



# Retail and Hospitality Litigation and Claims Management

Presentations geared toward in-house and industry professionals

Best strategies for effectively and efficiently defending claims and suits

Industry insights on emerging issues such as human trafficking and “going green”

The latest on NLRB issues

Special focus on insurance coverage, corporate compliance, and commercial law

May 7-8, 2015

Loews Chicago Hotel

Chicago, Illinois

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your practice ■



**D**RI's 2015 Retail and Hospitality Litigation and Claims Management Seminar is the “must-do” conference for defense attorneys, corporate counsel, risk managers, and claims professionals who focus on retail and hospitality. Join industry thought leaders, colleagues, and friends in one of America's most vibrant cities for two days of engaging and candid presentations and discussions. Every professional should attend this seminar for the opportunity to network and a one-of-a-kind educational opportunity.

This year's program offers “two for the price of one.” The program offers the opportunity for both educational and networking crossover with the DRI Intellectual Property Litigation Seminar held simultaneously at the same hotel. You are welcome to attend any session at either seminar, but your CLE credits will be offered via your Retail and Hospitality Litigation and Claims Management Seminar registration. You will be able to network with speakers and attendees from both seminars during common breaks and social events.

The Retail and Hospitality Committee pledges to *GiveOne*™, benefitting Dress for Success. See page 6 for details.



**Christian Stegmaier**  
Program Chair



**Sara M. Turner**  
Program Vice Chair



**Jennifer A. Hoffman**  
Committee Chair



**Stephanie Gaston Poley**  
Committee Vice Chair



**Lee Craig**  
Law Institute



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DRI seminars

<http://www.youtube.com/user/DefenseBar>

PRESENTED BY **DRI's Retail and Hospitality Committee**








## What You Will Learn

- Tips for preventing, managing, and defending alcohol liability
- Best practices for surveillance training and evidence preservation
- How to balance religion in the workplace issues with business needs, branding, and marketing
- Strategies to approach security manuals and hiring security
- How the retail and hospitality industries can help combat human trafficking



## Get Started

- 1 Review the brochure and identify sessions of interest to you
- 2 Share this brochure with colleagues
- 3 Register online at <http://dri.org/Event/20150096> or complete the form in the back
- 4 Add the program to your calendar
- 5 Download the DRI App   and make use of its features to get the most out of this program
- 6 Share on social media   

## Maximize Your DRI Seminar Experience

*No one gets you connected like DRI.*

- Use the DRI App to customize your schedule, view course materials, and communicate with fellow attendees and speakers.
- Access the **DRI Retail and Hospitality Committee Community** at <http://community.dri.org/home> to network with individual members. Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Discover the  **DRI Client Connection**—meet in-house registrants and speakers.

## PROGRAM SCHEDULE

## WEDNESDAY, MAY 6, 2015

6:00 p.m. **Registration**6:00 p.m. **Networking Reception**SPONSORED BY **McVey & Parsky LLC**

## THURSDAY, MAY 7, 2015

**Boarding Pass Kiosk**SPONSORED BY **Cremer Spina Shaughnessy  
Jansen & Siegart LLC**7:00 a.m. **Registration**7:00 a.m. **Continental Breakfast**7:00 a.m. **First-Time Attendees Breakfast**


RETAIL AND HOSPITALITY COMMITTEE CHAIR

**Jennifer A. Hoffman**8:00 a.m. **Welcome and Introduction****Jennifer A. Hoffman**, *Marlow Adler Abrams  
Newman & Lewis*, Coral Gables, Florida**Christian Stegmaier**, *Collins & Lacy PC*,  
Columbia, South Carolina8:15 a.m. **Preventing, Managing, and Defending  
Alcohol Liability: The Latest Approaches**

This panel will discuss latest issues and strategies employed regarding “dram shop” liability—from prevention and best management practices through defending complex, multi-party actions involving simultaneous criminal and civil litigation.

