR**  
**Adrian Mebane**  
PwC

**Uzo Asonye**  
Davis Polk & Wardwell LLP

**Kobi Kennedy Brinson**  
Winston & Strawn LLP

**Gejaa Gobena**  
Hogan Lovells US LLP

# AGENDA

## SESSION #401

### BIDEN ADMINISTRATION POLICY IMPACT ON ECONOMIC SANCTIONS AND INVESTIGATIONS

#### This panel will explore:

- The importance of sanctions compliance for individuals and companies in cross border activities/transactions.
- The role of authorities/regulators such as OFAC.
- The impact of the Biden administration on U.S. sanctions and countries such as Russia, China, Iran, and Cuba.
- The effect of sanctions on projects such as the Nordstream pipeline or on topics such as ransomware.

#### MODERATOR

**Jane Duke**  
Tyson Foods, Inc.

**Nnedi Ifudu Nweke**  
Akin Gump Strauss Hauer  
& Feld LLP

**Richard Smith**  
Quinn Emanuel Urquhart &  
Sullivan, LLP

**April Williams**  
WilmerHale

## SESSION #402

### SHAREHOLDER ACTIVISM TRENDS

#### This panel will explore:

- Shareholder Activist Attacks and Proxy Fights, Investor Stewardship, Hostile Takeovers and Boards/CEOs Under Siege in the Era of ESG.
- Hedge Fund Activist campaigns to replace board members and CEOs and push companies into a sale or take-private.
- The New Paradigm for Corporate Governance, SEC Priorities, and Investor Stewardship.
- How Boards, GCs and CEOs can navigate stakeholder governance and investor pressure for environmental, social, diversity and governance disclosures and progress.

#### MODERATOR

**Mark Johnson**  
Kimball International

**Sabastian Niles**  
Wachtell, Lipton, Rosen & Katz

## SESSION #403

### WHISTLEBLOWER INVESTIGATIONS AND REGULATORY ENFORCEMENT TRENDS

#### This panel will explore:

- The importance of optimizing whistleblowing policies in compliance programs to prevent, detect, and respond to misconduct.
- Leading practices in response to whistleblower reports to promote organizational integrity and reduce risks, liability, and waste.
- Legal arguments and procedures for resolving whistleblower complaints, including when the whistleblower is in-house counsel or possesses privileged information.

#### MODERATOR

**Brenda Morris**  
Sealed Air

**Ron Machen**  
WilmerHale

**Ritu Cooper**  
Hall Render

## SESSION #502 CYBERSECURITY PRIVACY & DATA PROTECTION

This panel will explore:

- What state laws have been enacted and what we can expect next.
- What's on the horizon for federal privacy laws and regulations this year.
- Recent data breaches, US state breach laws and recent litigation – how businesses should be taking steps to protect themselves.
- Third party due diligence, how to manage third party privacy and cybersecurity risk.

**MODERATOR**  
**Kevin Simmonds**  
PwC

**Sherrese Smith**  
Paul Hastings LLP

**Taa Grays**  
MetLife

**Tracee Davis**  
Seyfarth Shaw LLP

## SESSION #503 ENERGY POLICY & CLIMATE CHANGE IN THE BIDEN ADMINISTRATION

This panel will explore:

- International Climate Change events and the US re-entry into the Paris Climate Agreement.
- President Biden's Executive Orders addressing climate change and the "Whole of Government" approach.
- Congress' focus on climate: House Select Committee's Report on the Climate Crisis.
- Policy Shift at the Federal Energy Regulatory Commission: Recent Significant Cases, Rulemakings and Policy Pronouncements.
- Focus on Climate Change, Environmental Justice, and related issues in other federal agencies (DOE, EPA, DOJ, etc.).
- Winter Storm Uri, the increasing impacts of Climate Change on Energy Infrastructure and the regulatory response.

**MODERATOR**  
**Trecia Canty**  
PBF Energy

**Presley R. Reed Jr.**  
Dentons

**Peggy Otum**  
WilmerHale

**Colette Honorable**  
Reed Smith LLP

## SESSION #602 ESG CROSS OVER ISSUES FOR ALL LAWYERS IN THE LEGAL DEPARTMENT

This panel will explore growing and emerging trends in ESG/Sustainability:

- How to effectively measure ESG.
- How to establish an effective ESG program in your company. Who are the key partners?
- The role of the board in ESG/Sustainability program oversight.

**MODERATOR**  
**Angel Willis**  
Sealed Air

**Sarah Teslik**  
Joele Frank-PR

**Kim Yapchai**  
Tenneco

**Danielle Reyes**  
Goodwin Procter LLP

## SESSION #603 PATENT LITIGATION TRENDS

This panel will explore:

- District Court Litigation Trends
- Recent Life Science Cases
- Recent Developments in Litigation Before the International Trade Commission

**MODERATOR**  
**Lisa Knight**  
AIG

**Mareesa Frederick**  
Finnegan LLP

**Leslie Spencer**  
Desmarais LLP

**Patrice Jean**  
Hughes Hubbard & Reed LLP

# Structured for Success

PRIORITIZING THE CLIENT, COVINGTON & BURLING  
LEADS AS ONE, WITH OPPORTUNITY FOR ALL.

**W**hen asked what sets Covington apart, partner Catherine Dargan, a past member of the firm's Management Committee and chair of its corporate and M&A practices, explained, "Our primary focus is providing top-tier service and advice to our clients on all fronts. To achieve that, we foster a team culture in which all of our attorneys have the opportunity to engage with clients." Covington has attracted, retained, and cultivated Black leaders across practice groups. In addition to Dargan, it counts among its ranks two former cabinet-level officials; leaders of the firm's white collar and government investigations, private equity, and product liability litigation practice groups; and relationship managers for six



**Michael Baxter** ABA Business Bankruptcy Committee, Past Chair; D.C. Road Show, Chair



**Catherine Dargan** Corporate and M&A, Chair; Management Committee, Past Member



**Stacey Grigsby** Commercial Litigation; Relationship Manager for Uber



**Eric Holder** 82nd Attorney General of the United States



**Broderick Johnson** Public Policy; Senior Obama and Clinton White House roles; My Brother's Keeper, Chair



**Jennifer Johnson** Communications & Media, Past Co-Chair; IoT, Co-Chair



"UBER COUNTS COVINGTON'S BLACK PARTNERS ACROSS VARIOUS PRACTICE AREAS AMONG OUR MOST TRUSTED ADVISERS. THESE ATTORNEYS ARE RENOWNED IN THEIR RESPECTIVE FIELDS, BUT WHAT DIFFERENTIATES THEM IS THEIR CONSISTENT DEDICATION TO THE DEVELOPMENT AND PROMOTION OF YOUNGER BLACK COLLEAGUES WITHIN THEIR FIRM AND IN THE LEGAL PROFESSION. DIVERSITY AND INCLUSION ARE ESSENTIAL TO US AT UBER, AND WE KNOW COVINGTON STRONGLY SHARES IN THAT COMMITMENT AS WELL."

*—Tony West, Chief Legal Officer, Uber*

Fortune 500 clients. Dargan cites Covington's lack of origination credit as "especially important for diverse lawyers, who at large law firms were historically excluded from firm-held client relationships," because at Covington, "expertise is what counts." This culture benefits clients. Dargan adds, "Our lawyers have a true sense of belonging and ownership. We go above and beyond for our clients—their goals are our goals."



**Phyllis Jones** Product Liability and Mass Tort, Co-Chair; Management Committee



**Aaron Lewis** White Collar, Vice-Chair; Assignments Partner, Black Lawyer Affinity Group, Co-Chair



**Lisa Peets** Technology/Data Protection; Assignments Partner; Management Committee



**Simone Ross** White Collar; Life Sciences/Device, Co-Chair; CLC Board Member



**Amy Wollensack** M&A; Private Equity, Co-Chair; Diversity & Inclusion, Co-Chair; Hiring Partner

"WE FOSTER A TEAM CULTURE IN WHICH ALL OF OUR ATTORNEYS HAVE THE OPPORTUNITY TO ENGAGE WITH CLIENTS."

*—Catherine Dargan*

# AGENDA

## SESSION #701 SHAPING POLICY IN THE BIDEN ADMINISTRATION

This panel will explore:

- Proactive steps to work with the four pillars (pandemic, economic recovery, climate, racial equity) of the Biden Administration.
- Government wide approach to racial equity.
- Dealing with Congress and Democratic majority.
- What to take from appointments of senior White House staff and Secretary's signal.
- Implications of appointments to Cabinet and senior White House advisors.
- Tech space – FTC.
- Office of Controller – what does this signal?

**MODERATOR**

**Lloyd M. Johnson, Jr.**  
Chief Legal Executive

**William Kirk**  
K&L Gates LLP

**Oliver Spurgeon III**  
Arent Fox LLP

## SESSION #702 CORPORATE GOVERNANCE TRENDS

This panel will explore:

- The changing landscape regarding management of ESG risk relating to environment/sustainability.
- Examine the impact of COVID-19 on ESG issues, including ways in which the crisis is accelerating the trend for a more sustainable approach to investing.
- Discuss the intersection of politics and ESG.
- Assess ESG metrics: how they work and whether they work to drive institutional change and value.

**MODERATOR**

**Lily Hughes**  
Former Arrow Electronics  
and Public Storage

**Adé Heyligher**  
Weil, Gotshal & Manges LLP

**Damien Atkins**  
WilmerHale

## SESSION #703 CRISIS MANAGEMENT: WHAT TO DO WHEN DISASTER STRIKES

This panel will explore essential components for effective crisis management:

- How to identify crisis-level risks.
- How to build a crisis readiness program.
- How to effectively manage and remediate a crisis event to mitigate liability; avoid adverse government action; protect your organization's brand and reputation; and preserve employee, investor and consumer confidence.

**MODERATOR**

**Chevon Fuller**  
Tyson Foods, Inc.

**Lillian Hardy**  
Hogan Lovells US LLP

**Shelita Stewart**  
Hogan Lovells US LLP

## SESSION #801 EMPLOYERS PANDEMIC DILEMMA— LOOKING FORWARD

### This panel will explore:

- Employer considerations for the safe reopening of the workplace; whether employers can/should mandate that its employees get vaccinated, best practices for addressing employee fears relating to COVID-19, and OSHA/workplace safety concerns.
- Explore issues relating to employee use of social media during COVID-19 and related outside workplace conduct.
- Discuss harassment in remote workplace.
- How to ensure the fair treatment of employees during the pandemic including those who do not intend to get vaccinated.

**MODERATOR**  
**Tanya Blocker**  
National Grid

**Yendelela Neely Holston**  
Kilpatrick Townsend & Stockton LLP

**Jerry Hunter**  
Bryan Cave Leighton Paisner LLP

## SESSION #802 ANTITRUST

### This panel will explore practical guidance on trending topics in the U.S. and the EU, including:

- Current trends in FTC and DOJ enforcement in the new Biden Administration, including a discussion of key cases.
- The Supreme Court case of Alston v. NCAA, and the rule of reason.
- Current trends in pharma antitrust litigation, including a discussion of recent cases.
- Current legislative efforts aimed at antitrust reform.

**MODERATOR**  
**Gordon McGrath**  
Tyson Foods, Inc.

**Sheila Adams**  
Davis Polk & Wardwell LLP

**Patrick Bradford**  
Bradford Edwards  
& Varlack LLP

**Christopher Wilson**  
Baker Botts L.L.P.

## SESSION #803 LABOR ISSUES IN THE BIDEN ADMINISTRATION

### This panel will explore:

- Agency enforcement objectives for 2021.
- The impact of COVID-19 and its fallout on enforcement activity in 2020 and 2021.
- “Best practices” for avoiding enforcement action.
- Guidance on how to address COVID-19 issues, employee fears, and OSHA/workplace safety issues.
- Social media and outside workplace conduct.
- Harassment in the remote workplace.

**MODERATOR**  
**Ayana Free**  
Via

**Darrell Gay**  
Arent Fox LLP

**Gary Lafayette**  
Lafayette & Kumagai

# PRIVATE EQUITY, CROSS BORDER TRANSACTIONS AND M&A TRENDS



**MODERATOR**

**Chi Onyewuchi**

**PwC**

Chi helps corporate and PE clients navigate the complexities of executing and de-risking M&A transactions while accelerating realization of deal value. He has 22 years experience between consulting and industry and has helped deliver 400+ M&A transactions, advising on multibillion dollar global deals across various stages of the M&A lifecycle including pre-sign diligence, sign-to-close (integration and divestiture) planning, and post-close execution. He prepares clients for their “deals journey” by assessing and improving their M&A capabilities, and designing bespoke M&A playbooks. Chi is tech savvy and brings his digital acumen to efficiently run engagements, offering more value to clients through

increased automation. Areas of expertise include: Divestiture Management and Separation, M&A Integration, JV / Alliances, Due Diligence, and M&A Assessments and Process Design. Chi has an undergraduate degree in Computer Science and an MBA from Wharton. He is an avid soccer fan and supports The Arsenal.



**A. Mark Getachew**

**Willkie Farr & Gallagher LLP**

A. Mark Getachew is a partner in the Corporate & Financial Services Department of Willkie Farr & Gallagher LLP, focusing on public and private mergers and acquisitions, private equity/venture capital transactions and general corporate and securities law matters.

In the area of mergers and acquisitions, Mr. Getachew represents U.S. and non-U.S. based public and private companies and private equity funds in connection with domestic and cross-border transactions, including leveraged buyouts, going-private transactions and equity/asset sales and acquisitions, across a broad range of business sectors.

In the areas of private equity and venture capital, Mr. Getachew represents private equity funds, hedge funds and public and private companies (including portfolio companies of private equity funds and hedge funds) in various transactions, including early and later stage financings, going-private transactions, equity/asset sales and acquisitions and recapitalizations.





## **Brian Patterson**

**Gunderson Dettmer Stough Villeneuve  
Franklin & Hachigian, LLP**

Brian Patterson is a partner in our San Francisco office. His business law practice is focused on representing emerging growth companies (startups) throughout their lifecycles and representing venture capital and private equity investment funds. He is broadly experienced across many sectors and industries in business and corporate formation and governance, deal structuring, equity and debt financing, public offerings, a variety of M&A transactions, strategic, partnering and commercial transactions, and fundamental IP, employment, and stock and option matters. Brian is one of the few attorneys who combine a dynamic

emerging company practice with representation of venture capital and investment funds. He advises funds of different sizes and focus on their investments, business activities, and portfolio company management. He also advises on fund and special purpose investment vehicle formation and general fund operational and administration matters. Brian received his J.D. from Santa Clara University School of Law. He has been a featured speaker in a number of engagements on start-up and venture capital law and business.

# All the Right Moves

Exceptional service is a hallmark of Goodwin, where lawyers are recruited as much for their interpersonal skills as for their legal expertise. Ingrained in firm culture, the commitment to collaboration creates lasting relationships and optimal outcomes.

**T**hrough constant communication and interaction with clients, Goodwin's professionals develop a deep understanding of all facets of their business challenges and priorities. This global enterprise view reaches far beyond legal services to include consultative counseling on strategic planning, project management, technology, and other operational areas. Centered on shared values and objectives, the Goodwin client service model embraces diversity, equity, and inclusion while routinely including pro bono. The firm's unique platform brings together its unparalleled expertise in private equity, technology, life sciences, real estate, and financial services for the benefit of its clients. This one-of-a-kind industry mix positions Goodwin squarely at the intersection of capital and innovation. Forming trusting, familial bonds, the firm is invested in making the right decisions and the right moves as allies in all matters of import to the client. From running high-stakes litigations and high-end deals to offering advice on professional advancement or personal matters, Goodwin is always there to listen and to guide.



