Core Curriculum for Complex Business Litigators

TOTAL CLE CREDIT
7.25 HOURS

Ethics/Professional Responsibility .75 HOUR

LIVE and WEBCAST
Thursday, February 13, 2020
North Carolina Bar Center
8000 Weston Parkway
Cary

REGISTER TODAY!
Save 10% if registration is received by January 23, 2020.
www.tinyurl.com/CLE835ATM

Program includes the 2020 Antitrust & Complex Business Disputes Law Section Annual Meeting
This must-attend program takes deep dives into six substantive areas of law, selected because of their increasing impact on complex business litigation and corporate transactions. Business litigators can expect to hone their skills and better serve their clients by gaining a deeper understanding and top-of-mind awareness of:

- North Carolina’s economic loss rule, as applied in recent federal- and state-court decisions;
- Arbitration as an efficient and effective means of resolving complex business disputes;
- Recent trends in state and federal enforcement of antitrust laws and related investigations;
- Methods of effectively valuing business interests and issues that arise in preparing and testing those valuations in litigation and other dispute-resolution contexts;
- Ethical issues that arise in disputes involving small, closely held businesses; and
- The role that receivership plays as a potential remedy in complex business litigation.

The program culminates with a “view from the bench” panel of North Carolina Business Court judges. During this presentation, practitioners gain uniquely valuable insights into the Court’s perspectives and have an opportunity to have their own questions addressed by the judges.
AGENDA

THURSDAY, FEBRUARY 13, 2020 | 8:00 a.m. – 5:00 p.m.

8:00  Registration and Continental Breakfast

8:25  Welcome and Introductions
Segars

8:30  When Contracts Attack
Carey and Lawson
Examine the current status of North Carolina’s economic-loss rule, including current tension in the courts as to the doctrine’s application to intentional tort claims.

9:15  Arbitration: Efficient and Effective Resolution of Complex Business Disputes
Arrowood, Clayton and Hylton
Arbitration is often contractually required for resolving complex business disputes. Experienced arbitrators, an advocate and a case management officer provide insights on ADR choices and real-world data on arbitration outcomes. The presenters offer practical tips on how counsel can effectively utilize information exchange, dispositive motions and expedited procedures in arbitration to conduct a cost-efficient and expeditious process while effectively serving their clients. They also address particular issues in international disputes.

10:15  Break

10:25  The Evolving Antitrust Landscape from the Enforcers’ Perspective
Panelists: Domen and Quillian
Moderator: Skidmore
Two experienced antitrust enforcers — a current Federal Trade Commission attorney and a former state enforcer now in private practice — examine recent initiatives, investigations, theories and major enforcement actions by the Department of Justice, Federal Trade Commission and multiple state attorneys general. The discussion provides insight on these developments and sheds light on the enforcers’ priorities, which proves clients regarding their business deals and operations.

11:55  Antitrust & Complex Business Disputes Law Section Annual Meeting
Jenna F. Butler, Ward & Smith PA, Wilmington, 2019-2020 Section Chair, presiding

12:05  Networking Lunch
12:50  Business Valuation Issues That Give Judges, Valuators and Lawyers Heartburn  
Panelists: Hawkins and Strickland  
Moderator: Monroe  
Dissenters’ rights, dissolution actions, contractual triggering events and other shareholder rights that lead to disputes often ultimately fall into the hands of business valuation experts for resolution. Differences that arise between the lexicon of lawyers and valuation experts can exacerbate an already complicated dispute-resolution process. Join the lively discussion on a variety of topics that arise in business valuation disputes.

1:50  Closely Held: Ethical Issues That Arise in Small Business Disputes*  
Lee  
Disputes among a business and its constituents raise unique ethical issues. Conflicts of interest, privilege questions and even questions about the very formation of an attorney-client relationship abound in this context —especially for small, closely held businesses. Receive practical tips for identifying, avoiding and resolving these issues.

2:35  Break

2:45  The Role of Receivership in Commercial Litigation  
Sanderson  
Examine receivership as a remedy in state and federal litigation, including what receivership can accomplish, when receivership is available, and recent and proposed changes to receivership rules and statutes.

3:30  Business Court Judges Panel Discussion  
Panelists: Chief Judge Bledsoe, Judge Conrad, Senior Business Court Judge Gale, Judge McGuire and Judge Robinson  
Moderator: Burchette  
The program concludes with what has become the centerpiece of our section’s annual CLE: a panel discussion among the sitting NC Business Court judges, offering their perspectives about practice before the business court.

5:00  Adjourn/Networking Reception  
The networking reception is in the NC Bar Center’s Galleria immediately following the program.

* Indicates portion providing Ethics/Professional Responsibility credit
SPEAKERS

- Chief Judge Louis A. Bledsoe III, North Carolina Business Court, Charlotte
- Judge Adam M. Conrad, North Carolina Business Court, Charlotte
- Senior Business Court Judge James L. Gale, North Carolina Business Court, Greensboro
- Judge Gregory P. McGuire, North Carolina Business Court, Raleigh
- Judge Michael L. Robinson, North Carolina Business Court, Winston-Salem
- Catharine Biggs Arrowood, Parker Poe Adams & Bernstein LLP, Raleigh
- Stephen V. Carey, Parker Poe Adams & Bernstein LLP, Raleigh
- Sarah Burris Clayton, American Arbitration Association, Charlotte
- Victor J. Domen Jr., Norton Rose Fulbright US LLP, Washington, DC
- George B. Hawkins, Banister Financial Inc., Charlotte
- Deborah J. Hylton, Hylton ADR Services LLC, Durham
- Catherine R.L. Lawson, Parker Poe Adams & Bernstein LLP, Raleigh
- Scottie Forbes Lee, Ellis & Winters LLP, Greensboro
- Ryan K. Quillian, Federal Trade Commission, Washington, DC
- George F. Sanderson III, The Sanderson Law Firm PLLC, Raleigh
- Jon Strickland, Elliott Davis LLC, Raleigh

