Effective Advocacy in Complex Business Disputes

2017 Antitrust & Complex Business Disputes Law Section Annual Meeting

LIVE • LIVE WEBCAST
Thursday, February 16, 2017
NC Bar Center, Cary

VIDEO REPLAYS (at printing)
Cary  Tue., June 6, 2017
Concord  Fri., June 9, 2017

CLE CREDIT: 6.0 Hours

UPDATES & REGISTRATION
www.tinyurl.com/CLE584ATM

SUMMARY: Advocacy in a complex business dispute brings with it a host of unique challenges, ranging from forum selection strategy, managing e-discovery in an effective and efficient manner and preserving questions for appeal. Hear from distinguished federal and state court judges and top practitioners on how to effectively advocate for your clients in complex business disputes.

This program includes:

• Panel discussion with federal judges from each of North Carolina’s three judicial districts, led and moderated by an experienced law clerk
• Panel discussion with all four North Carolina Business Court judges about best practices
• Important updates regarding recent decisions of note for commercial litigators
• Practical tips for forum selection, e-discovery and preserving issues for appeal

The North Carolina Bar Association Foundation is accredited by the North Carolina State Bar as a provider of continuing legal education.
# Effective Advocacy in Complex Business Disputes
## 2017 Antitrust & Complex Business Disputes Law Section Annual Meeting
### #584ATM and #584LWC | February 16, 2017

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### FOUR WAYS TO REGISTER
- **ONLINE** | [www.ncbar.org/CLE](http://www.ncbar.org/CLE)
- **PHONE** | 800.228.3402
- **FAX** | 919.677.1774

Attn: Accounting, NCBA Foundation, P.O. Box 3688, Cary, NC 27519-3688  
*Credit cards only.  **Please make checks payable to the NCBA Foundation.*

### TUITION | LIVE • VIDEO REPLAY • WEBCAST | Select format and tuition rate below.

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<thead>
<tr>
<th>Registrant Type</th>
<th>Early Bird Tuition</th>
<th>Regular Tuition</th>
<th>Webcast Tuition</th>
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<tr>
<td>NCBA Antitrust &amp; Complex Business Disputes Law Section Member</td>
<td>$215 (Live)</td>
<td>$265 (Live)</td>
<td>$290 (Webcast)</td>
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**Note:** These categories do not qualify for Early Bird tuition.

### VIDEO REPLAY LOCATIONS
- Cary | #584BAR
- Concord | #584CRD
- Other (if applicable, from website): City: ____________ | Code: #584 ___

### REGISTRANT INFORMATION | Please print clearly.

- Print Full Name: ________________________________
- Firm/Organization Name: __________________________
- Address: ______________________________________
- City, State and ZIP: ______________________________
- Daytime Phone Number: __________________________
- Email Address: _________________________________
- NC State Bar No. (Required for MCLE Credit): __________________

### PAYMENT | Registration is processed only after payment is received. Please print clearly.

- Enclosed is a check, payable to the NCBA Foundation.
- Please charge my credit card.
- Card Number: ___________________________ Expiration Date: ___________
- Total Amount: __________ Sig: ____________________________
Thursday, February 16, 2017, 8:15a–4:30p

8:15a  Registration

8:55  Welcome and Introductions
C. Bailey King Jr.

9:00  Forum Options in Commercial Litigation
Robert R. Marcus
- Jurisdictional requirements for Federal and Business Court
- Forum selection considerations
- Litigating forum disputes

10:00  Break

10:15  Managing E-Discovery Well in Complex Litigation
Nathan C. Chase Jr. and Adam S. Wehler
Best practices for using search term analytics, computer assisted review and predictive coding to manage complex discovery well

11:15  View from the Federal Bench—Effective Trial Advocacy in Commercial Cases
Judge Max O. Cogburn Jr., Judge Robert T. Numbers II and Judge Thomas D. Schroeder
Moderator: Patricia W. Magee
Panel discussion on effective advocacy in complex business disputes with sitting federal judges in North Carolina

12:15p  Antitrust & Complex Business Disputes Law Section Annual Meeting
J. Mitchell Armbruster, Smith Anderson Blount Dorsett Mitchell & Jernigan LLP, Raleigh, 2016-17 Section Chair Presiding

12:30  Networking Lunch (included at Live program only)

1:15  Antitrust and Complex Business Dispute Case Law Update
Scott E. Bayzle
- Analysis of notable selected antitrust, Chapter 75, and other commercial cases from North Carolina Federal Courts and the North Carolina Business Court
- Discussion of the impacts of these cases on commercial litigation in the future

2:15  Appellate Pitfalls in the North Carolina Business Court and in Complex Business Disputes
Justice Paul M. Newby, Andrew H. Erteschik and Matthew Nis Leerberg
Hot takes on appellate issues facing commercial litigators from two board certified specialists in appellate practice

3:15  Break

3:30  View from the Business Court Bench 2017
Judge Louis A. Bledsoe III, Judge Adam M. Conrad, Judge James L. Gale, Judge Gregory P. McGuire and Judge Michael L. Robinson | Moderator: Jessica Thaller-Moran
Panel discussion with the four sitting Business Court judges on practice in the Business Court

4:15  Adjourn

4:30  Networking Reception (following Live program only)
Sponsored by Bell Davis & Pitt PA
Please join your colleagues and presenters for a reception in the lobby after the conclusion of the CLE program.