**Carl Bradshaw**



**Sabrina M. Rose-Smith**



**Tony Alexis**

**Carl Bradshaw.** “Clients depend on me to keep calm while running through walls to get deals done for them,” says the London-based private equity partner, who joined Goodwin in 2019, attracted, in large part, by the rewarding client engagement opportunities. “Fostering deep, long-lasting relationships is essential in my often complex and challenging role of uniting great ideas, people, and capital.”

**Sabrina M. Rose-Smith.** Partner, Executive Committee member, and D.C.-based consumer finance litigator Rose-Smith champions her clients with conviction and clear-eyed counsel. “Effective advocacy means blending an understanding and embrace of client goals with straight talk about what’s realistic,” she says. “I thrive on projecting my confidence in the courtroom and creating authentic, deeply real moments for my clients.”

**Tony Alexis.** Coming from the pinnacle of government service, including heading the Office of Enforcement at the Consumer Financial Protection Bureau and DOJ leadership roles, the D.C.-based litigator’s unique insight into investigatory and other processes makes him an invaluable client ally. “Goodwin’s strategic investment in long-term client relationships is why I came here,” says Alexis.

**Caine T. Moss.** After advising early-stage technology companies for 20-plus years, Moss’s strategic instincts are akin to a sixth sense. “Many clients are serial entrepreneurs,” says the Silicon Valley-based partner and firm Executive Committee member. “With each new venture, they call me first to solve their business challenges. The collaborative effort toward each successful exit is highly rewarding.”

**Jesse Nevarez.** “For innovators and investors, entrepreneurial ventures typically represent a long walk into uncharted territory,” says Nevarez, a Technology and Life Sciences partner operating in New York City and Boston. “Clients rely on me to preview their future, cautionary tales included, and guide them to success. Based on shared goals, my relationships are often more like family than business.”

**Calvin E. Wingfield.** As a first-year associate, Wingfield saw relationship dynamics in action when a partner involved him directly with clients. “I was inspired by how he personalized the connection,” recalls the NYC-based IP partner, who is valued for his technical expertise and oratorical prowess in court. “Deep bonds are bedrock for understanding and serving the client’s best interests.”



**Caine T. Moss**



**Jesse Nevarez**



**Calvin E. Wingfield**

# FINTECH TRENDS



## MODERATOR

### Jeffrey J. Medeiros

#### Discover Financial

Mr. Medeiros is currently the VP, Deputy General Counsel of Discover Financial. He leads a team of banking professionals supporting all banking, legal risk operations, and the Intellectual Property group of Discover. He was the former SVP and General Counsel of USAA Bank and the former Global General Counsel of HSBC Bank Plc's Retail Banking, Private Banking, Insurance, and Wealth Management businesses. Jeff brings over 25 years as an international professional working for both public companies and in private practice. As the General counsel of USAA Bank Jeff managed a team of over 80 legal and compliance professionals handling all legal, compliance and regulatory issues for a Fortune 100 financial institution that was one of the largest banks in the US and its 10th largest credit card issuer. As the Global General Counsel for Retail

Banking and Wealth Management for HSBC, Jeff managed lawyers and other legal professionals representing four global business lines: Retail Banking, Insurance, Asset Management, and Wealth Management with an annual pre-tax income in excess of USD 7 billion and over USD 500 billion of assets under management. There he managed a team of over 200 which included attorneys in the USA, Canada, South America, Europe, the Middle East, Africa, Australia, Hong Kong and Mainland China. He spent 8 years in HSBC's London headquarters and spent substantial time working with regulators around the world on significant issues that arose during the financial crisis. Prior to that Jeff was the Global General Counsel for HSBC's insurance business. In these roles Jeff has been involved with many contentious regulatory issues with regulators around the world, has managed more than 50 mergers, acquisitions, or divestitures, and has negotiated several regulatory enforcement actions, one of which was the largest in UK history.



### Tiffany J. Smith

#### WilmerHale

Tiffany J. Smith has over a decade of experience advising and representing broker-dealers and other financial institutions on regulatory and compliance matters. She frequently advises financial technology companies and other clients on regulatory compliance matters, including on the regulatory implications of new technologies (e.g., blockchain). She also has experience representing clients in connection with SEC and FINRA enforcement matters. Tiffany is a member of the Wall Street Blockchain Association, the National Bar Association, the Metropolitan Black Bar Association and the LGBT Bar Association of New York; and on the Board of the Legal Aid Society. She was featured on New York Law Journal's 2020 Rising Stars List, National Bar Association's 40 Under 40:

Nation's Best Advocates List 2020 and named a 2020 Minority Corporate Counsel Association Rising Star. Tiffany has a BBA in Finance from the George Washington University and a J.D. from the George Washington University School of Law.





**Clyde Tinnen**  
**Foley & Lardner LLP**

Clyde Tinnen is a corporate partner in the Milwaukee office of Foley & Lardner LLP. His practice concentrates on representing fund sponsors in connection with the formation and operation of private investment funds, securities law reporting and compliance (e.g., Securities Act, Exchange Act, Investment Company Act and Investment Advisers Act); negotiating and structuring complex business transactions, including domestic and cross-border mergers and acquisitions, secured and unsecured loans and other debt arrangements, public offerings and private placements; and general corporate counseling for public and privately held

companies. Clyde's experience includes representing a wide range of businesses, from startups to Fortune 100 companies. Clyde represents companies in a myriad of industries including manufacturing, metals and mining, specialty chemical, nanotechnology, automotive, blockchain application and investment, software development and data analytics, in addition to private investment fund sponsors. He has also represented family offices and limited partner investors in connection with investments. Before joining Foley & Lardner LLP, Clyde was a partner at two other large international law firms. Prior to working as a lawyer, Clyde was a senior financial analyst for two public corporations.

# CURRENT TRENDS IN CORPORATE FINANCING AND COMMERCIAL LENDING



## MODERATOR

### Adam B. Frankel CBAM

Adam B. Frankel is General Counsel of CBAM, an alternative investment firm with over \$14 billion of assets under management. Prior to joining CBAM in 2018, Adam was the General Counsel of Evercore, Inc. a leading global investment bank. He joined Evercore to lead its successful IPO, and then spent over a decade developing a global legal department and compliance function. Prior to joining Evercore, Mr. Frankel was the Senior Vice President and General Counsel of Genesee & Wyoming Inc., a leading owner and operator of short line and regional freight railroads. Previously, Mr. Frankel worked as a corporate and transactions attorney in the Office of the General Counsel at Ford Motor Company. Mr. Frankel

started his career with a Federal District Court clerkship in the Eastern District of Michigan for Judge Anna Diggs Taylor, followed by four years as a corporate and transactions attorney at Simpson Thacher & Bartlett in London and New York. Mr. Frankel is also a trustee at the Center for Strategic and Budgetary Assessments, a nonprofit institute established to promote debate about national security strategy. He has a B.A. from Brown University and a J.D. from Stanford Law School.



### Bryan K. Brown Jones Day

Bryan Brown represents issuers, underwriters, and investors in connection with U.S. and global capital markets transactions. He has experience in public offerings and private placements of equity and debt securities, including initial public offerings, follow-on secondary public offerings, investment-grade and Rule 144A debt offerings, and venture capital financings. He also counsels clients on securities compliance, complex corporate governance matters, and public disclosure obligations under the Securities Exchange Act. He also advises clients on mergers and other acquisition transactions, including negotiated acquisition and dispositions, controlled auctions, exchange offers, tender offers, and related financing transactions. Bryan has represented public and start-up companies in various industries, including oil and gas exploration and production, oil field services/drilling, other energy-related industries, biotechnology, health care, healthy living, financial services, telecommunications, information technology, automotive, and the industrial and manufacturing sectors. Bryan is a member of the American Bar Association (where he was an ambassador and committee chair of the Business Law Fellows), the National Association of Corporate Directors, the National Bar Association, and the Society for Corporate Governance.



### **Gopal M. Burgher** **BurgherGray LLP**

Gopal M. Burgher is the Managing Partner and Head of the Capital Markets and Finance Group at BurgherGray. A significant part of Gopal's practice is structured finance and securitization. His extensive finance experience includes banking and institutional investing, public finance and real estate finance transactions. Gopal has represented issuers, underwriters, arrangers/initial purchasers, lenders, borrowers, investors, asset managers/investment advisors, credit enhancers, liquidity providers and other transaction parties in various capital markets public and private debt and equity finance transactions. Prior to joining Burgher Gray, Mr. Burgher was Counsel in the structured finance/capital

markets group at McKee Nelson LLP (New York), before which he spent approximately 10 years at Skadden, Arps, Slate, Meagher & Flom LLP (New York), where the vast majority of his time was spent in its Structured Finance Department. Gopal received his J.D. from New York University School of Law, where he earned the distinction of being an Association of the Bar of the City of New York Fellow, and his B.A., from The State University of New York, College at Fredonia. He is admitted to the New York Bar.

# The Ties That Bind

Finance partner Vanessa L. Jackson and Litigation partner James I. McClammy, both based in New York City, talk about Davis Polk's creative paths to partnership, how the firm's team culture creates opportunity for all, and practice area trends during the pandemic.



**Vanessa L. Jackson** Representing financial institutions and corporate borrowers in a broad range of corporate finance transactions, Jackson, with Davis Polk since 2012, is a member of the firm's all-partner Diversity, Equity & Inclusion Committee.

## How was your partnership journey?

**Vanessa L. Jackson:** I interned at Davis Polk the summer prior to starting law school through the Sponsors for Educational Opportunity program. That experience was my first introduction to corporate law, and it was both eye-opening and encouraging. I later returned to Davis Polk as an associate, and during my path to partnership, there were moments when I wondered whether I was cut out for the constant rigor of BigLaw. That apprehension steadily faded away, as my colleagues consistently valued, encouraged, and mentored me and consciously recognized me as an integral part of my deal teams. This allowed me to know that my practice group's partners were invested in my future at the firm, and they became my sponsors as I pursued partnership.

**James I. McClammy:** Our counsel program provides a versatile vehicle for developing, retaining, and promoting talent. This path gave me the room to evolve as a first-chair litigator trusted by clients to handle cutting-edge matters while also starting a family. Unlike some other firms, where counsel can be a permanent stopping point, at Davis Polk it offers a flexible route to partnership.

### How would you characterize firm culture?

**VJ:** In short, receptive and empowering. Our cultural fabric allows me to cultivate a dynamic practice while impactfully engaging in diversity and inclusion initiatives. Jim and I are the partner liaisons for Davis Polk's Black Affinity Group and are engaged in meaningful dialogue with the Management Committee and the broader partnership on these issues. The firm has shown remarkable enthusiasm and is making lasting strides to make this a hallmark of our success.

**JM:** The unparalleled commitment to investing in people is why I stay at Davis Polk. We are not your grandfather's law firm. In all areas, we are not siloed, but integrated and networked, and that includes across-the-board diversity. In these particularly challenging times, our leadership in tackling racial injustice and working to advance social change is more important than ever.

### How has the pandemic affected your work?

**VJ:** The pandemic has had and continues to have a significant impact on the entire lending market as well as nearly every aspect of many companies' operations. In recent months, I have focused on clients in the hard-hit airline industry, working to ensure their balance sheets are positioned to navigate unprecedented operational disruptions, revenue reductions, and financing challenges. I am immensely grateful that our clients have put their trust in me to help them grapple with a uniquely complex period.

**JM:** As with the 2008 financial crisis, people turn to Davis Polk in unprecedented times. We are privileged to advise our clients on the many novel business and legal issues they

face in light of COVID-19. Equally, we are committed to supporting our employees and our communities right now. For example, all of our employees have 24/7 access to mental health counselors and back-up caregiver support for working parents and those with eldercare responsibilities. And it is a firm priority to contribute our talent and resources to coronavirus-related pro bono matters.



**James I. McClammy** Having celebrated his 20th year with Davis Polk in 2020, McClammy is a seasoned litigator concentrating on high-level bankruptcy matters, and is also involved in firm-wide diversity and inclusion initiatives.



# PRODUCTS LIABILITY & MASS TORTS



**MODERATOR**

**Adam Deckinger**

**Tyson Foods, Inc.**

Adam is responsible for overseeing Tyson's Litigation, Governance, and Global Law teams. In that role, Adam manages a team of attorneys responsible for defending Tyson across a wide array of legal matters, complying with its obligations as a publicly trade company, and providing counsel to its international businesses.

Before joining Tyson, Adam served as an attorney at the Boeing Company, working as part of the Litigation and Investigations team. Prior to joining Boeing, Adam was an attorney with the law firm Boies, Schiller & Flexner, and clerked for two federal judges: Hon. Andrew J. Kleinfeld, Ninth Circuit Court of Appeals, and Hon. Paul C. Huck, Southern District of Florida.

Adam holds a degree in computer science, and before attending law school worked as an engineer in the R&D department of a company that pioneered high-speed fiber optic switching, the technology that enables all of us to enjoy binge watching streaming video on demand. Adam earned a Juris Doctorate degree from the University of Michigan School of Law and a in computer science from Florida State University. A member of Tyson's Law Department, Adam reports to Executive Vice President and General Counsel Amy Tu.



### Joshua Lee

Partner, Riley Safer Holmes & Cancila LLP

Josh Lee is a founding partner and trial lawyer at Riley Safer Holmes & Cancila LLP. Josh partners with his clients to manage risk, protect their interests, and create opportunities for growth. For his entire career, Josh has served in the trenches for his clients: setting strategy; litigating and resolving thousands of disputes across the country and international-ly; managing regulatory affairs; and negotiating deals. His experience

ranges from class actions to mass torts involving product liability and consumer fraud to intellectual property to collective bargaining agreements to constitutional law and First Amendment issues. His product liability work has included pharmaceuticals, genetic engineering, chemical exposures, traumatic brain injury, crop science, food safety, civil conspiracy, catastrophic fires and explosions, juvenile products, and industrial equipment. A graduate of Valparaiso University and the University of Michigan Law School, Josh is an active member of the California, Illinois, Michigan, New York, and Wisconsin bars.

# CLASS ACTION TRENDS



## MODERATOR

### Jonathan Griffith

#### VP & Deputy General Counsel, Fannie Mae

Jon Griffith serves as Vice President and Deputy General Counsel at Fannie Mae. Jon oversees Fannie Mae's litigation, external investigations, and related matters and is responsible for advising the company on litigation and compliance related issues. Prior to taking on his current role in February 2017, Jon managed the company's response to a range of litigation, government investigations, and regulatory matters. Among other things, Jon led Fannie Mae's multi-pronged effort to recoup the company's losses on Private Label

Securities, which resulted in recoveries of over \$8.5 billion through litigation, negotiation, and other strategies. Jon also managed the company's response to SEC and Department of Justice investigations and directed legal services for Fannie Mae's Single-Family customer facing business teams. Before joining Fannie Mae, Jon worked at O'Melveny & Myers LLP, where he represented companies and individuals in civil and criminal cases. Jon has a BA in history from Haverford College and a JD from New York University School of Law.



