

**NATIONAL EMPLOYMENT LAW COUNCIL 15TH ANNUAL CONFERENCE**  
**April 28-30, 2010**  
**The Ritz-Carlton Lake Las Vegas**  
**Henderson, Nevada**

**AGENDA**

**WEDNESDAY, APRIL 28, 2010**

- 10:30 a.m. – 5:00 p.m.    **Registration**
- 1:15 p.m. – 1:30 p.m.    **Opening Plenary**
- 1:30 p.m. – 2:30 p.m.    **THE CONTINGENT WORKFORCE OF THE NEW MILLENNIUM**  
With so many companies downsizing and rightsizing, reliance on contractors and temporary workers has become more the norm, rather than the exception. Even though a contingent workforce may allow employers to reduce costs, there are many sources of potential liability for the unwary. This panel will address the latest ways of reducing liability when managing contingent workers.
- Moderator:**    Grady B. Murdock, Esq.–Littler Mendelson, P.C.  
Chicago, IL
- Speakers:**    Archangela M. DeSilva, Esq.–Spectra Energy Corp.  
Houston, TX  
Raymond J. Ramsey, Esq.–Bechtel Corporation  
San Francisco, CA
- 2:30 p.m. – 3:30 p.m.    **MANAGING EMPLOYEE LEAVE ISSUES**  
Will anyone be at work today? The recent amendments to the Americans with Disabilities Act and the Family and Medical Leave Act create major challenges for employers. Find out how the courts and administrative agencies are interpreting the laws that govern employee leaves, and get practical advice for managing employee leaves proactively.
- Moderator:**    Nicole Walthour, Esq.–International Paper  
Memphis, TN
- Speakers:**    Katherine C. Huibonhoa, Esq.–Paul Hastings Janofsky  
& Walker LLP, San Francisco, CA  
Bettina W. Yip, Esq.–Del Monte Foods Company  
San Francisco, CA  
Trudy Hardin, Esq.–Aon Corporation  
Denver, CO
- 3:30 p.m. – 4:00 p.m.    **Afternoon Break**

4:00 p.m. – 5:00 p.m.

**NAVIGATING THE SOCIAL NETWORKING HEMISPHERE**

Seems like everyone is on Facebook, MySpace, LinkedIn, or Twitter these days. What appeared to be a passing fancy is now a major vehicle for communication. How are these tools being used in the workplace for marketing, recruiting employees, and doing business? Is an employer liable for unwelcome and harassing communications on social networking sites? What kinds of policies are recommended? This panel will answer these questions and many more.

**Moderator:** Eric L. Barnum, Esq.–Schiff Hardin LLP  
Atlanta, GA

**Speakers:** Barbara A. Dunlap, Esq.–Walgreen Co.  
Deerfield, IL  
Robert Jones, Esq.–American Airlines  
Dallas, TX  
Todd A. Smith, Esq.–The Law Office of Todd A. Smith  
Calabasas, CA

6:30 p.m. – 8:30 p.m.

**WELCOME/NEWCOMER RECEPTION**

**THURSDAY, APRIL 29, 2010**

7:30 a.m. – 5:00 p.m.

**Registration**

7:30 a.m. – 8:30 a.m.

**Continental Breakfast**

8:00 a.m. – 9:30 a.m.

**2010 ANNUAL LABOR AND EMPLOYMENT LAW  
UPDATE/YEAR IN REVIEW**

A review and analysis of the most significant employment and labor cases of the last year, how they change the law, what they mean to employers and how you can use them in your next case.

**Moderator:** Karma S. Rogers, Esq.–Gonzalez Saggio & Harlan, LLP  
Milwaukee, WI

**Speakers:** Jerry M. Hunter, Esq.–Bryan Cave LLP  
St. Louis, MO  
Randall Robertson, Esq.–Apatoff Peters, LLC  
Rockville, MD  
David Powell, Esq.–Brownstein, Hyatt, Farber  
& Schreck, P.C., Denver, CO

9:30 a.m. – 10:30 a.m.

**STATE OF DIVERSITY INITIATIVES & “REVERSE DISCRIMINATION” (POST-RICCI)**

What is the impact of *Ricci* on diversity programs? Should employers reconsider approaches to diversity? This panel will provide an in-depth analysis of *Ricci* subsequent adverse impact cases.

**Moderator:** Darrell S. Gay, Esq.–Arent Fox LLP  
New York, NY

**Speakers:** Terri D. Austin, Esq.–McGraw Hill  
New York, NY  
Victor Bolden, Esq.–City of New Haven  
New Haven, CT  
Gwendolyn Reams, Esq.–Equal Employment Opportunity  
Commission, Washington, DC

10:30 a.m. – 11:00 a.m.

**Morning Break**

11:00 a.m. – 12:00 p.m.

**HEALTH CRISIS MANAGEMENT IN THE WORKPLACE**

The fear of a global influenza pandemic caught many employers off guard. What can employers do to ensure that they are prepared for a health crisis?

**Moderator:** Candice S. Wooten, Esq.–RAI Services Company  
Winston-Salem, NC

**Speakers:** Berna L. Rhodes-Ford, Esq.–Holland & Hart  
Las Vegas, NV  
Phillip Scott, Esq.–National Grid  
Brooklyn, NY  
Paul Meggett, Esq.–UNC Medical School  
Charlotte, NC

12:00 p.m. – 2:00 p.m.

