

**46<sup>th</sup> Annual Corporate Counsel Institute**  
**May 9-10, 2024 • Hilton Houston Post Oak by the Galleria • Houston, TX**  
**May 9-10, 2024 • Live Webcast**

**Thursday Morning, May 9, 2024**

**Presiding Officer:**

**Marc J. Krasney**, Bluepeak - Houston, TX

7:30 am In Houston Only	<b>Registration Opens</b>  Includes continental breakfast.
8:20 am	<b>Welcoming Remarks</b>
8:30 am 0.75 hr	<b>Annual Employment Law Update</b>  Hear the latest labor and employment developments over the last year that employers need to know.  Gary D. Eisenstat, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Dallas, TX
9:15 am 0.75 hr	<b>Current Privacy Laws: The Texas Data Privacy and Security Act (TDPSA) and How it Differs from Other Laws</b>  Navigate Texas' privacy laws when doing business in Texas and understanding why Texas' law varies from other states.  Rep. Giovanni Capriglione, Texas House of Representatives - Southlake, TX
10:00 am	<b>15-Minute Break</b>
10:15 am 1.00 hr	<b>The Current State of Non-Competes: Are They Still Enforceable?</b>  Explore the rising tide of opposition at the federal level to the enforcement of covenants not to compete. Focus on the recent moves by the FTC and the NLRB to outright ban (or at least sharply curtail) the use of restrictive covenants and examine the practical alternatives to non-competes available to businesses.  Jason Boulette, Boulette Golden & Marin L.L.P. - Austin, TX
11:15 am 0.75 hr ethics	<b>Did You Just Waive Privilege? Protecting Privilege and Attorney Work Product</b>  Discuss the latest developments on protecting privilege in the business environment, especially when clients seek both business and legal advice at the same time, and what to do about protecting privileged documents when the government comes calling.  J. Nicholas Bunch, Haynes Boone, LLP - Dallas, TX
12:00 pm In Houston Only	<b>Pick Up Lunch (in Houston)</b>  Included in registration.

## Thursday Afternoon, May 9, 2024

### Presiding Officer:

**Gary D. Eisenstat**, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Dallas, TX

### LUNCHEON PRESENTATION

12:20 pm 1.00 hr	<p><b>How “Reptile Theory” Should Impact How You Draft Your Next Contract and Company Policies and Procedures</b></p> <p>Why are we seeing a proliferation of nuclear verdicts? Reptile theory. Plaintiffs know how to use it and companies don’t know how to deal with it. Learn best practices for drafting your contracts, policies and procedures to avoid plaintiffs’ lawyers effectively using reptile theory in cases against your company.</p> <p>Todd W. Mensing, AZA - Houston, TX Monica Uddin, AZA - Houston, TX</p>
1:20 pm	<p><b>10-Minute Break</b></p>
1:30 pm 1.00 hr 0.50 hr ethics	<p><b>Code Red: What You Need in Your Crisis Management Playbook</b></p> <p>What is corporate counsel to do when the government comes knocking or if the company is trending on social media and <u>not</u> in a good way? Discuss preparing for the next crisis, investigating and responding in a measured way, maintaining privilege, determining who should be on the company’s response team, and other practical considerations.</p> <p>Moderator: Jennifer M. Trulock, Bradley Arant Boult Cummings LLP - Dallas, TX Panelists: April Arias, Androvett - Houston, TX Stephanie Byrd, HALL Group - Dallas, TX</p>
2:30 pm 0.75 hr ethics	<p><b>Lessons Learned From GCs Behaving Badly (Allegedly)</b></p> <p>It is always better to learn from someone else’s mistakes. Examine examples of in-house counsel allegedly (or admittedly) behaving badly—from alleged assaults and slurs to embezzlement—and what in-house counsel can learn from those situations. Discuss examples of in-house counsel allegedly being punished for doing the right thing, and review applicable Model Rules of Professional Conduct, including Rules 1.13 and 8.4.</p> <p>Joseph T. Clees, Ogletree, Deakins, Nash, Smoak &amp; Stewart, P.C. - Phoenix, AZ</p>
3:15 pm	<p><b>15-Minute Break</b></p>
3:30 pm 1.00 hr	<p><b>Multijurisdictional Considerations: Understanding the Laws Across State Lines</b></p> <p>Employers are increasingly dealing with vastly varying laws across state lines that impact how companies do business. Hear from both a defense and plaintiff side attorney on issues you should be aware of to protect your organization and navigate this ever-changing landscape.</p> <p>Karen Fitzgerald, Fitzgerald Law - Dallas, TX Shafeeqa W. Giarratani, Ogletree, Deakins, Nash, Smoak &amp; Stewart, P.C. - Austin, TX</p>

4:30 pm 0.75 hr	<b>A C-Suite Perspective by a Former GC</b>  Keith E. Witek, COO of Tenstorrent, shares insights on bridging legal expertise with executive leadership, offering General Counsel some strategies for impactful collaboration in the C-Suite.  Keith E. Witek, Tenstorrent - Austin, TX
5:15 pm	<b>Adjourn</b>

## Friday Morning, May 10, 2024

### Presiding Officer:

**Nicole Moss**, GTI / ACC Houston - Houston, TX

8:00 am In Houston Only	<b>Conference Room Opens</b>
8:30 am 1.00 hr	<b>The New Texas Business Courts</b>  What you need to know about jurisdiction, venue, and more before these courts go live.  M. Kaylan Dunn, Hunton Andrews Kurth LLP - Houston, TX Drew McKay, Hunton Andrews Kurth LLP - Houston, TX Michael D. Morfey, Hunton Andrews Kurth LLP - Houston, TX
9:30 am 1.00 hr	<b>Key Considerations When Selling or Financing Your Company in Tough Market Conditions</b>  A panel of legal and financial advisors provide an update on market conditions for equity financings and private M&A transactions, review key trends and deal terms in the current market environment, and discuss recent Delaware case law regarding transactions.  Moderator: J. Robert Suffoletta, Wilson Sonsini Goodrich & Rosati, P.C. - Austin, TX Panelists: Brandon J. Middleton-Pratt, Wilson Sonsini Goodrich & Rosati, P.C. - Austin, TX Matthew Ochsner, Piper Sandler & Co. - Austin, TX
10:30 am	<b>15-Minute Break</b>
10:45 am 0.75 hr ethics	<b>Cyber Attacks: Are Your Customers, Outside Counsel and Vendors Doing Enough to Protect Your Information?</b>  So, you've signed the NDA, given your company's confidential information to a third party, now what? Learn about ways to further protect your company before and after a security incident and how important your role is.  John Thomas A. Malatesta, Polsinelli PC - Birmingham, AL

11:30 am  
1.00 hr  
0.25 hr ethics

### **Venturing Into the Future: Navigating AI Implementation, Training, and Usage in Your Organization**

Explore the multifaceted aspects of integrating Artificial Intelligence (AI) into your organization, be it a law firm or a corporate entity. Key topics include: the foundational elements necessary for a robust AI policy; potential legal domains that could be revolutionized by AI; critical considerations surrounding privacy, security, utilization, and training; the ethical implications of AI; and the inescapable role of AI in the future of the legal realm. This presentation aims to provide a comprehensive guide to harnessing the power of AI in your organization, while tackling potential challenges head-on.

Umesh M. Desai, AT&T Labs - Austin, TX  
Nader A. Mousavi, Sullivan & Cromwell LLP - Palo Alto, CA

12:30 pm

**Adjourn**