### Petrina McDaniel

#### Squire Patton Boggs

Petrina McDaniel is a Partner in Squire Patton Boggs' Litigation & Data Privacy departments, and co-leads the Firm's TCPA Class Action team. As a high-stakes litigator and Certified Information Privacy Professional (CIPP/US), Petrina leverages creative advocacy and strategic focus to tackle her clients' thorniest problems and competitive risks to resolve company-critical litigation that affects her clients' short and long-term business objectives. She has successfully defended complex cases and class actions with potential billions in exposure in state and federal courts across the country, including consumer privacy class actions, fraud cases, contract disputes, and regulatory investigations. Petrina has built a nationally recognized litigation practice under the Telephone Con-

sumer Protection Act (TCPA), and has served as lead counsel in scores of individual and class actions across the country. Petrina's record of accomplishment of securing dismissal of individual and class claims and negotiating favorable settlements has earned her recognition as a seven-time Super Lawyers' "Rising Star" in Business Litigation and Class Action Defense, America's Top 100 High Stakes Litigators, American City Business Journal's "BizWoman Headliner, and a Best Lawyers in America designation, among other honors. In an issue of first impression in the Eleventh Circuit, Petrina recently secured a first-in-nation ruling, creating precedent-setting law.



**LaRue Robinson**  
Willkie Farr & Gallagher

LaRue Robinson is a litigation partner in the Chicago office of Willkie Farr & Gallagher. He focuses his practice on commercial litigation, ERISA litigation, and investigations. He is a former prosecutor in the U.S. Army JAG Corps and has significant first and second chair trial experience. His commercial litigation practice focuses on complex disputes headed towards trial in federal and state courts across the country. His ERISA litigation work is centered around class actions involving allegations of excessive fees, self-dealing, and mismanagement of retirement plan assets. LaRue also represents clients in sensitive internal investigations and investigations driven by government entities, including the DOJ and

SEC. His work spans a wide variety of industries, including financial services, chemical, insurance, health-care, and many others. LaRue is also heavily involved in his community and was named as one of “35 under 35” young leaders making an impact in Chicago. LaRue earned a bachelor’s degree from Cornell University and a JD from Columbia Law School.



**Sabrina M. Rose-Smith**  
Goodwin Procter LLP

Sabrina Rose-Smith is a partner in Consumer Financial Services Litigation practices. Her nationwide practice includes both defending financial institutions against consumer class actions and government enforcement actions, and providing regulatory compliance and litigation risk counseling to banks, credit card issuers, mortgage lenders and specialty and small-dollar FinTech companies. Sabrina is also a member of Goodwin’s CSR + ESG practice, and focuses on fair lending/banking, financial inclusion, and Community Reinvestment Act risks and obligations. She is ranked in Band 3 by Chambers USA for her expertise in consumer finance enforcement and investigations. Sabrina defends financial services clients in high stakes enforcement matters and class action cases

involving the Truth In Lending Act (TILA), the Fair Debt Collection Practices Act (FDCPA), the Real Estate Settlement Procedures Act (RESPA), the Fair Housing Act (FHA), the Equal Credit Opportunity Act (ECOA), the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), the Telephone Consumer Protection Act (TCPA), state and federal unfair and deceptive trade practices (UDAP) statutes and other alleged violations of law arising from her clients’ lending, servicing and collections activity. Sabrina also serves on Goodwin’s Executive Committee, and she is Co-Chair of CRED@Goodwin, a partner-led initiative focused on recruiting and promoting attorneys of color.

# Global Reach, Global Influence

With 10,000-plus lawyers in 77 countries and counting, Dentons has an unmatched global legal presence. At this pivotal moment, Dentons is using its singular standing to meet challenges head-on.

**“A**s the world’s largest law firm, we have a responsibility to be leaders on issues of importance not just to the legal industry, but to society at large,” says Thurbert E. Baker, who served as Georgia’s first Black attorney general before joining Dentons. “Motivated by urgency, I am proud of how we are answering the call, including our founding role in the Law Firm Antiracism Alliance, our pro bono engagement with Promise of Justice on behalf of unfairly incarcerated individuals, and our certified status under the Diversity Lab’s Mansfield Rule. These efforts truly make a difference.”

Looking inward is another forefront focus. “Unconscious bias is a persistent industry hurdle,” says Karen M. Jordan, whose honors include recognition in 2020 by Best Lawyers in America for Banking and Finance Law. “Many people avoid the topic out of fear or discomfort. Interrupting this systemic issue starts with opening up the dialogue and building awareness.” This past summer, Dentons implemented a moderated firmwide training program to address the issue. “The response was encouraging,” says Jordan. “The key now is to maintain the momentum. Inclusiveness cannot be transient.”

Dentons' global perspective underpins its understanding of diversity and inclusion. That "goes with servicing international clientele that are usually well ahead of the curve on this front."

*-LYNN P. HARRISON III*



**Thurbert E. Baker**  
Atlanta-based co-leader of the  
U.S. State Attorney General  
practice



**Karen M. Jordan**  
St. Louis-based partner in the  
Corporate practice group





**Rodney Moore**

Atlanta-based partner in the Employment and Labor practice



**Presley R. Reed Jr.**

Washington, D.C.-based partner in the Energy practice group



**Marlo A. Young**

NYC-based Capital Markets partner and Deputy General Counsel, Business Transactions, Dentons US



**Claude D. Montgomery**

NYC-based partner in the Restructuring, Insolvency, and Bankruptcy group



**Helen Ogbara Reeves**

NYC-based partner in Venture Technology and Emerging Growth Companies



**Ashley Bell**

Atlanta-based partner in Public Policy



**Lynn P. Harrison III**

NYC-based partner in the Restructuring, Insolvency, and Bankruptcy practice



**Wendell M. Faria**

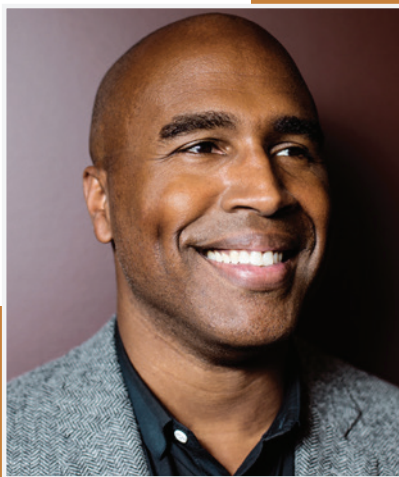
Washington, D.C.-based partner in the Corporate and Capital Markets practices



**Ceasar C. Mitchell Jr.**

Atlanta-based head of the interdisciplinary Local Government Solutions practice

# WHITE COLLAR INVESTIGATIONS



## MODERATOR

### Adrian Mebane

PwC

Adrian Mebane is a Principal within PwC's Cyber and Forensic Services practice. He leverages experience in both private and public sectors to provide solutions-focused counsel on commercial, operational, compliance, and regulatory matters. As a former state and federal prosecutor, white collar attorney, and General Counsel and Chief Compliance Officer at Fortune 500 companies, Adrian lends practical perspective on navigating complex regulatory actions and compliance obligations and accelerating new technologies to drive commercial growth. As a front-line partner to executive teams and Boards of Directors, he advises on

enterprise risks to position entities for long-term stability and financial success. Adrian is a member of the Board of Directors for Let's Get Ready, a nonprofit organization that provides students with free support services to gain admission to and graduate from college. He also lectures at professional forums and is extensively published as an expert in the areas of fraud and corruption, emerging market risks, and international risk identification, mitigation, and management. Adrian holds a bachelor's degree in psychology from Georgetown University and a J.D. from Howard University School of Law.



### Uzo Asonye

Davis Polk & Wardwell LLP

Mr. Asonye is a partner in Davis Polk's White Collar Defense & Investigations Group in the Washington DC office. He is a seasoned trial lawyer who, before joining the firm, spent more than a decade prosecuting complex financial crimes and public corruption. At Davis Polk, Mr. Asonye advises companies and individuals in government, grand jury and internal investigations, and represents clients in criminal and civil trials. Prior to joining Davis Polk, Mr. Asonye was Acting Chief of the Financial Crimes and Public Corruption Unit in the U.S. Attorney's Office for the Eastern District of Virginia. While in government, Mr. Asonye prosecuted some of the biggest financial fraud and public corruption cases of the last decade, and tried numerous complex cases to guilty verdicts before juries.

His notable trials include convictions of senior officers in a \$1 billion bank failure, and bribery convictions of the former Vice Mayor and sitting Treasurer of Norfolk, Virginia. In 2018, Mr. Asonye served in the Office of Special Counsel Robert Mueller during its investigation into Russian government efforts to influence the 2016 presidential election. He was a key attorney on the trial team that successfully prosecuted Paul Manafort, a former 2016 presidential campaign manager.



**Kobi Kennedy Brinson**  
Winston & Strawn LLP

Kobi Kennedy Brinson defends financial services and other clients in government regulatory enforcement inquiries and investigations, as well as class action litigation. Kobi has spent more than 20 years defending corporate clients as both in-house counsel for some of the nation's largest financial institutions and as outside counsel to corporate clients nationwide. Kobi's heightened sensitivity to the business objectives and needs of her clients has led to her successful handling of regulatory and investigative matters on behalf of her global financial institution clients as well as smaller organizations undergoing governmental scrutiny. She has extensive experience dealing with the Consumer Financial Protec-

tion Bureau (CFPB) and continues to focus her practice on helping clients navigate that agency's complex investigative process.



**Gejaa Gobena**  
Hogan Lovells US LLP

Gejaa Gobena is a partner in Hogan Lovell's Investigations, White Collar and Fraud practice area. Gejaa uses his two decades of experience as both a former senior civil and criminal prosecutor and private attorney to help companies and individuals thoughtfully navigate high-stakes investigations and litigation. The cases litigated by Gejaa, both as a government and private attorney, have involved over \$15 billion in claims. Prior to joining Hogan Lovells, Gejaa served as a civil and, later, criminal prosecutor at the United States Department of Justice (DOJ). In his last position at DOJ, Gejaa served as Chief of the Criminal Division's 50-attorney healthcare fraud unit. In that position, Gejaa was often the final decision-maker in the prosecution of hundreds of individuals and

guided corporate investigations involving allegations of hundreds of millions of dollars of losses. Gejaa has received numerous awards as a result of his government service. Additionally, Gejaa was named a BTI Client Service All-Star in 2020. In 2011, Gejaa was selected by the National Law Journal as one of the top 40 minority attorneys under 40.



# BIDEN ADMINISTRATION POLICY IMPACT ON ECONOMIC SANCTIONS AND INVESTIGATIONS



## MODERATOR

### **Jane Duke** Tyson Foods, Inc.

Jane serves as Tyson's Chief Compliance Officer. In that capacity, she manages a team of lawyers and professionals charged with overseeing Tyson's global investigations function, as well as its regulatory compliance and ethics programs. In addition, her team defends the company in the event of regulatory enforcement. She is a 1996 graduate of the University of Arkansas School of Law. Before joining Tyson Foods, Inc., Jane was a partner with Mitchell, Williams, Selig, Gates and Woodyard, P.L.L.C., where she served as Chair of the Litigation Practice Group. Prior to that role, Jane was employed with the Department of Justice, serving

in various capacities within the United States Attorney's Office for the Eastern District of Arkansas. Notable roles held during her eleven-year DOJ career include having served nearly 4 years as Acting and Interim United States Attorney and approximately 7 years as First Assistant United States Attorney. Immediately after law school she served two years as law clerk to Chief United States District Judge Stephen Reasoner of the Eastern District of Arkansas and was later an associate with Wright, Lindsey & Jennings, LLP for 4 years.



### **Nnedi Ifudu Nweke** Akin Gump Strauss Hauser & Feld LLP

Nnedi Ifudu Nweke counsels U.S. and non-U.S. clients on U.S. laws and policy affecting cross border transactions, including export control laws, economic sanctions and trade embargoes, antiboycott laws, anticorruption laws, including the U.S. Foreign Corrupt Practices Act and anti-money laundering laws. Nnedi represents clients in trade matters before various U.S. government agencies, including the Departments of Commerce, State and the Treasury. She has helped clients in various industries to effectively manage due diligence investigations in connection with investment fund formation, mergers, acquisitions and other corporate transactions. Nnedi advises clients on how to respond to U.S. government investigations, develop and implement compliance policies

and procedures, prepare voluntary self-disclosures, and conduct internal reviews, audits and investigations. Her practice extends to drafting license applications, OFAC sanctions lists delisting petitions, advisory opinion requests and other submissions to relevant U.S. government agencies.



## **Richard C. Smith**

### **Quinn Emanuel Urquhart & Sullivan**

Richard C. Smith is a partner in the Washington, DC office of Quinn Emanuel. He is a seasoned white-collar defense attorney and an experienced trial attorney. He has tried over 25 jury trials in federal court as well as many state courts trials as an Assistant State Attorney in Jacksonville, Florida. He served as the Principal Deputy Chief for Litigation of the Department of Justice (DOJ), Criminal Division, Fraud Section and supervised the litigation activities and trials of the line trial attorneys. He also served as the Counsel to the Executive Office of United States Attorneys (EOUSA) and served as legal advisor to the Attorney General's Advisory Committee, where he provided legal advice to the 93 United States Attorneys. And he served as an Assistant U.S. Attorney

in Houston, Texas trying public corruption and other white collar crime cases along the Southwest border of the United States. The Director of the EOUSA awarded him the Directors Award for his outstanding performance in operation Mr. Clean, a public corruption investigation along the Southwest Border of Texas. Richard has led many internal investigations into alleged violations of the FCPA and other violations of law for corporate entities such as Transocean, Weatherford International, and Lyondell Basell Industries, Odebrecht, S.A., among others.



## **April Williams**

### **WilmerHale**

April Williams is a Partner at WilmerHale in the firm's White Collar Defense and Investigations practice. She has significant experience representing companies in complex civil and criminal cases, and in investigations throughout the United States and abroad. She has counseled and represented clients in a wide variety of government investigations and has also handled sensitive internal reviews into a variety of matters, including sexual harassment, wrongful discharge and workplace culture issues. April routinely provides clients with strategic compliance counseling and risk assessment guidance, and has represented clients at various stages of civil and criminal litigation, including discovery, motions practice, trial preparation and sentencing. Her clients have included

Fortune 500 technology companies, educational institutions, pharmaceutical companies, financial services institutions, auto parts manufacturers, and a freight forwarder. She currently chairs WilmerHale's Washington Office Diversity Committee and co-chairs the firm's Racial Justice Reform Initiative. She was recently identified as one of the top "New Generation of DC Fixers," specializing in crisis management by Law.com. April holds a bachelor's degree from the University of North Carolina at Chapel Hill and a JD from Howard University School of Law.



# Cultural Connections

Founded on the principles of racial, ethnic, gender, and economic diversity, Akin Gump celebrated its 75th anniversary in 2020 more committed than ever to supporting advancement for all. Driven by innovative leadership from the top, investment in people sets the tone for firm culture.

**P**rioritizing diversity and inclusion (D&I) in her transformative stewardship of the firm, Chairperson Kim Koopersmith's four-point D&I strategy has set a new, highly visible, widely regarded industry standard for accountability, action, and results. Through leadership commitment, maintaining a diverse recruiting pipeline, professional development, and strategic partnerships, Black lawyers can clearly envision leadership roles at the firm. Three partners discuss the role of Akin's uniquely inclusive culture in their success.