**Robert E. LeMoine**, *Carr Allison*,  
Birmingham, Alabama**Michael J. McCabe, Jr., PhD, DABT, ATS**,  
*Robson Forensic Inc.*, Lancaster, Pennsylvania9:10 a.m. **Emerging Risks: Not Your  
Grandfather’s Troubles**

Risk managers must address a fundamentally different set of risks stemming from the proliferation of threats of terrorism, civil and social unrest, and epidemics and pandemics. The new and varied sets of challenges these threats present to businesses that rely on personal customer contact require comprehensive, tailored and adaptable risk prevention and management plans.

**Carlos E. Del Carpio**, *Carroll McNulty Kull LLC*,  
Chicago, Illinois Denotes **THE DRI CLIENT CONNECTION**: In-house speakers **Nancy Green**, *Aon Risk Services*,  
Chicago, Illinois **Stephen Truono**, *Starwood Hotels & Resorts  
Worldwide Inc.*, Stamford, Connecticut10:00 a.m. **Refreshment Break**SPONSORED BY **Collins & Lacy PC**10:15 a.m. **Getting Video Surveillance Right in 2015**

Given that perceptions and expectations have outpaced technology, the retail and hospitality industries must evolve and maintain a consistent approach to make the best use of their security and surveillance assets. This includes training and evidence preservation to the benefit of the company at trial. Experienced gaming attorneys address challenges relating to surveillance.

**Brett M. Bollinger**, *Zaunbrecher Treadaway LLC*,  
Covington, Louisiana **Belinda Brissette-Mathias**, *MGM Resorts  
International Inc.*, Las Vegas, Nevada**Scott Burnham Hollis**, *Jones Walker LLP*,  
Olive Branch, Mississippi11:10 a.m. **Keynote Speech: Design Your Life**

Author of the recently released “Design Your Life” and former president and global chief HR officer of IKEA North America, Ms. Spiers-Lopez is dedicated to advancing cultural inclusiveness, diversity, women in leadership, and empowering people to achieve their highest aspirations while remaining true to themselves.

**Pernille Spiers-Lopez**, Los Angeles, California12:00 p.m. **Lunch (on your own)**1:15 p.m. **Human Trafficking and the Real Impact  
on the Retail and Hospitality Industry**

Human trafficking is poorly understood and under-reported in the United States. Learn about how human trafficking occurs within the retail and hospitality industries, and how the industries can help in detection, arrest, and prosecution of this heinous offense.

**Richard J. Keating, Jr.**, *Swanson Martin &  
Bell LLP*, Chicago, Illinois**Louis C. Longhitano**, *Cook County State’s  
Attorney’s Office*, Chicago, Illinois2:10 p.m. **Young Lawyers Breakout (see page 3)**

2:10 p.m. **Everyone Is Liable: The Expanding Reach of the NLRB**  
Learn more about the National Labor Review Board's ever-increasing influence and effect on the retail and hospitality sectors, including the NLRB's (1) expanding joint-employer philosophy; (2) "micro-unit" rule in representation cases and the recent decisions involving various retailers; and (3) increasing scrutiny of basic employer conduct policies.

MODERATOR | **Brian J. Kurtz**, *Ford & Harrison LLP*, Chicago, Illinois

PANEL

**Marquis W. Heilig**, *Thompson Sizemore Gonzalez & Hearing PA*, Tampa, Florida

**Thomas J. Posey**, *Faegre Baker Daniels LLP*, Chicago, Illinois

3:05 p.m. **Refreshment Break**  
SPONSORED BY **Cranfill Sumner & Hartzog LLP**

3:20 p.m. **The Legal Pitfalls of Going Green in the Food and Beverage Industry**  
Sustainable, farm-to-table, green, certified organic, and eco-friendly have become important terms in the hospitality industry in the past few years. But what exactly does it mean when your restaurant "goes green"? More importantly, what are the legal issues that a

company will face when it decides to be more environmentally friendly?