HOTEL INFORMATION

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

Embassy Suites
201 Harrison Oaks Boulevard, Cary
- **Nightly Rate:** $174 single/double
- **Reservations:** 919.677.1840 or www.tinyurl.com/NCBA-Embassy
- **Corporate Account Code:** 2691626

TownePlace Suites by Marriott
120 Sage Commons Way, Cary
- **Nightly Rate:** $114 studio queen with sleeper sofa (Sunday–Thursday)
- **Reservations:** 919.678.0005
- **Ask for the NCBA corporate rate.**

PLANNER

- Thomas H. Segars, Ellis & Winters LLP, Raleigh

MODERATORS

- Kathleen Bradshaw Burchette, Johnston Allison & Hord PA, Charlotte
- Fred B. Monroe, James McElroy & Diehl PA, Charlotte
- Gregory L. Skidmore, Robinson Bradshaw & Hinson PA, Charlotte
SPECIAL ACCOMMODATIONS
NCBA makes every effort to ensure a quality learning experience. If you have dietary restrictions or need special accommodations, please contact us at least one (1) week prior to the program start date.

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

FEBRUARY FINALE CLE
We have everything you need to succeed!

You can pick and choose the sessions that fit your schedule and areas of interest.
Live and Webcast formats will be available.

February 24-28, 2020
www.tinyurl.com/FebruaryFinale
Online: www.tinyurl.com/CLE835ATM | By phone: 800.228.3402
By mail: Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

STEP 1: Tell us who you are. (Please print clearly.)
Print Full Name: ________________________________
Address: _____________________________________
City, State and ZIP: ______________________________
Daytime Phone Number: _________________________
Email Address: _________________________________
NC State Bar No. (Required for MCLE Credit): ________________

STEP 2: Select your tuition rate. (Register early and save 10%. Payment must be received three (3) weeks prior to program date to qualify for the early rate.)

Standard Rate:  ☐ $390 / ☐ $350 Early
NCBA Member:  ☐ $325 / ☐ $295 Early
NCBA Antitrust & Complex Business Disputes Law Section Member:  ☐ $300 / ☐ $270 Early
CLE Premier Pass:  ☐ $0

STEP 3: Select your learning format.
☐ Live (835ATM)  ☐ Webcast (835LWC)  ☐ Video Replay  (See below.)

Video Replay registration (if selected).
Video Replays are scheduled for this program. The agenda may not include certain breakouts/tracks shown at the original program. For a list of dates and locations visit www.tinyurl.com/CLE835ATM and indicate your choice below.
Location: ________________Date: ____________ Code: _______

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(Registration is complete only after payment is processed. Please print clearly.)
I am registering for this program at the tuition rate checked above.
☐ Enclosed is a check, payable to NCBA. ☐ Please charge my credit card.
Card Number: ________________________________ Exp. Date: _______
Total Amount: ________ Signature: ________________________

Discounts may be available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.
REGISTRATION: All registrations are processed after payment is received. To qualify for the early tuition rate, payment must be received prior to the deadline indicated. Stated early discount rate percentage is approximate. Registrations may be capped based on venue size and may include an overflow room with additional seating. CHANGES TO EXISTING REGISTRATIONS: Should an attendee need to cancel his or her registration to a Live, Webcast or Video Replay program, the cancellation request must be received by 9:00a ET one (1) week prior to the start of the program to receive a full refund. Any attendee requesting cancellation less than one week prior to the program will receive a refund, less a $75 administrative fee. An attendee may choose to transfer his or her registration at a program to the Live, Webcast or Video Replay format of the same program only. Transfer requests must be received by 9:00a ET one (1) business day prior to the program start date. An attendee may further choose to substitute his or her registration to a Live or Video Replay program only. Substitution means sending another person to attend the Live or Video Replay program when the original registrant is unable to attend. Substitution requests must be received by 9:00a ET one (1) week prior to the program start date. The substituted person may be assessed a different fee based on their NCBA membership classification. Cancellation, transfer and substitution requests must be provided in writing by email at askcle@ncbar.org or by calling 800.228.3402. If an attendee misses any portion of a program, that portion is not subject to substitution, refund or transfer. Except as provided herein, registrations, including On Demand registrations, cannot be canceled, substituted or transferred once purchased. NO-SHOWS: Anyone who is registered for a program, including CLE Premier Pass holders, but does not check in is considered a no-show. No-shows are not issued a refund, and Premier Pass holders will be assessed a $75 administrative fee. These registrants will receive the digital materials, available in their online accounts, in full consideration of tuition paid. MISCELLANEOUS: The NCBA reserves the right to cancel or reschedule programs at any time. Should the NCBA cancel or reschedule a program, registrants may elect to receive a full refund or attend the newly scheduled program. The NCBA is not responsible for any additional expenses incurred as a result of such cancellation or rescheduling. Each attorney must maintain a record of his or her attendance for the NC State Bar Annual Report. MCLE credit is reported by the NCBA only if a NC State Bar number is provided. Registration and attendance at NCBA CLE programs constitutes an agreement by the registrant with the NCBA for use and distribution of the attendee's image or voice in photographs, videotapes, electronic reproductions and audiotapes of such programs and activities. Unless specified, spouses or guests are not eligible to attend NCBA CLE programs and activities without registering to attend. These terms are subject to change.