## OPENING DOORS

Essential for Tony Pierce was joining a D.C. firm with a prominent Black partner. "I understood the power of standing on the shoulders of others," he says. "For me, that was Vernon Jordan." Recruited by Akin Gump co-founder Robert Strauss, Jordan was instrumental in Pierce's rise at the firm, where he leads the D.C. office. "Strauss, who was Jewish, started

the firm because no white-shoe firm would hire him," says Pierce. "His ethos of inclusion pervades Akin Gump to this day, along with the spirit of entrepreneurship. Our doors are open here." Co-founder of D.C.'s African American Managing Partners network and founder of the firm's annual hot ticket African American General Counsel retreat, Pierce pays it forward: "Connections inside and with the community make us strong."

## WORLD OF POSSIBILITIES

Natasha Kohne quickly warmed to Akin Gump's distinctiveness when interviewing with the firm 18 years ago. "Each lawyer differed from the next," she says, "reflecting diverse backgrounds, experiences, and geographies. Each was sincere, unpretentious, and, most importantly, true to their authentic selves. Culturally, that's precisely what I wanted for my career."

Open opportunity was another draw. "I have realized my every ambition here, including

"Our inclusive culture allows us to remain open to new opportunities. We have been fortunate to work with the highest quality clients and serve as their business partners." —Trey Muldrow

opening our Abu Dhabi office and living overseas," says Kohne, who also values diversity and inclusion as a measure of Akin Gump's unique standing. "The younger generation, law school students included, is aware of and attracted by our cutting-edge mentoring, scholarships, and other D&I-focused programs. That shows that we are doing a good job—and feels great."

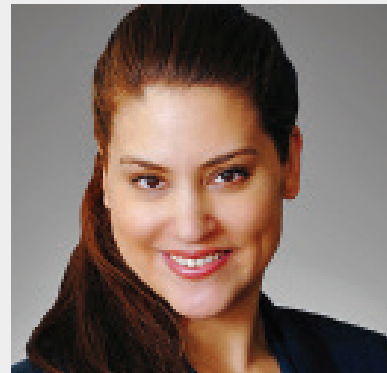
## REIMAGINING SUCCESS

When Trey Muldrow lateraled over in 1997, Akin Gump was a new entrant in the competitive New York City legal industry. For him, two attributes differentiated Akin Gump from its peers. Akin possessed a refreshing sense of collaboration and collegiality. "The office radiated an entrepreneurial esprit de corps that attracted some of the brightest and diverse attorneys in New York." Muldrow's journey has led him from being a junior attorney to managing partner of the New York office, currently Akin's largest by attorney headcount. "We must continue to be creative in our approaches to diversity and inclusion and continue to be active listeners to our attorneys and business services team members to make sure our law firm continues to meet the needs of its stakeholders for years to come," he says.



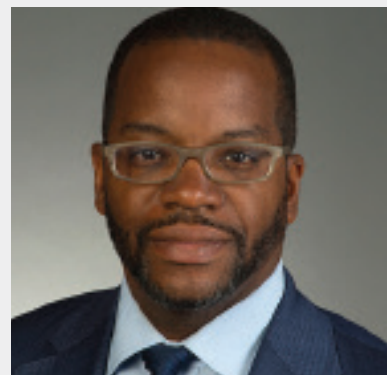
**Anthony T. Pierce**

Partner in charge of the Washington, D.C., office



**Natasha G. Kohne**

Co-managing partner, Abu Dhabi office, and co-head, Cybersecurity, Privacy, and Data Protection practice



**Ackneil M. (Trey) Muldrow III**

Partner in charge of the New York office

# SHAREHOLDER ACTIVISM TRENDS



## MODERATOR

### **Mark W. Johnson** Kimball International, Inc.

Mark W. Johnson is Chief Legal and Governance Officer and Corporate Secretary for Kimball International, Inc. (NASDAQ: KBAL), an omnichannel manufacturer and provider of commercial furnishings. Mark joined KII in 2020 and is responsible for leading the organization's Corporate Business Practices function, including overseeing global legal matters, compliance activity, investor relations, and ESG. He also serves as the company's corporate secretary and directs all legal support for M&A

activity. Prior to joining KII, Mark was Deputy General Counsel of Newell Brands Inc. Mark served in various roles of increasing responsibility at Newell, ranging from leading support for the company's international legal work to directing the company's government affairs activities. He also directed legal support for several of the company's key M&A projects. Mark was a commercial litigator at the international law firm McGuire-Woods in Charlotte. Mark earned his law degree from the University of Michigan Law School and his undergraduate degree in business management from Hampton University.



## Sabastian V. Niles

Wachtell, Lipton, Rosen & Katz

Sabastian V. Niles is a Partner at Wachtell, Lipton, Rosen & Katz where he focuses on rapid response shareholder and stakeholder activism, proxy fights and preparedness, takeover defense and corporate governance; risk oversight, including as to ESG, cybersecurity and crisis situations; U.S. and cross-border mergers, acquisitions, buyouts, investments, divestitures and strategic partnerships; and other corporate and securities law matters and special situations. Sabastian advises worldwide and across industries, including technology, financial institutions, media, energy and natural resources, healthcare and pharmaceuticals, construction and manufacturing, real estate/REITs and consumer goods and retail. Sabastian has

been recognized in the 2017, 2018, 2019 and 2020 editions of Chambers USA as one of the top three leading attorneys for Corporate/M&A: Takeover Defense (with clients noting: “His care of the company is extraordinary”) and has repeatedly been recognized as a BTI Client Service All-Star. He is a member of the Harvard Association of Law and Business Advisory Board and the John L. Weinberg Center for Corporate Governance Advisory Board at the University of Delaware and is a Fellow of the American College of Governance Counsel. He has counseled boards of directors and management teams on self-assessments, engagement with institutional investors and proxy advisory firms and navigating activist situations involving Paul Singer/Jesse Cohn/Jeff Rosenbaum/Elliott Management, Jeff Smith/Peter Feld/Starboard Value, Bill Ackman/Pershing Square, Barry Rosenstein/JANA Partners, Carl Icahn, Daniel Loeb/Third Point, Scott Ferguson/Sachem Head, Arnaud Ajdler/Engine Capital, David Einhorn/Greenlight Capital, Glenn Welling/Engaged Capital, Jeffrey Ubben/Mason Morfit/ValueAct, Jonathan Litt/Land & Buildings, Keith Meister/Corvex, Mick McGuire/Marcato, Nelson Peltz/Ed Garden/Trian, Relational Investors and Tom Sandell/Sandell Asset Management, among many others. Sabastian is a director of the non-profit organization Literacy Partners and of the Harvard Law School Association of New York City. He received his juris doctorate from Harvard Law School, where he co-founded the Harvard Association of Law and Business and won the U.S. National ABA Negotiation Championship representing the Harvard Program on Negotiation. He received B.S., B.A. and B.S. degrees in Finance, Economics and Decision & Information Sciences, respectively, from the University of Maryland, where he won two National Championships and four Regional Championships in intercollegiate mock trial.



# WHISTLEBLOWER INVESTIGATIONS AND REGULATORY ENFORCEMENT TRENDS

## MODERATOR



### **Brenda Morris** Sealed Air Corporation

Brenda Morris is an experienced attorney, litigator, business leader, and compliance professional. She currently serves as Vice President, Assistant General Counsel in the legal department at Sealed Air, a global Fortune 500 Company specializing in packaging and manufacturing. Ms. Morris manages litigation involving mergers and acquisitions, class action lawsuits, employment and contract issues, internal investigations, as well as directors, officers and shareholder disputes. Ms. Morris has successfully worked in senior corporate legal and compliance positions at Affiliated Monitors Inc., Booz Allen Hamilton, the U.S. Department of

Justice, and the Manhattan District Attorney's Office. She has provided strategic leadership, enhanced business integrity, fortified enterprise risk programs, and provided training that reinforced business growth, as well as increased employee engagement. She is a frequent speaker on topics ranging from regulatory and legal compliance in international business and trade, parallel investigations, and cybersecurity. She has also served as an Adjunct Professor at Georgetown University Law Center.

Ms. Morris received her BS degree from the University of Southern California, Los Angeles, and her JD from Howard University School of Law, Washington, DC. Ms. Morris is also active in her community by serving as the Vice President of the Duke Ellington Schools of the Arts, a performing arts high school in Washington, D.C.



### **Ritu Kaur Cooper** Hall Render

Ritu Kaur Cooper is a shareholder in the DC office of Hall Render Killian Heath & Lyman, PC. Hall Render is the largest health care-focused law firm in the country where she serves as a co-chair of the firm's Compliance Service Line. Ritu's practice consists of representing health care providers such as hospitals, health systems, medical device and pharmaceutical companies in litigation, regulatory and compliance matters. Her particular area of focus is on fraud and abuse (i.e., Stark, AKS, CMP Law, Sunshine Act), compliance, internal and government investigations, and voluntary disclosures to the government. Ritu regularly works with the legal and compliance departments to assist clients with the development of effective compliance programs consistent with OIG guidance. Ritu

is very active with American Health Lawyers Association where she is currently the Vice Chair-Educational Programming of the Hospitals and Health Systems Practice Group, a member of the Nominating Committee as well as the Editorial Board for the Health Care Compliance Professional's Manual. She is a past president of the South Asian Bar Association of Washington, DC and an active member of Alpha Kappa Alpha Sorority, Inc. Ritu frequently writes and lectures on compliance and the health care fraud and abuse laws.



### **Ronald Machen** **WilmerHale**

Ronald Machen, who has tried over thirty-five cases to verdict, has spent his entire career either prosecuting or defending high stakes criminal and civil litigation matters. He began his career in government service in 1997 as an Assistant United States Attorney for the District of Columbia. He subsequently became a partner at WilmerHale where he represented clients in the areas of white-collar criminal defense and corporate compliance. In 2009, Mr. Machen was nominated and subsequently confirmed as the United States Attorney for the District of Columbia, where he oversaw the investigation and litigation of major criminal and civil matters. In 2015, he returned to WilmerHale and his practice has

focused on assisting Fortune 500 clients in navigating high stakes crisis situations that garner the attention of multiple regulators, enforcement authorities, Congress and private litigants. He is currently litigating matters involving the state and federal False Claims Act, alleged breaches of contract, sexual discrimination and retaliation, federal patent infringement, and consumer fraud. He is also a member of the firm's global Management, Compensation, and Executive Diversity and Inclusion Committees and Co-Chair of the firm's Investigations and Criminal Litigation Practice Group. In 2020, Mr. Machen was identified as a Criminal Law Trailblazer by the National Law Journal, recognized by Chambers USA for his white-collar crime and government investigations practice, and selected by his peers as one of the Best Lawyers in America for 2021.

# What Digital Transformation Can Do for Legal Departments

FOR LEGAL DEPARTMENTS, DIGITALLY DRIVEN CHANGE IS A CRITICAL KEY TO INCREASED PRODUCTIVITY, DEEPER INSIGHT, AND STAYING IN STEP WITH THE FAST-MOVING NEEDS OF THE BUSINESS. **BY PETER HAAPANIEMI**

**D**igital transformation has brought new ways of working to everything from marketing and sales to finance and customer service. As a result, the business is increasingly accustomed to working with greater speed and agility, and it expects the same kind of performance from the legal department. The emergence of COVID-19 has only increased the interest in remote work and other digital capabilities. Departments that pursue digital transformation will be able to meet those expectations—and those that don't will struggle to keep up with the business.

In short, digital transformation has now become a key imperative for the legal department. "Departments need to move at the speed of the digital business," says Meredith Brown, vice president, Digital Advisory, at UnitedLex, a New York-based technology and legal services company. "So the question now is not if legal needs to become digital, but when. And that when is now."

## THE VALUE OF TRANSFORMING LEGAL

Digital transformation is much more than using technology not only to increase efficiency but also to

redesign processes and adopt new operating models that fundamentally change the way work is done. With digital technology, legal departments can drive improvements throughout the function, increasing efficiency, maximizing productivity, and reducing the time it takes to close deals. They can implement variable-cost models that enable legal to adapt to fluctuations in demand from the business. They can detect risk with greater speed and accuracy. They can make the best use of valuable attorney time while reducing human error. They can drive revenue gains while decreasing costs for the business as a whole. And the list goes on.

Experience has shown that digital transformation efforts can increase productivity 20 percent while reducing operating costs by 25 to 45 percent. Delivery times have been reduced by up to 63 percent, and digital contracting capabilities have led to revenue being generated 35 percent faster.

Legal departments have used digital transformation to move from being a cost center to a profit center. For example, a Fortune 50 manufacturer worked with UnitedLex to create a dedicated IP group, train people in new skills, instill a higher level of technical expertise, and work with outside counsel to redesign processes—ultimately leading to a \$50 million annual revenue gain.

## THE KEY SUCCESS FACTORS OF EFFECTIVE TRANSFORMATION

Digital transformation requires new thinking, assessing how services are structured, and ultimately reevaluating every aspect of the department and its impact on the business. Although the necessity for such change is clear, law departments are sometimes cautious about adopting new technologies and methods. But a focus on five key factors can help ensure that they get the benefits they expect.

- **Instill a customer-experience mindset.**

Law departments sometimes bring in new technology and processes simply to streamline the work in the department. With that approach, however, “you can end up making life easier for the department but making life much harder for the customer that the department serves,” says Brown. Instead, departments should use the customer’s perspective as a starting point for technology-driven change. That means questioning how digital technology can streamline interactions with the business and how it can enable the department to help its business clients succeed. “You need to have a broader, end-to-end perspective of the process and consider how it affects the experience of the internal business client or the external customers you’re interacting with,” she says.

- **Build a culture of change.**

Organizations are often ready to make a specific change—to implement a new tool or adjust a given process, for example. But today, change needs to be a built-in capability of the legal department, an ongoing part of the department’s work and central to ensuring that members of the legal team are “digital citizens,” ready to meet the business’s evolving needs. The right culture, says Brown, “is about helping people to be receptive to change, encouraging people to try new things, and being willing to proactively question how the department can do things better.”

- **Access the power of insights for innovation.**

Legal departments need to use analytics and AI to produce data-driven insights that help them understand trends, identify risk, and measure results in support of the business—and ultimately identify opportunities for innovative improvement. To ensure that legal teams are aligned to a culture of inno-

vation, businesses can provide training to foster a digital-first mindset.

- **Adopt a robust legal platform.**

The legal department should take advantage of the same sophisticated technologies used in the business, from interactive portals and automated workflows to AI and machine learning. These can be integrated on a centralized platform—a key step that enables holistic, department-wide insights into processes and performance that can drive ongoing improvements. As Brown notes, “Centralized platform technology should form the backbone of the legal department. It ultimately speeds up processes and enables better collaboration with the business.”

- **Reimagine workflows.**

Rather than simply fine-tune processes, legal departments should adopt a zero-based design approach—one that sets aside the concept of “how we’ve always done things” to consider a range of innovative possibilities. Departments should explore how redesigned processes, integrated automation, dynamic resourcing, innovative dashboards, and applied intelligence can bring significant improvements in efficiency and productivity. They should also redefine how the department interacts with the business to provide insights into risk, costs, and other factors affecting business decisions.