**Christian Hardigree**, *Kennesaw State University*, Kennesaw, Georgia

4:05 p.m. **Effectively Defending Premises Liability Lawsuits Involving "Too Slippery" Walking Surfaces**

Understanding how walkway surfaces should be tested and the changes that have occurred in the testing protocols for this industry in the past five years is vital to the defense of "too slippery" walkway surface claims. Moreover, an understanding of these issues can be crucial to the selection and use of walkway surfaces by our clients.

**Charles O. Williams**, *McAngus Goudelock & Courie LLC*, Columbia, South Carolina

**Roy A. Wadding, PE**, *SEA Ltd.*, Tampa, Florida

4:05 p.m. **In-House Counsel and Risk Managers Meeting (in-house counsel and risk managers only): Hot Topics Facing In-House Counsel in Intellectual Property and Managing Retail and Hospitality Cases**

5:00 p.m. **Adjourn**

5:05 p.m. **Retail and Hospitality Committee Meeting (open to all)**

6:00 p.m. **Networking Reception**  
SPONSORED BY **Rimkus Consulting Group Inc.**

## YOUNG LAWYERS BREAKOUT

THURSDAY, MAY 7 2:10 P.M.-5:00 P.M. (Limited to DRI Young Lawyer Committee members)

2:10 p.m. **Deposition Practice Tips**  
The session will focus on the fundamentals of witness preparation and defending a client deposition, taking the plaintiff's deposition, and taking an expert's deposition.

**Pamela N. Lee**, *Swift Currie McGhee & Hiers LLP*, Atlanta, Georgia

3:05 p.m. **Refreshment Break**

3:20 p.m. **Multiparty Practice and Representation**  
Litigation in retail and hospitality can be very complicated. These complications can especially arise when there are matters involving multiple parties that give rise to cross claims and third-party complaints, insurer reserva-

tion of rights, and contractual agreements with vendors involving tenders. Come make sense of this complexity with an experienced litigator.

 **Michael J. Chmielewski**, *Ace Hardware Corp.*, Oak Brook, Illinois

**Gregory J. McKenna**, *Gallagher Bassett Services Inc.*, Itasca, Illinois

4:10 p.m. **Marketing as a Young Lawyer**

Hear from a respected in-house counsel about what she expects from junior counsel involved in her litigated matters and how they can earn her business in the future.

 **Heather A. Lacey**, *Legal Seafood Inc.*, Boston, Massachusetts



7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner (*on your own*). More details on-site.

## FRIDAY, MAY 8, 2015

### Boarding Pass Kiosk

SPONSORED BY **Cremer Spina Shaughnessy Jansen & Siegert LLC**

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**

8:00 a.m. **Announcements**

**Sara M. Turner**, *Baker Donelson Bearman Caldwell & Berkowitz PC*, Birmingham, Alabama

8:10 a.m. **Retail Power Hour**

Hear four separate presentations on current best practices regarding disclosure issues involving incident reports, witness statements, and videos in personal injury actions, in addition to investigations into the medical history of a claimant and preventive measures for responding to slip and falls in retail stores.

9:00 a.m. **Hospitality Power Hour**

Four skilled practitioners will discuss current issues affecting hotels, food service establishments, bars and private clubs, and other hospitality-related entities, including how to avoid FTC action related to consumer data, employment issues pertaining to termination remedies, an update on anti-discrimination laws, and liability emanating from the criminal acts of third parties.

10:00 a.m. **Refreshment Break**

10:15 a.m. **Intellectual Property and Your Brand**

Two experienced intellectual property experts discuss the dangers of brand dilution; how to use available trademark, patent, and copyright devices to ensure that your intellectual property is protected; and how to make use of some important pre-litigation and litigation strategies for effectively enforcing those rights.

