

Representing Businesses in Litigation: Navigating Conflicts While Preserving Privileges

*Commercial Practice Seminar**

May 2, 2013

Registration and Continental Breakfast 8:30 am • Presentation 9:00 am – 12:00 pm

PRESENTED BY

Laura Caldera-Taylor, Shareholder, Bullivant Houser Bailey PC
Thomas Tongue, Partner, Dunn Carney Allen Higgins & Tongue LLP
Mark J. Fucile, Partner, Fucile & Reising LLP
Ken Stephens, Partner, Tonkon Torp, LLP

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Application has been made to the OSB for 3 CLE hours

Defense lawyers must constantly assess client relationships and conflict and privilege issues when representing businesses, whether retained directly or by an insurer of the entity. This seminar will feature a panel of seasoned experts in select practice areas who will discuss the following key issues:

- Who is your client?
- What is the form of the entity and why should I care?
- How should I communicate with my client without creating conflicts or creating privilege issues?
- How should I structure the engagement to minimize risk of conflicts or waiver of privilege?
- What should I do if a conflict develops mid-stream?
- How can I protect communications to the greatest extent possible?
- How can I create bullet-proof Joint Defense Agreements for related entities and individuals?
- Limited purpose representation (defending a deposition).
- How to protect the entity's intellectual property (what should you worry about and how can it be protected)?
- When and how to withdraw?

About the Speakers

Laura Caldera-Taylor, Shareholder, Bullivant Houser Bailey PC
Laura is a trial lawyer who represents businesses and professionals in intellectual property, securities, and "bet-the-company" litigation. She is well versed on the difficult conflicts and privilege issues that can arise when representing businesses and professionals involved in complex litigation.

Thomas Tongue, Partner, Dunn Carney Allen Higgins & Tongue LLP
Tom is a veteran trial lawyer (a "lawyer's lawyer"), who regularly represents businesses and also represents lawyers in legal malpractice claims and bar complaints. He has unique insight into what risks and issues can create problems for lawyers who represent business entities.

Mark J. Fucile, Partner, Fucile & Reising LLP

Mark advises lawyers, law firms and corporate and governmental legal departments throughout the Northwest on legal ethics, risk management and attorney-client privilege issues. He also defends lawyers before courts and regulatory agencies on legal ethics matters and has been retained as an expert and taught as an adjunct professor on legal ethics.

Ken Stephens, Partner, Tonkon Torp, LLP

Ken is a founding partner of Tonkon Torp. After trying his hand at litigation in the late 1960's, he transferred to business and corporate law. Since then his practice has emphasized corporate, securities and financial transactions. Ken has served several terms on Tonkon Torp's managing board, including several terms as chairman. He presently serves as the firm's general counsel where he says he takes a somewhat visceral approach to ethics and risk management issues.

**Schedule, Speakers, and Program are Subject to Change*

Space Limitations: Space is limited, so early registration is encouraged.
In the event that room space becomes filled to capacity, late registrants cannot be accommodated.

REGISTRATION FORM

May 2, 2013

***Representing Businesses in Litigation: Navigating
Conflicts While Preserving Privileges***

To register for the seminar, please complete the following information and send to the OADC office with payment by April 26, 2013.

Name _____

Firm _____

Address _____ City _____ State _____ Zip _____

Phone _____ Fax _____

Email _____

OSB# _____

Course Registration Fees: OADC Member \$75 Nonmember* \$125

Total Amount Due \$ _____

PAYMENT OPTIONS: Check, Payable to OADC Visa/MasterCard American Express

Card # _____ Exp. Date _____ Amount \$ _____

Name on Card _____

Signature _____

Card Billing Address (required) _____

City _____ State _____ Zip _____

Nonmember registration*:

To be eligible to attend the workshop at the nonmember status, you must meet OADC eligibility requirements and be co-signed by two current OADC members, or be a guest invited by the OADC board of directors.

OADC membership eligibility requirements: I hereby represent that I am an active member of the Oregon State Bar, and that I devote a substantial portion of my time to the defense of civil litigation, or fulfill the OADC neutral member membership requirements. If needed, I could give a list of references of the names of any insurance companies, self-insured clients, businesses, organizations or entities that I represent as defense counsel.

OADC Member Co-Signer _____ OADC Member Co-Signer _____

Cancellation Policy: Cancellations received on or before 5:00 pm April 26, 2013 will receive a complete refund on their registration fee. Cancellations received after 5:00 pm April 26, 2013, no shows, or same-day cancellations won't be refunded.

Due to our credit card compliance policies we cannot accept credit card payment registrations via email or over the phone.

Send to OADC via fax at 503.253.9172 or mail to 147 SE 102nd Avenue, Portland, OR 97216 or register online at www.oadc.com.

Questions? Call 503.253.0527 or toll free at 800.461.6687 or info@oadc.com