

Trending Topics in Business Litigation 2018

8 CLE | 1 EPR

LIVE SEMINAR:

November 29, 2018 | Pewaukee

LIVE WEBCAST:

November 29, 2018

WEBCAST REPLAY:

December 10, 2018

December 21, 2018

December 26, 2018

January 2, 2019

January 11, 2019

Find an infusion of insight

Knowing what's coming next can give you an edge in your practice. Smart attorneys look to *Trending Topics in Business Litigation* to stay ahead of evolving issues and hot-button subjects. Prestigious presenters will guide you through the latest developments in:

- Insurer's duty to defend
- Business judgment rule
- Procedural litigation issues
- State and federal RICO statutes
- Ethical conflicts

Navigate new rules

In the world of litigation rules, the only constant is change. Explore the effect Wisconsin's new Rules of Civil Procedure will have on business litigation with a look at:

- Limits on interrogatories and depositions
- Five-year limit on discovery
- Proportionality as the basis of discovery
- And more

Wisconsin also recently adopted significant changes to its class action statute. Examine Wisconsin's new law as well as nationwide trends in merger and acquisition class actions.

Calculated communication

Whether speaking to the public or corresponding with other lawyers, communication in business litigation requires careful thought.

When communicating with in-house counsel, see how attorney-client privilege and work product doctrine come into play. Should you comment publicly about a pending case? Learn when and how speaking to the public is appropriate.

Register now!

Faculty

Program Chair & Presenter

Michael J. Cohen

Meissner Tierney Fisher & Nichols, S.C., Milwaukee

Presenters

Robert B. Corris

Robert B. Corris, S.C., Hartland

Donald A. Daugherty, Jr.

Godfrey & Kahn, S.C., Milwaukee

Jeffrey O. Davis

Quarles & Brady LLP, Milwaukee

Dean P. Laing

O'Neil, Cannon, Hollman, DeJong & Laing, S.C., Milwaukee

Ann M. Maher

Husch Blackwell LLP, Milwaukee

Matthew W. O'Neill

Fox, O'Neill & Shannon, S.C., Milwaukee

David J. Sisson

Reinhart Boerner Van Deuren, S.C., Milwaukee

K. Scott Wagner

Mallery & Zimmerman, S.C., Milwaukee

Location

Live Seminar

Pewaukee, The Ingleside Hotel

(Formerly Country Springs Hotel)

2810 Golf Road, (262) 547-0201

Who should attend:

- Business litigators
- In-house counsel
- Corporate attorneys
- Business lawyers who advise corporate clients
- Civil litigators
- Insurance lawyers
- Employment attorneys

How you'll benefit:

- Explore how Wisconsin's new Rules of Civil Procedure will impact business litigation
- Understand the significant new changes to Wisconsin's class action statute
- Learn the reach of the business judgment rule
- Dig into the details of procedural litigation issues
- See how state and federal RICO statutes differ
- Examine attorney-client privilege and the work product doctrine
- Learn the dos and don'ts of communicating publicly about pending cases
- Discover recent developments relating to an insurer's duty to defend
- Receive tips for managing ethical conflicts in various types of litigation cases