**Philip R. Bautista**, *Taft Stettinius & Hollister LLP*, Cleveland, Ohio

 **Ari Sherwin**, *The Sherwin-Williams Company*, Cleveland, Ohio


11:00 a.m. **Religion in the Workplace**

Title VII demands that employers offer a reasonable accommodation subject to undue hardship

on the employer. In the food, retail and hospitality industries, these issues take on added complexity because accommodating employees' requests for changes in schedules, modifications to uniforms, or time for prayer or other sincerely held religious practices may result in conflicts with business needs as well as customers, branding, and marketing. This session will focus on best practices for resolving those conflicts and minimizing legal and business risks.

MODERATOR | **Waverly D. Crenshaw, Jr.**, *Waller Lansden Dortch & Davis LLP*, Nashville, Tennessee

### PANEL

 **Kevin A. Henry**, *Extended Stay America Inc.*, Charlotte, North Carolina


 **Rafael Medina**, *McDonalds Corp.*, Oak Brook, Illinois

 **Katina C. Thornock**, *Starbucks Corp.*, Seattle, Washington

12:00 p.m. **Tips on Drafting Security Manuals and Hiring Security Support**

Security manuals are a necessity, but when they are not drafted or implemented properly, they can become a liability to the company. This presentation will provide insights and practical advice from industry defense counsel and the head of security for a large grocery store chain.

**Stacy D. Fulco**, *Cremer Spina Shaughnessy Jansen & Siegert LLC*, Chicago, Illinois

 **Vincent Rampulla**, *Roundy's Supermarkets Inc.*, Milwaukee, Wisconsin

12:50 p.m. **The Ethics of Doing Business**

Hear the perspective of in-house counsel on the interplay between their positions and corporate compliance, the ethical considerations for their roles, and how they partner with outside counsel to support and protect their respective companies and brands.

**Peter J. Bradford**, *KPMG*, Chicago, Illinois

**Laura McCabe Brandt**, *Burch Creative Capital*, New York, New York

**Julie M. Kennedy**, *Johnson & Bell Ltd.*, Chicago, Illinois

1:50 p.m. **Adjourn**

 Denotes **THE DRI CLIENT CONNECTION**: In-house speakers

## GENERAL INFORMATION

### In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys, who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates and subsidiaries. In order to qualify for free registration, the individual must also be a DRI member and a member of DRI's Corporate Counsel Committee. Offer excludes the DRI Annual Meeting.

### Claims Executives

Any member of DRI employed as a claims professional by a corporation or insurance company, who spends a substantial portion of his or her professional time hiring or supervising outside counsel in the representation of business, insurance companies or their insureds, associations or governmental entities in civil litigation, will be entitled to free attendance at any DRI program. **Limited to one seminar per calendar year.** Offer excludes DRI Annual Meeting.

### CLE/Claims Adjusters Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **12.25** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. **Application has been made for continuing education for claims adjusters.** Credit availability and requirements vary from state to state; please check the DRI website at [dri.org](http://dri.org) for the latest information for your state.



A limited number of discounted hotel rooms have been made available at the **Loews Chicago Hotel, 455 North Park Drive Chicago, IL 60611.**

Take advantage of the group rate of **\$279 Single/Double** in one of two ways:

- 1) Reserve online: Visit [dri.org](http://dri.org) and go to the **DRI Retail and Hospitality Litigation and Claims Management Seminar** page and click on the "Book Hotel" tab.
- 2) Or **contact the hotel directly at 312.840.6600** and mention the **DRI Retail and Hospitality Litigation and Claims Management Seminar.**

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **April 7, 2015**, to be eligible for the group rate. Requests for reservations made after **April 7** are subject to room and rate availability.

### Registration Policy

**Save \$100 when you register by April 9, 2015.** (See the registration form for pricing.) The registration fee includes course materials, continental breakfasts, refreshment breaks, networking receptions, and access to the DRI App. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **April 16, 2015** (please allow 10 days for processing). Registrations received after **April 16, 2015**, will be processed on-site.