## STARTING THE PROCESS

In charting a course forward, departments should begin by looking beyond isolated efficiency efforts to develop a clear understanding of the “art of the possible”—and the broad and often strategic benefits that digital transformation offers.

From there, they can develop a road map for moving ahead at the appropriate speed. “People often think of transformation as a long, multiyear effort, but it doesn’t have to be,” says Brown. Instead, companies can move forward with incremental projects—and pursue quick wins that deliver results sooner rather than later. And by establishing metrics that track these efforts, they can show that they are delivering value and continue to build momentum for the transformation. The key, says Brown, is to “keep the vision of your art of the possible in mind as your north star, and keep pushing toward that goal, and full digital transformation, over time.”

# CYBERSECURITY PRIVACY & DATA PROTECTION



## MODERATOR

### Kevin Simmonds

PwC

Kevin is a Partner in PwC's Cybersecurity, Privacy & Forensics practice based in Atlanta. He has over 17 years of experience assisting companies with developing business-aligned Information Security programs, developing sustainable Payment Card Industry (PCI) programs, overseeing technical security assessments, and recovering from cyber breaches. Kevin provides oversight for PwC's Cyber Penetration Testing Team (CPT2), which is a team of advanced testers focused on adversary attack simulation services (e.g., red teaming, purple teaming, dynamic application security testing (DAST), mobile application security testing, IoT testing, and more) for clients across all industries.

Kevin holds a BBA from Howard University and is a Certified Information System Security Professional (CISSP).



### Tracee E. Davis

Seyfarth Shaw LLP

Tracee is a Partner in Seyfarth Shaw's Commercial Litigation department and Global Privacy and Cybersecurity Group. She is Co-Chair of the Corporate Governance Subgroup of the firm's ESG Practice Group. She represents various business clients, including financial institutions, in breach of fiduciary duty, deceptive practices, discrimination claims and complex contract disputes, both in and out of court. She is a strategic legal advisor to board directors and C-suite executives, on data privacy/cybersecurity, corporate governance, regulatory compliance and litigation risk mitigation in the areas of FinTech, ESG and Artificial Intelligence. She has written and lectured extensively on these topics.





**Taa Grays**  
MetLife Legal Affairs

Taa Grays, is Vice President & Associate General Counsel of Information Governance – MetLife Legal Affairs. As the lead of Information Governance, Taa is responsible for the strategic management of MetLife’s global Information Lifecycle Management Program. She leads an 8 person team that develops, implements and manages the Information Governance strategic plan. The team, partnership with the Lines of Business and Corporate Functions, embed and drive the Program throughout MetLife. She provides strategic leadership for all aspects of the ILM program, including strategic direction, management of corporate ILM policies, processes, procedures, standards, and tools, and deployment

of ILM principles throughout the global enterprise. She collaborates with IT, Legal Affairs, Risk Management, Audit, Global Technology and Operations, and all the Lines of Businesses and various other stakeholders to deliver ILM requirements and compliance strategies for ILM to minimize potential risks. She received her A.B. from Harvard College and her J.D. from Georgetown University Law Center.



**Sherrese Smith**  
Paul Hastings LLP

Sherrese Smith is a partner in the Media, Technology and Telecommunications practice and is Vice-Chair of the Data Privacy and Cybersecurity practice at Paul Hastings and is based in the firm’s Washington, D.C. office. She is a highly regarded and Chambers-ranked attorney who regularly counsels companies on complex transactional and regulatory issues involving media, communications and technology companies. She also advises and counsels multinational companies across various jurisdictions (including the US, EU and Asia) on data privacy and cybersecurity and breach response issues, including managing global privacy and information security risks and compliance matters and regularly navigates clients through data breach and crisis response and associated regulatory investigations and enforcement proceedings. Prior to joining

Paul Hastings, she served as Chief Counsel for Chairman Julius Genachowski at the Federal Communications Commission. In this position, she managed the overall policy agenda for the agency and developed the FCC’s positions and key messages for all media, telecommunications, and mobile policy issues and specialized in the areas of media, Internet, video, broadcast, cable, broadband, IP, mobile and wireless spectrum issues, telemarketing issues, and data privacy and security. Prior to joining the FCC in 2009, Ms. Smith was Vice President and General Counsel of Washington Post Digital.

# ENERGY POLICY & CLIMATE CHANGE IN THE BIDEN ADMINISTRATION



## MODERATOR

### **Trecia Canty** PBF Energy Inc.

Trecia Canty has served as the Senior Vice President, General Counsel and Corporate Secretary of PBF Energy Inc. (NYSE: PBF), a Fortune 500 independent merchant refining company, and its subsidiaries, including PBF Logistics LP (NYSE: PBFX), a midstream focused master limited partnership, since September 2015. In her role, Ms. Canty is responsible for the legal department and outside counsel, which provide a broad range of support for all business activities and operations, including corporate governance, compliance, litigations and mergers and acquisitions. Previously, Ms. Canty was previously Vice President, Senior Deputy General Counsel and Assistant Secretary in October 2014 and led the commercial and finance legal operations. Ms. Canty is also a director of certain of PBF Energy's subsidiaries. Prior to joining PBF, Ms. Canty served as Associate General Counsel, Corporate and Assistant Secretary of Southwestern Energy Company, where her responsibilities included finance and mergers and acquisitions, securities and corporate compliance and corporate governance. She also provided legal support to the midstream marketing and logistics businesses. Prior to joining Southwestern Energy Company in 2004, she was an associate with Cleary, Gottlieb, Steen & Hamilton.



### **Colette D. Honorable** Reed Smith LLP

The Honorable Colette D. Honorable is an equity partner at Reed Smith LLP and member of its Natural Resources Group resident in the Washington, D.C. office. Colette is a highly regarded thought leader and practitioner in domestic and international energy sectors. Colette previously served as Commissioner at the Federal Energy Regulatory Commission (FERC). She was nominated by President Barack Obama in August 2014, and unanimously confirmed by the U.S. Senate for a term that expired in June 2017. Colette previously served as Chairman of the Arkansas Public Service Commission and is a former president of the NARUC. At the firm, Colette is a trusted advisor and counselor to several Fortune 500 energy companies, including investor-owned utilities, renewable energy and technology companies. She counsels and represents clients in ratemaking proceedings, energy projects and acquisition matters, on issues such as climate change, emissions reduction, environmental justice, technology and telecommunications matters before various federal and state agencies. She is a Senior Fellow with the Bipartisan Policy Center; a Strategic Advisory Board Member of the Energy Regulators Regional Association; a member of the Global Advisory Board for the Energy Futures Initiative; and an Independent Director for the Southern Company Board of Directors.



**Peggy Otum**  
WilmerHale

Peggy Otum brings more than 18 years of diverse experience advising large corporations, public companies, and universities on a range of environmental issues, with a primary emphasis on matters involving compliance, risk management, enforcement defense, and litigation. With the Biden Administration's focus on climate and environmental justice, Ms. Otum is actively clients as they navigate complex legal issues at the intersection of environmental protection, racial equity, and corporate disclosures. Ms. Otum routinely advises clients in response to investigations by, or inquiries from, a range of federal and state regulators, including the U.S. Environmental Protection Agency, the U.S. Department of Justice, the U.S. Occupational Safety and Health Administration (OSHA), the Chemical Safety and Hazard

Investigation Board (CSB), California's Division of Occupational Safety and Health (better known as Cal/OSHA), and the California Environmental Protection Agency. Additionally, Ms. Otum advises companies on environmental liabilities as they arise in multi-billion-dollar mergers and acquisitions and provides business and regulatory counseling on environmental risk and regulatory trends to private equity firms and investors. As a seasoned environmental lawyer, Ms. Otum has played key roles in two of the past decade's largest environmental cases, including negotiating a complex settlement to resolve the largest federal enforcement case in the history of the Resource Conservation and Recovery Act. She has been consistently ranked by Chambers USA, Best Lawyers, and Legal 500, among others, for her environmental expertise.



**Presley Reed**  
Dentons

Presley Reed is a foundational partner of Dentons' Energy practice. He advises state and local regulatory agencies and municipal, investor-owned and nonprofit utilities on matters involving the federal regulation of electricity and natural gas and the interaction of federal, state and local utility issues. With over 30 years, of experience focusing on policy development and litigation pertaining to federal and state electric and natural gas public utility regulatory issues including cost allocation and rate-making issues involving electric generation and transmission disputes; Integrated Resource Planning; the design and implementation and funding of local energy efficiency initiatives; renewable energy policy development and the development and implementation of emerging

"Smart Cities" technologies. In addition, Presley has served as an attorney advisor and managing attorney at the Federal Energy Regulatory Commission. Prior to this, he was staff attorney and acting deputy general counsel for the Public Service Commission of the District of Columbia, where he specialized in electric, and natural gas and telecommunications regulatory matters. A graduate of Boston University, he graduated from the University of Texas School of Law.

# Common Ground, Uncommon Purpose

CHAMPIONED BY DLA PIPER'S LEADERSHIP AND DRIVEN BY CHIEF DIVERSITY AND INCLUSION OFFICER FENIMORE FISHER, THE FIRM'S FOREFRONT COMMITMENT TO EQUALITY IS ALL-ENCOMPASSING.



**Raymond M. Williams,**

Philadelphia-based Litigation partner, is DLA Piper's National Diversity and Inclusion Partner and a Policy Committee member.

**D**riving diversity and inclusion (D&I) from the top includes delivering a local grassroots experience, which is why each of DLA Piper's 22 U.S. offices has its own D&I committee. "This hub-and-spoke approach allows us to advance the common goal of developing broader perspectives and deeper understanding around diversity," says National Diversity and Inclusion Partner Raymond Williams. "We foster an environment where everyone can unapologetically be their authentic self."

When Gerry Williams started at DLA Piper in 2008, the wheels of progress were already in motion. "The firm was moving fast on changing the way people thought about D&I," says Williams, who heads up the African American Attorney Resource Group. "That willingness to act set us apart then and has accelerated since. With more Black and women partners in leadership roles than ever before, I am pleased with the tangible results of our ongoing efforts."

This forthright commitment is a beacon for rising talent and seasoned practitioners alike.

For junior partner Jamila Justine Willis, finding a firm with a



**Ferlillia V. Roberson,** Chicago-based Litigation partner, is a trial attorney specializing in complex intellectual property cases.



**Kevin Nolan,** Austin, Texas-based Corporate partner, represents U.S. and non-U.S. institutional and private investors on wide-ranging issues.



**Jamila Justine Willis,** New York-based Restructuring partner, has extensive experience in complex financial and corporate restructuring across industries.



culture of mentorship and sponsorship was imperative. "That's essential for women and lawyers of color especially," says Willis, who joined DLA Piper specifically because of the pledge of support from the senior partner who hired her. "That was exciting," recalls Willis, who chairs the New York D&I Committee. "True to his word, the firm has provided me with every opportunity to succeed."

While Kevin Nolan chose DLA Piper principally for the "broad platform" to grow his practice, "what keeps me here is the holistic culture of inclusion and encouragement," he says. "This strong support structure, which includes formal programs and leaders like Ray Williams, who brought me into the fold here and who fosters a strong sense of community within the firm, is instrumental in attracting and retaining Black talent."

Ferillia Roberson, then a partner at another firm, was not looking to leave that firm when recruited to DLA Piper. That changed after meeting with leaders across DLA Piper. "I was persuaded by the firm's inclusive culture and their commitment to my personal advancement," says Roberson, who advises FORWARD, the Chicago D&I committee, and chairs a client-facing D&I program. "We take an intentional approach, including setting and measuring goals, to getting D&I right."

For renowned practitioner Kim Askew, "alignment with my values" sealed her decision to

**"EMBRACING DIVERSITY STARTS WITH TALKING ABOUT OUR DIFFERING LIFE PERSPECTIVES, PERCEPTIONS, AND REALITIES. WE MAY NOT AGREE ON EVERYTHING, BUT OPEN DISCUSSION GOES FAR IN DEEPENING UNDERSTANDING AND MOVING US TOWARD COMMON GROUND."**

*—Raymond M. Williams,  
National Diversity and Inclusion Partner*

join DLA Piper in January 2020. "The firm clearly understands the issues facing lawyers of color in the profession and is working hard to create platforms for their success," says Askew, whose distinguished legal leadership gives her sharp insight into evolving industry dynamics. "The firmwide commitment to collaboration and community is especially inspiring for young diverse talent."

John Gibson is another acclaimed veteran who was persuaded by the firm's cultural ethos. "Along with DLA Piper's board-safe reputation, impressive client base, cross-selling platform, and the opportunity to expand my civil antitrust practice, I was drawn to the avowed dedication to driving diversity forward at all levels," says Gibson, who came aboard in July 2020. "Our leadership is unequivocally focused on making a quantum leap ahead in equality."



**Gerry Williams**, Atlanta-based Corporate partner, chairs the Georgia Corporate and Securities practice.



**Kim Askew**, Dallas-based Employment partner, is widely regarded as a commercial litigator and diversity advocate.



**John Gibson**, L.A.-based Litigation and Regulatory partner, has earned national acclaim as an antitrust litigator.



# ESG CROSS OVER ISSUES FOR ALL LAWYERS IN THE LEGAL DEPARTMENT



## MODERATOR

### Angel Shelton Willis Sealed Air Corporation

Angel Shelton Willis serves as Sealed Air's Vice President, General Counsel and Secretary. She oversees all aspects of the company's global legal and compliance affairs, including commercial transactions, mergers and acquisitions, litigation, labor and employment, intellectual property, ethics and compliance, corporate governance, and regulatory matters.

She also serves as the Executive Sponsor of Sealed Air's Diversity, Inclusion and Equity Council, which promotes a diverse, equitable, trusting and inclusive culture for all Sealed Air employees.

Angel has more than 25 years of legal experience. Prior to joining Sealed Air in 2019, she served in several leadership roles at Ingersoll Rand, including Vice President and Deputy General Counsel leading global mergers and acquisitions, finance and restructuring, and legal affairs. Before Ingersoll Rand, Angel served as Corporate Counsel at Cummins Inc. and as an Associate at Ice Miller.

Angel is a member of the SPX Corporation board of directors and serves on the board's nominating and governance committee. She holds a juris doctor degree from the University of Illinois, and a master of business administration and a bachelor's degree in political science and economics from Clemson University.



### Danielle Reyes Goodwin Procter LLP

Danielle Reyes serves as Co-Chair of Goodwin's CSR + ESG group. She is also a member of the firm's Consumer Financial Services, Banking Regulatory, and FinTech practices. Ms. Reyes's national CSR & ESG practice focuses on corporate governance, including environmental, social & governance issues (ESG disclosures, ESG policies, and ESG reports) and shareholder activism response; corporate structure advice, including on benefit corporation formation; IPO prep; corporate philanthropy and corporate foundation issues; fair and responsible banking; and financial inclusion. She also provides regulatory advice in the FinTech and traditional banking areas, focusing on all stages of retail and small business product development, regulatory compliance, licensing, other state and federal regulatory interactions, FinTech-bank partnerships, fair lending,

and Community Reinvestment Act issues. In addition to Ms. Reyes's experience in private practice at two top global law firms, she also spent nearly a decade practicing in-house at a leading U.S. financial institution. She has a deep understanding of the importance of providing legal advice that is not only accurate but also digestible and able to be operationalized.