**LUNCH – ADMINISTRATIVE AGENCY ATTORNEYS DISCUSS RECENT DEVELOPMENTS AT THE EEOC AND DOL**

The Obama administration has made administrative enforcement a top priority, with significant allocations of money to fund more investigations and attorneys to increase enforcement efforts. What can we expect from the EEOC and the Department of Labor? Hear from a panel of officials actually charged with enforcement as we ask them about their agencies’ recent enforcement initiatives and why your clients should be concerned.

**Moderator:** Waverly D. Crenshaw, Jr. Esq.–Waller, Lansden, Dortch & Davis  
Nashville, TN

**Speakers:** Faye Williams, Esq.–U.S. Equal Employment Opportunity  
Commission Region 9, Memphis, TN  
Anna Park, Esq.–U.S. Equal Employment Opportunity  
Commission, Los Angeles, CA  
William D. Smitherman, Esq.–Pacific Region Director of  
U.S. Department of Labor, San Francisco, CA

2:00 p.m. – 3:00 p.m.

**TRANSITIONING CAREER PATHS IN THE CURRENT ECONOMY**

In spite of the challenging economy, many labor and employment lawyers are advancing their careers and moving into impressive positions. This panel will tell us how to advance careers during this economic downturn, and what opportunities and challenges lay ahead.

**Moderator:** Sonya Johnson, Esq.–Arent Fox LLP  
New York, NY

**Speakers:** Michele C. Meyer-Shipp, Esq.–The Prudential Insurance  
Company of America, Newark, NJ  
Phyllis James, Esq.–MGM Mirage  
Las Vegas, NV  
Donna M. Hughes, Esq.–Watson Pharmaceuticals, Inc.  
Morristown, NJ

3:00 p.m. – 3:30 p.m.

**Afternoon Break**

3:30 p.m. – 5:00 p.m.

**MANAGING ELECTRONIC DISCOVERY (WITH FOCUS  
ON CLASS ACTION LITIGATION)**

How do you use e-discovery to your advantage, avoid pitfalls and make it work for you? This panel will explore how you can control the costs and scope of e-discovery, especially in class action cases.

**Moderator:** Stacey Campbell, Esq.–Littler Mendelson, P.C.  
Denver, CO

**Speakers:** The Honorable Fernando J. Gaitan, Jr. –Federal District Court  
Western District of Missouri  
L. Julius M. Turman, Esq.–Morgan, Lewis & Bockius LLP  
San Francisco, CA  
Carolyn Southerland–Managing Director, Huron Consulting  
Group, Houston, TX

6:30 p.m. – 8:30 p.m.

**RECEPTION**

**FRIDAY, APRIL 30, 2010**

7:45 a.m. – 9:00 a.m.

**Continental Breakfast**

8:30 a.m. – 10:00 a.m.

**WAGE AND HOUR UPDATES & GUIDANCE ON  
AUDITS/COMPLIANCE**

Every significant employer has the risk of violating the FLSA, perhaps unwittingly. This panel will help you help your clients minimize that risk by analyzing the latest DOL initiatives and priorities and what you can do to assist the client in removing those red flags.

**Moderator:** Lucretia Clemons, Esq.–Ballard Spahr LLP  
Los Angeles, CA

**Speakers:** Jerome Watson, Esq.–Miller, Canfield, Paddock and  
Stone, P.L.C., Detroit, MI  
Lindbergh Porter, Jr., Esq.–Littler Mendelson, P.C.  
San Francisco, CA  
Lynn Holley, Esq.–Pepsi Bottling  
Somers, NY

- 10:00 a.m. – 10:15 a.m. **Morning Break**
- 10:15 a.m. – 11:45 a.m. **NAVIGATING PROBLEMATIC ETHICAL ISSUES/SAVING CLIENTS FROM THEMSELVES**  
 The latest developments in the ethical conundrums faced by employment and labor defense lawyers.
- Speakers:** Dennis Duffy, Esq.–Baker Botts LLP  
 Houston, TX  
 Dawn Siler-Nixon, Esq.–Ford & Harrison LLP  
 Tampa, FL  
 Markus Green, Esq.–Pfizer Inc.  
 New York, NY
- 11:45 a.m. – 1:00 p.m. **LUNCH – ROUNDTABLE DISCUSSIONS**  
 Pick a lunch table and feast from a buffet of information.
- Discussions:** “Employee Free Choice and Traditional Labor”  
 Dean L. Burrell, Esq.–Republic Services  
 Phoenix, AR  
 “Preserving Attorney Client Privilege”  
 Belinda Reed Shannon, Esq.–GlaxoSmithkline  
 Research Triangle Park, NC  
 “Reasonable Accommodation”  
 Dionysia Johnson-Massie, Esq.–Littler Mendelson,  
 P.C., Atlanta, GA
- 1:00 p.m. – 2:30 p.m. **“STATE OF THE STATE” FROM IN-HOUSE AND OUTSIDE EMPLOYMENT AND LABOR COUNSEL**  
 This Panel will share the latest issues that keep in-house and outside lawyers up at night, so you can sleep soundly.
- Moderator:** Richard Amador, Esq.–Sanchez & Amador LLC  
 Los Angeles, CA
- Speakers:** Bill L. Stovall, Esq.–Waldorf-Astoria (Hilton) Hotel  
 New York, NY  
 Ruthie White, Esq.–Meyer White LLC  
 Houston, TX  
 Celia Balli, Esq.–KBR  
 Houston, TX
- 2:30 p.m. – 3:00 p.m. **Closing Plenary and Discussion of Upcoming NELC Activities**
- 3:30 p.m. – 5:00 p.m. **Coordinating Committee Meeting**