### Refund Policy

The registration fee is fully refundable for cancellations received on or before **April 16, 2015**. Cancellations received after **April 16** and on or before **April 23, 2015**, will receive a refund, less a \$100 processing fee. Cancellations made after **April 23** will not receive a refund, but the course materials on CD-ROM and a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email ([seminars@dri.org](mailto:seminars@dri.org)) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

### Discounts

**Group Discount** The first and second registrations from the same firm or company are subject to the fees outlined on the registration form. The registration fee for additional registrants from the same firm or company is \$695, regardless of membership status. All registrations must be received at the same time to receive the discount.

**Travel Discounts** DRI offers discounted meeting fares on various major air carriers for **DRI's Retail and Hospitality Litigation and Claims Management Seminar** attendees. To receive these discounts, please contact Hobson Travel Ltd., DRI's official travel provider, at 800.538.7464. As always, to obtain the lowest available fares, early booking is recommended.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- A small portion of your room rate offsets the costs of the seminar.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

## Hotel Accommodations

## FACULTY

**Philip R. Bautista**, Taft Stettinius & Hollister LLP,  
Cleveland, Ohio

**Brett M. Bollinger**, Zaunbrecher Treadaway LLC,  
Covington, Louisiana

**Peter J. Bradford**, KPMG, Chicago, Illinois

**Laura McCabe Brandt**, Burch Creative Capital,  
New York, New York

 **Belinda Brissette-Mathias**, MGM Resorts  
International Inc., Las Vegas, Nevada

 **Michael J. Chmielewski**, Ace Hardware Corp.,  
Oak Brook, Illinois

**Lee Craig**, Butler Pappas Weihmuller Katz Craig LLP,  
Tampa Florida

**Waverly D. Crenshaw, Jr.**, Waller Lansden Dortch & Davis LLP,  
Nashville, Tennessee

**Carlos E. Del Carpio**, Carroll McNulty Kull LLC, Chicago, Illinois

**Stacy D. Fulco**, Cremer Spina Shaughnessy Jansen &  
Siegert LLC, Chicago, Illinois

 **Nancy Green**, Aon Risk Services, Chicago, Illinois

**Christian Hardigree**, Kennesaw State University,  
Kennesaw, Georgia

**Marquis W. Heilig**, Thompson Sizemore Gonzalez &  
Hearing PA, Tampa, Florida

 **Kevin A. Henry**, Extended Stay America Inc.,  
Charlotte, North Carolina

**Jennifer A. Hoffman**, Marlow Adler Abrams Newman  
& Lewis, Coral Gables, Florida


**Scott Burnham Hollis**, Jones Walker LLP,  
Olive Branch, Mississippi

**Richard J. Keating, Jr.**, Swanson Martin & Bell LLP,  
Chicago, Illinois

**Julie M. Kennedy**, Johnson & Bell Ltd., Chicago, Illinois

**Brian J. Kurtz**, Ford & Harrison LLP, Chicago, Illinois

 Denotes **THE DRI CLIENT CONNECTION**: In-house speakers

 **Heather A. Lacey**, Legal Seafood Inc.,  
Boston, Massachusetts


**Pamela N. Lee**, Swift Currie McGhee & Hiers LLP,  
Atlanta, Georgia

**Robert E. LeMoine**, Carr Allison, Birmingham, Alabama

**Louis C. Longhitano**, Cook County State's Attorney's Office,  
Chicago, Illinois

**Michael J. McCabe, Jr., PhD, DABT, ATS**, Robson Forensic Inc.,  
Lancaster, Pennsylvania

**Gregory J. McKenna**, Gallagher Bassett Services Inc.,  
Itasca, Illinois

 **Rafael Medina**, McDonalds Corp., Oak Brook, Illinois

**Stephanie Gaston Poley**, Cranfill Sumner & Hartzog LLP,  
Raleigh, North Carolina

**Thomas J. Posey**, Faegre Baker Daniels LLP, Chicago, Illinois


 **Vincent Rampulla**, Roundy's Supermarkets Inc.,  
Milwaukee, Wisconsin