### **Sarah Teslik**

#### **Joele Frank Wilkinson Brimmer Katcher**

As a partner at Joele Frank, Sarah connects clients to their shareholders and stakeholders globally for ESG engagement, drafts key ESG corporate disclosures such as proxy statements, climate-risk reports, annual and CSR reports, shareholder correspondence, executive speeches and presentations. She is the founder, organizer and manager of the annual Women in Governance Lunch for 50 women on Global 100 boards and 50 women who elect them from the leading global asset managers and is the founder and manager of the Energy Governance Group that enables over 50 major energy companies' executives to compare notes on ESG issues. Sarah previously was SVP of Governance and Commu-

nications at Apache Corporation, a large US oil & gas company, for 9 years, the Founding Executive Director of the Council of Institutional Investors, where she spent 19 years, a corporate and governance attorney at two major law firms and CEO of the Certified Financial Planner Standards Board. She holds degrees from Georgetown University (JD), Oxford University (MA) and Whitman College (BA).



### **Kim Yapchai**

#### **Tenneco**

Kim Yapchai is Senior Vice President, Chief ESG Officer at Tenneco, a \$15 billion automotive component manufacturer with around 74,000 employees and locations in more than 20 countries. She is an experienced global leader with substantial track record of dealing successfully with complex legal issues in multi-national, public companies, including Ford, Whirlpool, Masco Corporation, and Tenneco. She is known as a business-oriented advisor who counsels senior leaders on legal issues of major importance and designs pragmatic solutions to achieve strategic results. She combines her commercial legal experience with her knowledge of the business to protect the company and advance its strategy.

At Tenneco, she leads a cross-functional team to set and achieve the company's ESG strategy and reports progress to stakeholders. She also manages Tenneco's Legal Operations and Global Compliance Program. Compliance Week Magazine recently honored Tenneco with "Compliance Program of the Year."

# PATENT LITIGATION TRENDS



## MODERATOR

### **Lisa Knight** **AIG**

Lisa Knight is the Chief Intellectual Property Counsel and Associate General Counsel for the American International Group, Inc. (“AIG”). Ms. Knight joined AIG, as its first Chief Intellectual Property Counsel in 2018. In this role, she is responsible for developing global strategies that mitigate intellectual property related risks, managing AIG’s global patent and trademark portfolios, protecting AIG’s innovation and brand. Ms. Knight has experience counseling global corporations on all aspects of intellectual property and is a registered patent attorney. Prior to her position at AIG, Ms. Knight held leadership roles at American Express as Vice President, Global Intellectual Property Strategy and Vice President and Senior Intellectual Property Counsel. Prior to law school, she was an electrical engineer for a defense contractor. As an engineer, Ms. Knight designed electronics for several classified missile system programs. In addition to the Juris Doctor that she earned from the University of California, Los Angeles School of Law, Ms. Knight also has a Master of Science degree in Electrical Engineering and a Master of Science degree in Engineering Management both from the California State University at Northridge as well as a Bachelor of Science degree in Electrical Engineering from the New York Institute of Technology.



### **Mareesa Frederick** **Finnegan, Henderson, Farabow, Garrett & Dunner, LLP**

Mareesa Frederick is a partner in the Washington, DC office of Finnegan LLP, a global intellectual property firm. Her practice focuses on complex patent complex, high-stakes intellectual property litigation, with a particular emphasis on Section 337 proceedings before the International Trade Commission (ITC). She was named by The Legal 500 U.S. as a Next Generation Lawyer for ITC patent litigation. Prior to rejoining Finnegan LLP in 2012, Mareesa served as a trial attorney in the Office of Unfair Import Investigations at the ITC. Mareesa also has extensive experience counseling clients on pre-trial strategy, strategic licensing opportunities, and patent portfolios. She is the partner-in-charge of Finnegan’s Diversity, Equity, and Inclusion department and co-chairs its Black attorney affinity group. Ms. Frederick holds bachelor’s degrees from Spelman College and the Georgia Institute of Technology in Chemistry and Chemical Engineering. She received her law degree from George Washington Law School.



**Patrice Jean**  
Hughes, Hubbard & Reed

Patrice Jean is the Chair of the Life Sciences Practice at Hughes Hubbard & Reed, an international law firm based in New York City. Patrice graduated summa cum laude from Xavier University of Louisiana in 1993 with a degree in Biochemistry and then earned both her M.A. and Ph.D. in molecular biology from Princeton University. Following graduate school, Patrice graduated from Columbia University School of Law in 2002, where she was Editor-in-Chief of the Columbia Science & Technology Law Review. Patrice is a frequent speaker on issues related to the practice of IP Law and the life sciences. She currently serves as

Vice-President of the New York Intellectual Property Law Education Foundation and is a Board member of the New York Intellectual Property Law Association.



**Leslie Spencer**  
Desmarais LLP

Leslie Spencer is a partner at Desmarais LLP. She is a patent trial litigator with over 20 years of experience handling intellectual property disputes. She represents clients in federal court as well as the Patent Trial and Appeal Board (PTAB), including inter partes review (IPR). Leslie has extensive experience in all phases of patent litigation, including Markman proceedings, expert discovery, Daubert and summary judgment motions, and trial. In addition, she advises clients on intellectual property strategy, asset protection and transactions. Leslie is a registered patent attorney, who represents clients on matters involving a wide range of technologies, including computer software (including artificial intelligence), automotive technology, financial technology ("Fintech"), blockchain,

network communications, encryption and security protocols, semiconductor design and manufacturing, medical devices, and healthcare information technology, among others. Prior to joining the firm, Leslie was a partner in the New York City office of an international law firm where she practiced intellectual property litigation, and was co-chair of the firm's diversity committee. Before launching her legal career, Leslie worked for financial services and defense technology companies, and developed a smart card-based secure transaction system.





**Colette D. Honorable**, D.C.-based partner in the Energy and Natural Resources Group, is globally recognized for her energy sector thought leadership.



**Jason E. Hazlewood**, Pittsburgh-based partner in the Global Commercial Disputes Group, specializes in class actions related to complex commercial and financial services litigation.

# At the Forefront

Committed to the spirit of excellence, innovative legal solutions, ultra-responsive client service, and an unapologetic approach to diversity and inclusion, Reed Smith delivers global impact while focusing on cultivating individual talent and achievement.

**N**ominated by President Obama in 2014, Colette Honorable served two and a half years as a commissioner at the Federal Energy Regulatory Commission. BigLaw was not in her plans—until Reed Smith invited her to their partner retreat and annual Diversity Summit. “Their energy department was solid,” she says. “The clincher was their clear commitment to inclusion.” Building an energy regulatory group from scratch, Honorable and her team work on clean energy and other initiatives around the globe. “Our practice is at the cutting edge of energy’s future,” she says.

As a young Reed Smith associate, Jason Hazlewood spent two rigorous years as in-house counsel for one of the nation's largest financial institutions. Placed there by a partner-mentor, he managed all litigation matters as well as outside firms. “The insight into how customer service plays an integral role in any successful lawyer-client relationship was invaluable,” says Hazlewood, who is leveraging that experience leading a multiyear, nation-



wide class action litigation on behalf of a Fortune 500 client. "That early chance to walk a mile in the client's shoes was a defining aspect of my success."

Before COVID-19, Amber Finch had the firm's legal tech provider customize an AI-powered solution to streamline an aviation client's contract management process. When the pandemic hit, she immediately proposed an AI analysis of the force majeure provisions in some 5,000 contracts. "This expeditious, cost-effective pivot revealed opportunities to increase the client's leverage in vendor negotiations," says Finch, who was honored as a "Crisis Leadership Trailblazer" by the

**"I FIRMLY BELIEVE THAT  
EXPERIENCE IS THE TRUEST PATH  
TO SUCCESS. AS THE FIRM  
INVESTED IN ME, I NOW INVEST  
IN OUR YOUNG ASSOCIATES."**

**-JASON HAZLEWOOD**

*National Law Journal* for the initiative. "Clients trust me to always look at the big picture."

Keyonn Pope, whose background includes working as an electrical engineer for a Fortune 100 engine and equipment company and teaching "Patents and Entrepreneurship" as an adjunct professor at Howard University, combines a deep skill set with an unwavering commitment to client service. "That comes from my high school days waiting tables," says Pope. "I dial all those nuances of anticipating customer needs and preferences into my relationships. Layered on top of knowing how the law intersects with clients' business priorities, that personalized touch goes far in building client bonds."



**Amber S. Finch**, L.A.-based partner in the Insurance Recovery Group, is a go-to lawyer for her innovative coverage litigation and risk management solutions for policyholders.



**Keyonn L. Pope**, Chicago-based litigation partner, focuses on intellectual property, commercial, and entertainment matters.

# SHAPING POLICY IN THE BIDEN ADMINISTRATION



## MODERATOR

### Lloyd M. Johnson, Jr. Chief Legal Executive

Lloyd M. Johnson Jr. is a pioneering media executive and organizational strategist dedicated to developing initiatives designed to expand diversity within the legal industry. Johnson's media and professional development platforms have been responsible for advancing the careers of leading women attorneys and attorneys of color at many AmLaw 100 law firms and Fortune 500 corporations.

Johnson is currently the CEO and founder of Chief Legal Executive LLC, a multi-channel integrated media and events company developing new platforms to connect corporate legal departments with women attorneys and attorneys of color. Chief Legal Executive operates the Black In-House

Counsel Network, a comprehensive engagement platform designed to identify, qualify, and celebrate Black attorneys through media properties, digital tools, and live events. Johnson also serves as publisher of the Black In-House Counsel Annual Report, a compendium of research, insight, and in-depth coverage of the state of Black leadership in corporate legal departments and AmLaw 100 law firms. Chief Legal Executive is also the organizer of the Ascent Leadership Network, a professional-development program for women attorneys. Many members of the Ascent Leadership Network hold senior leadership positions in legal departments throughout the country.

For more than 30-years, Johnson has counseled senior executives at Fortune 500 companies and guided them in achieving their professional goals. In the last decade Johnson has conducted more than 100 leadership development workshops specifically targeted to broadening the skills of in-house legal counsel at the pinnacle of their careers.



### William Kirk K&L Gates LLP

Bill Kirk, a partner at K&L Gates, represents clients before Congress and Executive Branch agencies with emphasis on tax, financial services, corporate, and transportation and infrastructure matters. Bill's clients include public and private entities such as major corporations and national trade associations for whom he provides policy analysis and strategic advice and engages in advocacy with the Congress and Executive Branch agencies. He also has significant experience representing emerging and middle market firms on legal and policy matters (e.g., minority and women-owned companies) and investment firms, including venture capital funds and their management teams. Bill also advises clients on diversity and inclusion issues. Prior to private legal practice, Bill enjoyed a distinguished career as a Congressional staff member, including positions as an

advisor to Congressman John Conyers (D-MI) and as a senior staff member of the House Ways and Means Committee including serving as Staff Director of the Committee's Oversight panel then chaired by Congressman Charles Rangel (D-NY). He serves on the steering committee of the Congressional Black Caucus (CBC) Political Action Committee (PAC). Bill is also a board member and counsel to the CBC Political Education and Leadership Institute. Bill is a graduate of Swarthmore College (B.A.) and of Georgetown University Law Center (J.D.).



## **Oliver Spurgeon III** **Arent Fox LLP**

Oliver has served as a legislative staffer, consultant for non-profit organizations, private corporations, and local governments, and as a lobbyist for national trade associations. Oliver currently represents clients before the U.S. Congress, Executive Branch agencies, and the government of the District of Columbia. Prior to joining Arent Fox, Oliver was the Deputy Director of Federal Affairs at the National Association of Community Health Centers (NACHC) - the trade association for America's 1,400 federally qualified health center organizations. There, he navigated Washington on behalf of nearly 12,000 health centers and 29 million patients. At NACHC, Oliver played a central

role in developing messaging, securing federal funding, and expanding health centers' ability to recruit and train their workforce. Before joining NACHC, Oliver was the Manager of Government Affairs at the National Recreation and Park Association – the trade association for America's municipal park and recreation agencies. There, he engaged lawmakers and Executive Branch agencies on behalf of 60,000 members in support of better health care, STEM training, anti-hunger programs, & K-12 education. Prior to NRPA, he worked as an aide to Rep. Henry C. Johnson, Jr. In his spare time, Oliver remains active in non-profit and political causes dedicated to expanding access, opportunity, and economic advancement for residents of the District of Columbia.

# CORPORATE GOVERNANCE TRENDS



## MODERATOR

### Lily Hughes

#### Former Arrow Electronics and Public Storage

Former VP, CLO and Corporate Secretary of Arrow Electronics and Public Storage. Lily is a seasoned global C-suite executive with significant board experience. Lily was the SVP, CLO and Corporate Secretary of Arrow Electronics, Inc., responsible for the 120+ member global legal, compliance and trade risk compliance organizations based in the U.S, Europe, Asia, and Latin America. Prior to joining Arrow, Lily served as SVP, CLO and Corporate Secretary of Public Storage, a S&P 500 and FT Global 500 company with nearly \$40 billion+ market cap. She led the legal and internal audit teams, and responsible for all board, corporate securities, governance, capital markets, litigation, employment, real estate, compliance, operations, intellectual property, M&A, business

continuity, enterprise risk management, government affairs, and investor relations matters. Prior to joining Public Storage in January 2015, Lily was the #2 corporate lawyer at Ingram Micro Inc., a former Fortune 100 with operations in 38 countries. She had primary legal responsibilities for board, corporate securities, governance, capital markets, tax, strategic partnerships and executive compensation matters, and as global leader for M&A. Lily was previously a corporate securities partner at the national law firm of Manatt, Phelps & Phillips. Lily has been recognized in 2021 and 2020 as a Power 50 Leader (C-Suite Women) by the National Diversity Council, selected to participate in the prestigious DirectWomen Board Institute in 2019, honored as National General Counsel of the Year by the National Women in the Law Awards in 2018, and in 2017 as the Public Company General Counsel of the Year by the Los Angeles Business Journal.



### Damien Atkins

#### WilmerHale

Damien Atkins is an accomplished and award-winning lawyer who has experience in mergers and acquisitions, corporate governance, securities regulation, ethics and compliance, government investigations, and privacy matters. He is a trusted advisor who is exceptionally skilled at helping clients navigate through highly complex and sensitive matters. As part of his practice, Mr. Atkins represents clients in matters that cut across the legal spectrum, and he relies on his extensive knowledge and strong background to advise on diverse and complicated issues, complex legal and policy matters, and high-stakes decisions. Before joining WilmerHale, Mr. Atkins was the senior vice president, general counsel and corporate secretary at The Hershey Company, where he was responsible for leading the government relations, legal and corporate security functions. During his time with The Hershey Company, the legal team was recognized by The Financial Times as one of the most innovative in-house legal teams for Leadership Development and “The Future of Work.” Prior to joining The Hershey Company, Mr. Atkins was general counsel and corporate secretary for the Panasonic Corporation of North America, as well as the acting chief executive officer of Panasonic Enterprise Solutions.