Program Agenda
Registrations are limited by space, and may include a live video broadcast overflow room. TRANSFERS Registrants may transfer from a Live program, Video Replay, Webcast, Webinar or Phone/Audio Streaming Program without penalty within three business days after the program date.

CANCELLATIONS Cancellations must be received by 9:00 a.m. the third business day prior to the program to qualify for a refund (less $75 administrative fee). Those not attending will receive the digital program materials in full consideration of tuition paid. MCLE CREDIT The North Carolina Bar Association Foundation is an accredited CLE sponsor under the MCLE Regulations promulgated by the NC State Bar Board of Continuing Legal Education. This program is approved (but not sponsored) by the Board for the designated number of CLE hours. Each attorney must maintain a record of his/her attendance for the NC State Bar annual report. MCLE credit is reported by NCRA Foundation only if a NC State Bar number is provided. Your CLE tuition includes mandatory State Bar fees used to support the State Bar’s Mandatory Continuing Legal Education program, the Chief Justice’s Commission on Professionalism and the Chief Justice’s Equal Access to Justice Commission. Your tuition also includes digital access to all program materials. DIGITAL PROGRAM MATERIALS You will receive a notification email when digital materials are available to download. To retrieve digital materials, log in and select “Your Course Materials” on the CLE website. All of the materials for this program will be available for download in advance of the program.

VIDEO REPLAYS To qualify for the Early Bird tuition, registration must be received one week prior to program date. NC State Bar rules require a minimum number of preregistered active State Bar members. The NCBA Foundation reserves the right to cancel any video program prior to the program date if registrations do not meet the NC State Bar requirement. Some sites require additional registration or evaluation forms. Visit www.tinyurl.com/CLE5864ATM to confirm video replay registration and program start times. CLE credit hours at Video Replays are subject to change. Video replay program attendees may purchase the printed manuscript at cost.

INCLEMENT WEATHER We make every effort to notify registrants when a program is canceled or delayed due to weather. If inclement weather is forecast, please check your local news listings or contact event venue. NCBA programs will follow the work schedule of the hosting institutions, to include delayed openings.

CLE SCHOLARSHIPS A limited number of scholarships are available to members in financial need. Contact Membership Services at 1.800.662.7407 or email akmemple@ncbar.org. EVENT SPONSOR AND EXHIBITOR OPPORTUNITIES Interested in meeting the attendees of this program? Become an exhibitor or sponsor! Contact Jennifer Shapiro at CLESponsorship@ncbar.org for detailed information about these opportunities and their benefits.

FOR MORE INFORMATION, VISIT WWW.NCBAR.ORG/CLE.
Program Information

Planner
• C. Bailey King Jr., Smith Moore Leatherwood LLP, Charlotte

Speakers
• Judge Max O. Cogburn Jr., United States District Court for the Western District of North Carolina, Asheville
• Judge Robert T. Numbers II, United States District Court for the Eastern District of North Carolina, Raleigh
• Judge Thomas D. Schroeder, United States District Court for the Middle District of North Carolina, Winston-Salem
• Justice Paul M. Newby, North Carolina Supreme Court, Raleigh
• Judge Louis A. Bledsoe III, North Carolina Superior Court, Charlotte
• Judge Adam M. Conrad, Special Superior Court for Complex Business Cases, Charlotte
• Judge James L. Gale, North Carolina Superior Court, Greensboro
• Judge Gregory P. McGuire, North Carolina Superior Court, Raleigh
• Judge Michael L. Robinson, North Carolina Superior Court, Winston-Salem
• Scott E. Bayzle, Parker Poe Adams & Bernstein LLP, Raleigh
• Nathan C. Chase Jr., Robinson Bradshaw & Hinson PA, Charlotte
• Andrew H. Erteschik, Poyner Spruill LLP, Raleigh
• Matthew Nis Leerberg, Smith Moore Leatherwood LLP, Raleigh
• Patricia W. Magee, United States District Court for the Western District of North Carolina, Charlotte
• Robert R. Marcus, Smith Moore Leatherwood LLP, Charlotte
• Jessica Thaller-Moran, Brooks Pierce McLendon Humphrey & Leonard LLP, Raleigh
• Adam S. Wehler, Robinson Bradshaw & Hinson PA, Charlotte

We extend our sincere gratitude to the NCBA Antitrust & Complex Business Disputes Law Section and the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the very highest quality.

Sponsor (at time of printing)
• SILVER SPONSOR: Bell Davis & Pitt PA

Hotel Information
Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and may sell out.

• Embassy Suites, 201 Harrison Oaks Boulevard, Cary
  Rate: $169 Single/Double. Rate includes a full cooked-to-order breakfast and the manager's evening reception.
  Reservations: 919.677.1840 | Reference Corporate ID: NCB or NC Bar Rate

• TownePlace Suites by Marriott, 120 Sage Commons Way, Cary
  Rate: $114 studio queen with sleeper sofa (Sunday–Thursday). Rate includes a complimentary hot breakfast. All rooms come with a fully equipped kitchen.
  Reservations: 919.678.0005 | Ask for the NC Bar Association corporate rate.
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“Judges were candid and informative. The materials and substantive presentations appeared to be very well researched and practical.”

“Great program overall, especially the opportunity to hear from and ask questions of judges.”

—Attendee, 2016 Antitrust & Complex Business Disputes Law Section Annual Meeting