 **Ari Sherwin**, The Sherwin-Williams Company,  
Cleveland, Ohio

**Pernille Spiers-Lopez**, Los Angeles, California

**Christian Stegmaier**, Collins & Lacy PC,  
Columbia, South Carolina

 **Katina C. Thornock**, Starbucks Corp.,  
Seattle, Washington

 **Stephen Truono**, Starwood Hotels & Resorts Worldwide  
Inc., Stamford, Connecticut

**Sara M. Turner**, Baker Donelson Bearman Caldwell &  
Berkowitz PC, Birmingham, Alabama

**Roy A. Wadding, PE**, SEA Ltd., Tampa, Florida

**Charles O. Williams**, McAngus Goudelock & Courie LLC,  
Columbia, South Carolina

View faculty bios online at <http://www.dri.org/Event/20150096> (Retail and Hospitality Litigation and Claims Management Seminar webpage); click on "Speaker List" tab.



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## CLE for Your Practice

View complete list of upcoming seminars at <http://www.dri.org/Events/Seminars>

View complete list of upcoming webcasts at <http://dri.org/Events/Webcasts>

March 18-20, 2015

### **Trial Tactics**

*Caesars Palace Las Vegas, Las Vegas, NV*

March 25-27, 2015

### **Insurance Coverage and Claims**

*Chicago Marriott Downtown, Chicago, IL*

April 15-17, 2015

### **Life, Health, Disability and ERISA**

*Marriott Marquis Washington D.C., Washington, D.C.*

May 6-8, 2015

### **Employment and Labor Law**

*Omni Scottsdale Resort at Montelucia, Scottsdale, AZ*

May 7-8, 2015

### **Intellectual Property Litigation**

*Loews Chicago Hotel, Chicago, IL*

May 7-8, 2015

### **Retail and Hospitality Litigation and Claims Management**

*Loews Chicago Hotel, Chicago, IL*

June 4-5, 2015

### **Beyond the Borders: Emerging Issues in Business Litigation**

*Sheraton Toronto Centre, Toronto, Canada*

June 11-12, 2015

### **Diversity for Success**

*Hyatt Regency Chicago, Chicago, IL*

## Publications for Your Practice

**Newsletter *Customer Connection—Retail & Hospitality News*** (two times a year)

**Retail and Hospitality** focus in *For The Defense*

**February 2015**

**March 2014**

**February 2013**

## Additional DRI Member Benefits

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# Retail and Hospitality Litigation and Claims Management Seminar

May 7-8, 2015

Loews Chicago Hotel | Chicago, Illinois

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Are you a first-time attendee at this DRI seminar?  Yes  No

How many attorneys are in your firm? \_\_\_\_\_ What is your primary area of practice? \_\_\_\_\_

## REGISTRATION FEE

Registration fee includes seminar attendance, networking events, course materials, and access to the DRI app. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar. The CD will be included in the registration packet on-site. You can order additional copies by checking the appropriate box below or going online at [dri.org](http://dri.org).

	On or before Apr. 9, 2015	After Apr. 9, 2015	
<input type="checkbox"/> Member	\$795	\$895	<i>For inclusion on the preregistration list and to receive course materials in advance, register by April 16, 2015.</i>
<input type="checkbox"/> Nonmember	\$1,025	\$1,125	
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<input type="checkbox"/> Law Student Member	FREE		
<input type="checkbox"/> In-House Counsel Member*	FREE		
<input type="checkbox"/> Claims Executive Member*	FREE		
<input type="checkbox"/> Group Discount*	\$695 (*as defined on page 5)		

## ADDITIONAL COURSE MATERIALS

Member \$75  Nonmember \$95 (Illinois residents, please add 9.25% sales tax. Shipping charges for U.S. and Canada only: \$6.50)

## PAYMENT METHOD

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