**Adé Heyliger****Weil, Gotshal & Manges LLP**

Adé Heyliger is a partner in Weil's Public Company Advisory Group and is based in Washington, D.C. He regularly advises public companies, corporate boards and foreign private issuers on a broad range of Securities & Exchange Commission (SEC) disclosure and regulatory matters, securities regulation, corporate governance and compliance issues. His diverse practice encompasses counseling companies on corporate and securities law compliance in mergers and acquisitions, private equity investments, capital markets transactions and bankruptcy/ restructuring matters. Mr. Heyliger also advises public companies on matters relating to shareholder activism, including proxy contests, shareholder engage-

ment and shareholder proposals, and provides day-to-day counsel on a variety of corporate governance, disclosure and regulatory issues. Prior to joining Weil, Mr. Heyliger served for five years in the SEC's Division of Corporation Finance. Mr. Heyliger is recognized as a "Leading Lawyer" for Shareholder Activism: Advice to Boards and is recommended for Corporate Governance by Legal 500 US. He is also recognized by Who's Who Legal for M&A and Corporate Governance. He is a frequent speaker and author on SEC disclosure requirements, securities regulation and corporate governance matters and developments. Mr. Heyliger holds a J.D., cum laude, from Harvard Law School, a M.B.A. in Finance from The Wharton School, University of Pennsylvania, and a B.S. in Finance, cum laude, from University of Maryland.





**BJ Trach**, Boston-based partner in the Litigation & Trial Department, is a member of the firm's partner-elected, nine-member Executive Committee.



**Joseph E. Porter IV**, Los Angeles-based associate in the Mergers & Acquisitions Group, leads the L.A. office chapter of the firm's Black Lawyers Group.

# A True Sense of Belonging

Beyond solving high-stakes legal complexities for clients around the globe, Latham & Watkins is committed to answering the legal profession's most vexing challenge—equal opportunity for all. Intentional, innovative, and ingrained in firm culture, Latham's D&I ethos is one that all industries can emulate.

**M**agnetized by the firm's global platform and familial culture, BJ Trach made "a 25-year decision" to join Latham's founding Boston team in 2012. "My success since has exceeded my wildest expectations," says the Executive Committee member, whose prior role with the Diversity Leadership Committee has only strengthened his bond with the firm. "Recognizing the historical ineffectiveness of traditional D&I solutions, we resolved to innovate and commit substantial time, energy, and capital to prioritizing D&I firmwide," says Trach. "Our leaders account for D&I in every key firm strategy as we foster an environment of opportunity and belonging where every lawyer can perform at their best. The results continue to be transformative."

Prominent initiatives such as the Black Lawyers Group (BLG), one of Latham's nine global affinity groups, and the industry-acclaimed Diversity Leadership Academy (DLA) provide a comprehensive framework for top-tier diverse talent to develop and rise.

"Attending DLA as a law student provided real-world insight into Latham's culture and practice," says Joseph

E. Porter IV, a fourth-year M&A associate in the L.A. office and a local BLG leader. "Latham's commitment to my development since has been unequivocal, and that's across the board for all associates. That's rare comfort in BigLaw, including having a clear long-horizon view of advancement opportunities at the firm."

D.C.-based eighth-year Finance associate Jennifer M. Kent's experience exemplifies the total support for diverse talent. "Inherent in our D&I culture is allowing people to be their whole authentic selves and embrace their ambitions," says Kent. "That freedom goes far in easing the burden of identity, which allows me to focus on excelling as a lawyer. Her "door-opening" role as a

**"WE WANT EVERY PERSON HERE TO FEEL THAT THEY BELONG TO A COMMUNITY THAT IS INVESTED IN THEM, THAT CARES ABOUT THEIR SUCCESS, AND THAT VALUES THEIR UNIQUE PERSPECTIVE."**

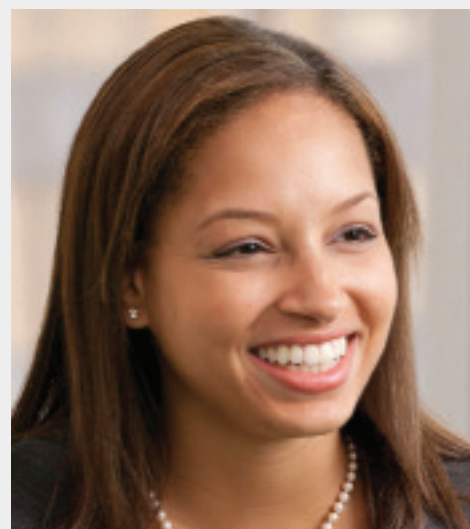
***-BJ TRACH, LITIGATION PARTNER AND  
EXECUTIVE COMMITTEE MEMBER***

global BLG chair is another highlight. "The access to firm leaders and clients alone has expanded my possibilities," she says. "I have complete confidence in my path."

Recently minted New York Finance partner Nicole D. Fanjul, with Latham since 2009, recognizes the firm's "earnest" approach to creating a welcoming and comfortable professional home for all. "Having served on the Recruiting Committee and in various other roles at the firm, I have seen firsthand how D&I is woven into every aspect of firm life," says Fanjul. "Increasingly visible through heightened investment over time, these programs affirm Latham's serious commitment to lasting change."



**Jennifer M. Kent**, D.C.-based associate in the Banking and Private Equity Finance Practice Group, is a global chair of the Black Lawyers Group.



**Nicole D. Fanjul**, New York-based partner in the Banking Practice Group, primarily represents financial institutions in wide-ranging leveraged finance transactions.

# CRISIS MANAGEMENT: WHAT TO DO WHEN DISASTER STRIKES



**MODERATOR**

## **Chevon Fuller** Tyson Foods, Inc.

Chevon Fuller is Vice President and Associate General Counsel for Tyson Foods, Inc. As the employment, labor, and sustainability law leader, she supports all domestic and global business segments, manages a team of 65 professionals, and provides legal support for several Board Committees. Prior to joining Tyson Foods, Inc., Chevon lived abroad and served as the managing attorney and Corporate Secretary for The Boeing Company's Southeast Asia and Oceanic markets, supervising a team who provided corporate law and commercial advice for 32 APAC entities. Boeing's Executive Council selected Chevon to be imbedded in

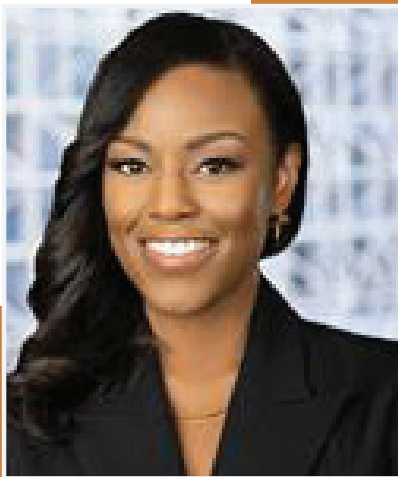
Ethiopia to handle legal and reputational issues associated with the loss of Ethiopian Airlines Flight 302; one of Boeing's highest priorities. She engaged with a complex mixture of stakeholders, including the victims' family members from 35 countries, embassy officials, customer leadership, regional government leaders, and tribal representatives. Chevon previously served as the New York State Attorney General's Civil Rights Bureau Chief, where she oversaw thousands of investigations statewide, commenced the Attorney General's first public hearing on gender discrimination in the securities industry, and launched the Attorney General's first Disability Rights Project to expand physical accessibility for places of public accommodation. Chevon is a graduate of Cornell Law School.



## **Lillian Hardy** Hogan Lovells US LLP

Lillian Hardy is a partner in Hogan Lovells' Washington, DC office, an elected member of the firm's global Board of Directors, and Head of Lawyer Collaboration & Client Engagement for the U.S. and Latin America. In addition to her executive roles in the firm, Lillian leads the firm's global crisis management group. She helps clients in distress identify core issues and develop strategies to efficiently resolve them – ideally before things go public, but oftentimes while everyone is watching already. Lillian has managed incidents and investigations, large and small, for clients on five continents through the lens of helping leaders thrive through challenge. She also works with companies to proactively develop and improve their compliance programs to ward off these issues.

When she is not assisting a client in the throes of an acute emergency, Lillian focuses her practice on bribery and corruption investigations, fraud of all varieties, executive misconduct, cybersecurity and data privacy-related investigations, and other government investigations. Lillian's business-minded and practical client service approach was honed during her year-long stint as an attorney-on-loan at Honeywell International where she focused on compliance. Lillian is native of Oakland, CA and a proud alumna of Spelman College and U.C. Berkeley School of Law.



**Shelita M. Stewart**  
**Hogan Lovells US LLP**

Shelita Stewart is a partner in the Investigations, White Collar, and Fraud practice of Hogan Lovells in Washington, D.C. She is a diversity and inclusion champion and co-lead of the Hogan Lovells African American Affinity Group. Shelita focuses her practice on corporate compliance, investigations, and crisis management. She has extensive experience advising multi-national clients in building and implementing compliance programs, conducting internal investigations, defending government enforcement actions, identifying and assessing legal, compliance and reputational risks, and developing remediation and incident response plans. In addition, Shelita has developed multiagency experience with

the U.S. Department of Justice, the U.S. Securities and Exchange Commission, state attorneys general, and international enforcement agencies. Before joining Hogan Lovells, Shelita spent six years at Comcast Corporation where she developed the Company's corporate compliance program, including its global subsidiaries Xfinity, NBCUniversal, and Sky Limited. During this time, Shelita worked with internal and external corporate stakeholders to respond to and mitigate crisis events. Shelita is a D.C. native and graduate of Yale University and Columbia Law School.



# EMPLOYERS PANDEMIC DILEMMA— LOOKING FORWARD

## MODERATOR

### Tanya N. Blocker National Grid



Ms. Tanya N. Blocker is the Assistant General Counsel and Director for the US Employment, Labor and Benefits Group of energy conglomerate National Grid. Ms. Blocker began her legal career working at the law firm Kaye Scholer LLP. (kna Arnold Porter Kaye Scholer) where her practice centered around complex commercial litigation matters, including white collar criminal defense and employment law. Subsequently, Ms. Blocker served as senior counsel at a few AM 100 national law firms as well as in the Labor & Employment Law Division of the New York City Law Department, Office of Corporation Counsel, where she litigated manage-

ment-side employment matters, class and collective actions. Ms. Blocker's drive and dynamic personality has also facilitated her success in her leadership roles, including as the former President of the Association of Black Women Attorneys and the former Co-Chair of the Metropolitan Black Bar Association's Labor & Employment Section. With global leadership in her sights, Ms. Blocker has spent a significant portion of time in Accra, Ghana engaging in diversity and governance work and has presented on international employment law in Lagos, Nigeria. Ms. Blocker has been recognized for her exemplary leadership prowess, including by the New York Law Journal and Top 100 Magazine as a 2020 Top 100 Attorney.

### Yendelela Neely Holston Kilpatrick Townsend & Stockton LLP



Yendelela Neely Holston is a partner with and Chief Diversity & Inclusion Officer for Kilpatrick, Townsend & Stockton LLP ("Kilpatrick Townsend"). In her role as Chief Diversity & Inclusion Officer, Yendelela is responsible for overseeing, implementing and providing strategic leadership to Kilpatrick Townsend's diversity initiatives. As a practicing attorney, Yendelela concentrates her practice on employment counseling, litigation and defense strategy, with particular emphasis on discrimination and wage and hour class and collective actions. Prior to returning to Kilpatrick Townsend in September 2018, Yendelela was an Assistant Vice President-Senior Legal Counsel at AT&T Services, Inc. where she developed strategy and managed outside counsel in class/collective action litigation

involving employment matters against AT&T-related entities. Yendelela is a *magna cum laude* graduate of Furman University and a *cum laude* graduate of Duke University School of Law. Her passion for the law is rivaled only by her commitment to the community and the next generation of lawyers. Yendelela serves on the board of directors of several non-profits and on the Board of Trustees for Furman University. She was recently named as Chambers & Partners 2020 Diversity & Inclusion Lawyer of the Year.





## **Jerry M. Hunter**

### **Bryan Cave Leighton Paisner LLP**

Jerry M. Hunter is a partner in the Commercial Litigation and the Labor and Employment Law Client Service Groups of the law firm of Bryan Cave Leighton Paisner LLP. He practices out of the Firm's St. Louis and Washington offices where his practice involves conducting internal investigations, serving as an arbitrator and mediator, and representing clients in all phases of labor and employment law, including preventative labor relations and supervisory training, affirmative action and diversity issues, labor arbitration, handling charges filed with the National Labor Relations Board ("NLRB"), the U.S. Equal Employment Opportunity Commission ("EEOC"), U.S. Department of Labor, state and local civil rights agencies and cases filed in federal and state courts. Prior to joining

Bryan Cave Leighton Paisner LLP, Mr. Hunter served as General Counsel of the National Labor Relations Board ("NLRB") from November 1989 through November 27, 1993. Mr. Hunter was nominated for the position of General Counsel of the NLRB during May, 1989, and confirmed by the United States Senate during November, 1989. In that position, he supervised the Office of General Counsel and the agency's 1,800 employees; oversaw the operations of 33 regional, two sub-regional and 17 resident offices; prosecuted unfair labor practice cases before the Five Member Board; and represented the agency before the Federal District Courts, the U.S. Courts of Appeals and the Supreme Court. Mr. Hunter is a 1974 graduate of the University of Arkansas at Pine Bluff, where he received a bachelor of arts degree in history and government, and a 1977 graduate of Washington University School of Law in St. Louis, Missouri.

# Adjusting to Long-Term Disruption

AS NEW AND EMERGING CRISES TOUCH EVERY PART OF THE ORGANIZATION, GENERAL COUNSEL CAN PLAY A VITAL ROLE IN HELPING COMPANIES UNDERSTAND SHIFTING RISKS.



For more than 25 years, **Larry Young** has partnered with senior management teams in successfully leading multinational companies in a range of different industries and in more than 10 different countries through difficult strategic and operational transformations, including mergers, acquisitions, divestitures, crisis management, and restructuring.

**C** OVID-19 has dramatically disrupted the economy—and there is more to come. “We are in inning two or three of a nine-inning game,” says Larry Young, a managing director at the AlixPartners global consulting firm. Unlike past downturns, he says, this one is “systemic,” affecting both supply and demand across industries and touching every part of the economy. Moreover, these sorts of events are becoming more frequent, creating the need for strategies to help prevent future disruption. This is the new normal.

General counsel can play a critical role in helping their companies understand the shifting risks. To do so, says Young, they need to determine where their companies are in their response to the crisis in terms of four categories: Stabilization, Restructuring, Recovery, and Strategic Advantage (see chart, opposite page). Companies should develop solid measurements that let them objectively assess where they are in this framework. These will vary depending on specific situations, but such measurements could include customer acquisition levels in the Strategic Advantage category or production ramp-up factors in the Recovery category.

Knowing where they stand, they can evaluate the risks associated with their category—and reevaluate as they move along. If they are in Stabilization, what is the risk of losing customers or being acquired? If they are in Recovery, what are the risks around customer retention and employee engagement? Young says GCs should pay close attention to risk in two areas:

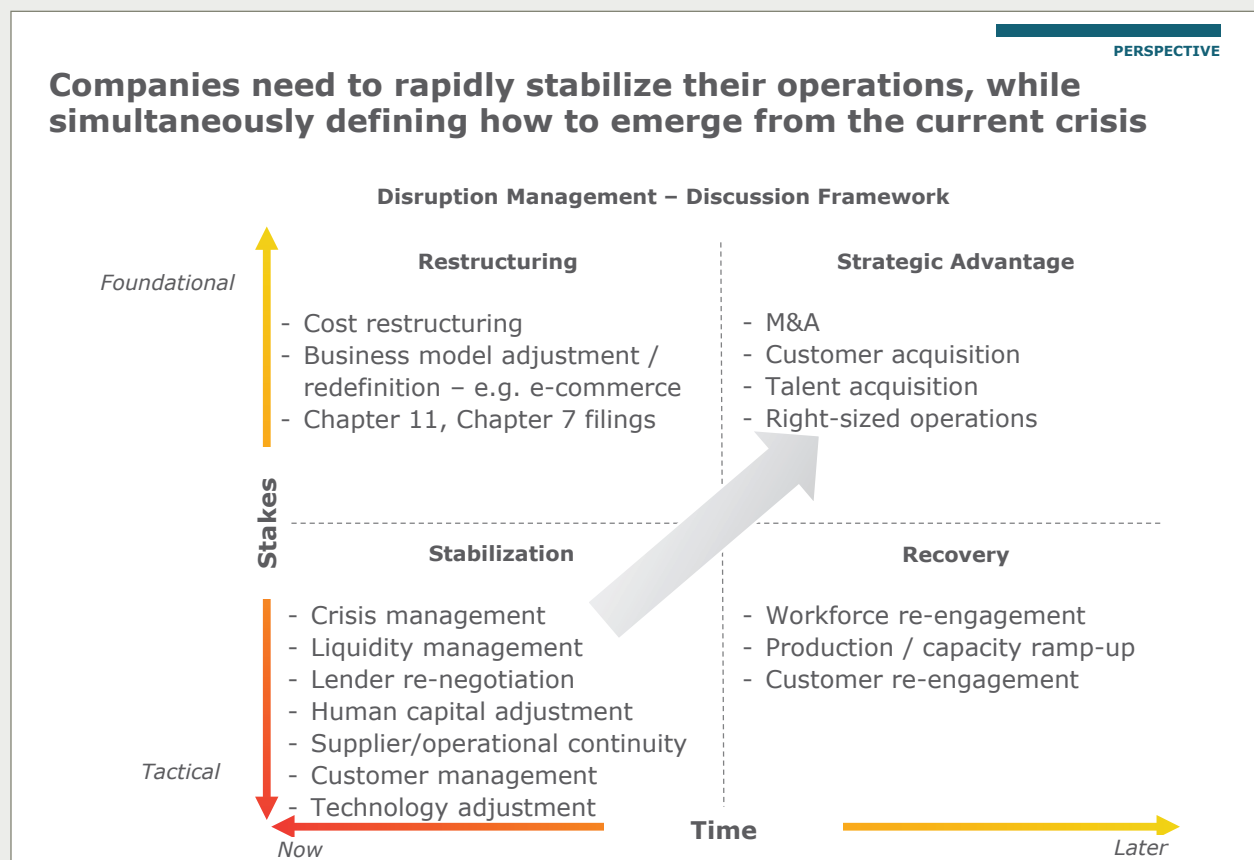
• **The Supply Chain.** It's important to consider the long-term fundamental changes being driven by the crisis. How will the supply chain ensure reliability and efficiency in an era of reduced or highly volatile demand? And how should the company be designing its supply network? "Instead of just looking at the cost of buying from a supplier, the GC might recommend that the supply chain be shortened, maybe by moving from a supplier in China to one in Mexico, to reduce the chances of disruption," Young says.

• **Customers.** General counsel can encourage their companies to take a data-driven view of customers—what they want, how their behaviors are changing in response to the crisis, how their needs are likely to evolve, and how demand is likely to change.

**IT'S IMPORTANT TO THINK NOT ONLY OF IMMEDIATE DISRUPTIONS BUT ALSO OF THE LONG-TERM FUNDAMENTAL CHANGES BEING DRIVEN BY THE CRISIS.**

"Knowing what's driving your customer is key to being able to 'look around corners' and to be agile in dealing with disruption," says Young.

General counsel bring a valuable perspective to these issues, Young says. "They deal with HR, contracts, litigation, and so forth. From a risk standpoint, the CEO is probably the only one with a greater span. So the GC should be on point with this."



Companies adjusting to the COVID-19 pandemic need to stabilize their businesses. But they also need to create plans for restructuring, recovering, and building strategic advantage for the long term—while managing risk along the way.



## MODERATOR

### **Gordon McGrath** Tyson Foods, Inc.

Gordon McGrath is a Vice President and Associate General Counsel for Tyson Foods, Inc., one of the world's largest food companies. Mr. McGrath joined Tyson in 2020, and is currently responsible for leading legal support for mergers and acquisitions, contracting, and domestic business units. Prior to his role at Tyson, Mr. McGrath was Vice President, Corporate Affairs at Alitheon, Inc., an early-stage artificial intelligence software company where he was responsible for the company's legal and contracting affairs. Prior to his role at Alitheon, Mr. McGrath was Chief Counsel, Boeing Commercial Aircraft Supply Chain at The Boeing

Company. Mr. McGrath held various roles of increasing responsibility at Boeing, including Senior Counsel, Boeing Commercial Aircraft Sales and Counsel, Boeing Global Services. Mr. McGrath joined Boeing following positions as a Senior Associate in Holme Roberts & Owen's (now Bryan Cave's) Commercial Law and Securities group, where he focused on mergers and acquisitions and financing transactions, and as an Associate in White & Case's Mergers and Acquisitions group. Prior to practicing law, Mr. McGrath was an Associate in General Electric Company's Private Equity and Mergers and Acquisitions groups. Mr. McGrath holds a JD from Columbia Law School and a bachelor's degree from Middlebury College.



### **Sheila R. Adams** Davis Polk & Wardwell

Sheila R. Adams is a Counsel in the Antitrust & Competition Group of Davis Polk & Wardwell LLP where she has represented clients in a variety of civil litigation and government investigations across the country, and her practice focuses on antitrust investigations and litigation and the antitrust aspects of mergers and acquisitions. Her clients have included firms in the media and entertainment, technology, financial services, pharmaceutical and manufacturing industries, as well as individual corporate directors. She is a 2019 recipient of the National Bar Association's 40 Under 40 Nation's Best Advocates Award and one of the association's five individual 40 Under 40 awards for Excellence in Leadership. She also devotes substantial time to the representation of clients on a pro bono

basis and is a recipient of the Brooklyn Bar Association's 2017 Champion of Justice Award for her pro bono work. Sheila joined Davis Polk following her clerkships for Judge Raymond A. Jackson of the U.S. District Court for the Eastern District of Virginia and then-Chief Judge Carl E. Stewart of the U.S. Court of Appeals for the Fifth Circuit. She is a graduate of Harvard University and Columbia Law School.



## **Patrick A. Bradford**

### **Bradford Edwards & Varlack LLP**

Patrick is a complex commercial litigator with over thirty years of practice experience. He is based in New York City. He is founding partner of Bradford Edwards & Varlack LLP; a former partner with Davis Polk & Wardwell LLP and Pierce Bainbridge Beck Price & Hecht LLP; and former Chief Litigation Counsel for the New York City Council. Patrick regularly represents clients in federal and state courts throughout the nation. He also appears before federal and state governmental regulators, including the SEC, DOJ and FINRA. His practice specialties include antitrust, securities, employment, qui tam/whistleblower, class actions and commercial contracts. In early 2021, he led a group of African American antitrust lawyers in an amicus submission to the United States Supreme Court in

Alston v. NCAA. He has published and given public comments on the case, and other antitrust issues, before bar associations and in podcasts. Patrick is a graduate of Harvard College (1986) and the New York University School of Law (1989). Following law school he clerked on the federal district court for the Hon. Clifford Scott Green. He is admitted to practice law in NY, NJ and DC.



## **Christopher Wilson**

### **Baker Botts L.L.P.**

Christopher Wilson is a senior associate in Baker Botts' Antitrust and Competition Practice group. His practice focuses on civil antitrust, intellectual property, and other complex commercial actions. Chris has extensive experience in representing litigants from complaint filing through trial, as well as in advising corporate clients on a variety of antitrust matters. He has been a key member of legal teams for Fortune 500 clients defending against Sherman Act class action claims, including in cases that were granted favorable judgments at the motion to dismiss and summary judgment stages. Chris has represented and advised clients in a number of industries, including industrial manufacturing, telecommunications, pharmaceuticals, retail, and healthcare manufactur-

ing. He is currently co-chair of the ABA Section of Litigation's Antitrust Litigation Committee, and also serves on the Board of Trustees for several organizations directed to youth support services and scholarship initiatives. Chris graduated from Stanford Law School, where he served as President of the Stanford Black Law Students Association and graduated with Pro Bono Distinction. He received his undergraduate degree from Penn State University, where he was a Schreyer Honors Scholar and played running back and fullback for the university's football team.



# LABOR ISSUES IN THE BIDEN ADMINISTRATION



**MODERATOR**

## **Ayana Free** **Via**

Ayana Free is the global Head of Litigation and Regulatory Compliance at Via Transportation, Inc. (“Via”), a leading provider of microtransit technology. Ms. Free joined Via in 2020, and is responsible for managing all litigation and regulatory matters connected to Via’s consumer, SaaS and TaaS services and operations across over 20 countries. She also leads Via’s Compliance team. Prior to her role at Via, Ms. Free was Senior Director of Legal Affairs at Zocdoc, Inc., an online medical and telehealth appointment booking platform, where she managed the company’s litigation, employment and intellectual property portfolio. Ms. Free holds a bachelor’s degree

from Spelman College and a JD from New York University School of Law. After graduating from law school, she clerked for the Hon. Reginald C. Lindsay in the U.S. District Court for the District of Massachusetts. Ms. Free joined Zocdoc in 2013 following positions as an Associate in Cleary Gottlieb’s Litigation and Enforcement Group, specializing in securities class actions and internal investigations, and as an Assistant U.S. Attorney in the Eastern District of Virginia (Civil Division), where she successfully defended federal agencies and senior officials in both district court and appellate cases.



## **Darrell Gay** **Arent Fox LLP**

Darrell Gay, Arent Fox, is an experienced labor and employment attorney who utilizes his skills as a lawyer, his political connections and wherewithal, his business acumen as well as his experience working in and with the government to help his clients navigate the assorted federal, state, and local labor and employment laws. Using this experience enables Darrell to advise his clients on the best techniques in managing their operations and employee populations. He has assisted clients over the years with issues related to EEO laws, traditional labor/union environments, due diligence with merger of company operations, wage and hour laws, and day to day advice on managing employees. Darrell has also managed and led several C-suite internal investigations. Using his

experience and political skills, Darrell is seasoned in handling high-profile media cases, multiple plaintiff and defendant cases, and continuing violation cases. Key to Darrell’s work is the objective of assisting his clients in enhancing the performance of their employees and averting negative employee relations.



### **Gary Lafayette** **Lafayette & Kumagai**

Gary Lafayette, recipient of the CMCP Minority-Owned Law Firm Client Service Award, represents Fortune 500 companies and has tried over thirty cases to verdict. His practice encompasses general business litigation and all aspects of employment litigation. His firm, Lafayette & Kumagai LLP, recognized as a “Go-To Law Firm for the Top 500 Companies” for its Labor & Employment practice, was also listed in “Litigation Kings” and in “Who Represents America’s Biggest Companies?” in Corporate Counsel magazine. The firm was named by clients as an Honor Roll firm in Complex Commercial Litigation and Complex Employment Litigation

in BTI Litigation Outlook 2019: Changes, Trends and Opportunities for Law Firms. Mr. Lafayette has an AV Preeminent rating from Martindale-Hubbell, and currently serves as a member of the Executive Committee of the National Employment Law Council (NELC). He previously served as a member of the Board of Directors of the National Association of Minority and Women Owned Law Firms (NAMWOLF), as a member of the Editorial Advisory Board of California Lawyer magazine, and as the Co-Chair of the NAMWOLF Trials Practice Area Committee. Twenty-three of his cases have resulted in published opinions, including a significant Supreme Court housing case, *HUD v. Rucker*, 535 U.S. 125 (2002).

# True Representation, Real Results

Fast-growing global law firm Cooley's transformative approach to diversity, equity, and inclusion (DEI) includes seamless alignment with client values. Clients confirm that putting high-performance diverse teams on every facet of every engagement means Cooley's counsel is made to deliver optimized outcomes.

**W**ith a powerhouse platform in technology and life sciences, Cooley reflects the collaborative, entrepreneurial character of its cutting-edge clients. From tracking diverse representation in pitches and client teams to training lawyers on anti-racism, micro-inequities and allyship, DEI animates purpose and action firmwide. "DEI is our fuel for innovation," says Palo Alto-based Technology Transactions partner TJ Graham, who sits on Cooley's board of directors and chairs its Diversity Committee. "We're passionate about building a culture that respects, values, and celebrates differences, and we're relentless to drive real change."

## ALIGNING VALUES

For New York City-based Antitrust and M&A partner Tanisha A. James, "the rooting of DEI infrastructure and cultural competency in Cooley's DNA by the firm's leaders" has allowed her to flourish as a practitioner.

"Our rigorous, all-inclusive talent development and retention model fosters a safe, entrepreneurial environment for Black, women, and other diverse lawyers to excel as their true selves," says James, who chairs the firm's Black Attorney Affinity Group. "We succeed, and clients get the best possible representation."

Emblematic relationships include regenerative medicine leader ACell. "Growing our business often involves addressing unfamiliar or novel issues," says ACell COO and GC Chris Branch. "Groupthink will not work, which is where Tanisha and her team, and Cooley as a firm, deliver on diversity. By bringing their range of experiences to the table, they are uniquely equipped to answer our business and strategic challenges."

New York City-based Litigation partner Joseph Drayton is "proud" of the ready availability of diverse teams at Cooley. "It's central to our value proposition in achieving the best

"I don't have to advocate for or think about DEI with Cooley. It's ingrained in their culture, along with legal excellence and sage counsel."

—Chris Branch, COO & GC, ACell

results for clients," says Drayton, who in 2018 served as the 76th president of the National Bar Association. "Litigation entails storytelling based on experience. Having lawyers from differing ethnic, racial, or historically underrepresented backgrounds enhances how you identify with clients—and how you present in court."

Case in point: women-driven dating and networking company Bumble, which retained Cooley early on to defend a patent lawsuit in the U.S. "Joe's legal acumen impressed us by the way he simplified complicated legal concepts," says Mariko O'Shea, Bumble's London-based general counsel. "He assembled a diverse team of similarly talented lawyers, most of whom were women, to guide our CEO, Whitney Wolfe Herd, and our other women leaders through the process. In this matter and others, having partners that speak our language and closely understand our needs is invaluable."

"Responsive, and results-driven, Cooley stays on top of fast-developing technology trends. And the firm's commitment to DEI aligns with our culture of empowering women and underrepresented talent."

—Mariko O'Shea, GC, Bumble



NYC-based Litigation partner **Joseph Drayton** is a first chair trial lawyer specializing in complex IP and commercial matters.



NYC-based Antitrust and M&A partner **Tanisha A. James** chairs the firm's Black Attorney Affinity Group.



Palo Alto-based **TJ Graham** sits on Cooley's board of directors and chairs its Technology Transactions practice and Diversity Committee.