Schedule

8:00 AM	Registration	11:00 AM	Recent Developments in Class Action Law in Wisconsin, Delaware, and Around the Country	1:30 PM	Use of the Attorney/Client Privilege and Work Product Doctrine in Communications with In-House Counsel	4:00 PM	<ul style="list-style-type: none">• The four corners rule and life after <i>Water Well</i>• Reservation of rights and life after <i>Maxwell</i>• Consequences of an insurer's breach• Defense handling and control• Recoupment <p><i>Jeffrey O. Davis</i></p>
8:30 AM	The Business Judgment Rule – How Far Does It Go? <ul style="list-style-type: none">• General rule• Rebutting the presumption• Wisconsin's immunity statute — Wis. Stat. §180.0828• Wisconsin's derivative action statute — Wis. Stat. §180.0744• The effect of advice of outside counsel <p><i>Michael J. Cohen</i></p>		<ul style="list-style-type: none">• Class actions generally• Trends in merger and acquisition class actions around the country• Post <i>Trulia</i> settlements in Delaware and around the country — where we are with disclosure only settlements• The impact of the Supreme Court's decision in <i>Cyan v. Beaver County Employment Retirement Fund</i> on class actions under the Uniform Securities Act of 1933• Wisconsin's new class action law <p><i>K. Scott Wagner</i></p>		<ul style="list-style-type: none">• Fundamentals of the privilege and doctrine• Application in the in-house counsel context• Distinguishing between the roles of legal counselor and business advisor• Waiver?• Anticipation of litigation? <p><i>Donald A. Daugherty, Jr.</i></p>		
9:15 AM	Procedural Issues in Litigation <ul style="list-style-type: none">• Sequestration at depositions and trial• Deposition errata sheets• General objections to discovery requests• Substitution of judge• The right to a jury trial <p><i>Dean P. Laing</i></p>			2:15 PM	Litigating Outside of the Courtroom: When and How Should You Communicate Publicly About a Pending Case? <ul style="list-style-type: none">• Ethical limitations on statements to the press• Strategic considerations associated with offensive and defensive public statements• Complying with confidentiality orders and judicial limitations on disclosure of litigation information• Potential for liability for defamation or tortious interference <p><i>David J. Sisson</i></p>		
10:00 AM	Break	11:45 AM	Lunch (on your own)				
10:15 AM	Wisconsin's New Rules of Civil Procedure <ul style="list-style-type: none">• Discovery based upon "proportionality" rather than "reasonably calculated"• New limits on interrogatories and depositions• Discovery of prior evidence limited to 5-year window• Document production process sharpened• Limits on ESI requests• Court can order requesting party to pay expenses for production• Shortened statutes of limitation <p><i>Matthew W. O'Neill</i></p>	12:45 PM	Understanding Civil RICO <ul style="list-style-type: none">• Federal RICO 18 U.S.C.A. §1961 et. seq.• Definitions — Section 1961: enterprise; racketeering activity; pattern• Violations — Sections 1962(a)-(d): using "dirty money," using "muscle," conducting the affairs of an enterprise, conspiring• Civil actions — Section 1964(c): causation and damages• WOCCA — Wis. Stat. 946.80 et. seq.: Similarities and differences from federal RICO <p><i>Robert B. Corris</i></p>	3:00 PM	Break	4:50 PM	Program Concludes
				3:15 PM	Recent Developments and Strategic Considerations Concerning the Insurer's Duty to Defend in Business Litigation <ul style="list-style-type: none">• Triggering the duty to defend		

Following program start time, webcast replay schedule will vary slightly from above listed times.

Credits

This program has been submitted to the Wisconsin Board of Bar Examiners for up to **8 CLE credits including 1 Ethics and Professional Responsibility credit**. The live seminar and live webcast on November 29, 2018 will also be submitted for Minnesota credit.

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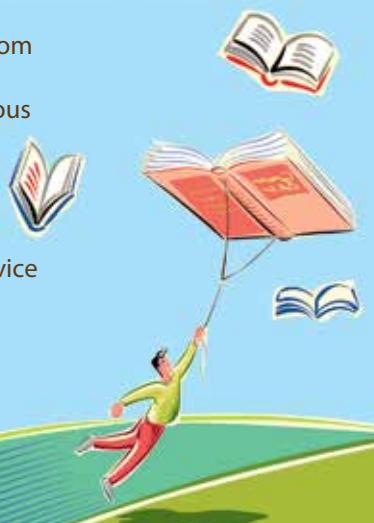
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Live Milwaukee Seminar & Live Webcast: Oct. 5, 2018

Webcast Replays: Oct. 23, 2018 | Nov. 9, 2018 | Dec. 28, 2018

Save the Date! 3rd Annual Family Business Update

Live Madison Seminar & Live Webcast: Dec. 12, 2018

Webcast Replays: Dec. 27, 2018 | Jan. 4, 2019 | Jan. 8, 2019 | Jan. 14, 2019 | Jan. 23, 2019

2018 Tort Reform Legislation – Wisconsin Style

Explore the key changes to civil procedure made by Wisconsin Act 235. Learn the new standards for evaluating discoverable information. Find out about shortened statutes of limitation, and much more. **1 CLE**

CLE OnDemand Seminar: #CA2841D; **Member:** \$89 | **Nonmember:** \$139

Wisconsin 2018 Civil Litigation Codebook

You'll quickly start relying on this convenient statutory compilation containing selected Wisconsin statutes from chapters 16-778, 985, and 990. It also includes Wisconsin Rules of Civil Procedure and related civil procedure statutes from chapters 808-895.

Print Book: #AK0433E18; 590+ pp.; 2018; **Member:** \$69 | **Nonmember:** \$89

The Law of Damages in Wisconsin

Help your clients get what they deserve. This book discusses types of damages available in Wisconsin. It offers matter-of-fact guidance on practice and procedure. Plus, it's specially designed to help you research, analyze, and evaluate your cases.

Print Book: #AK0063; 1,422+ pp.; 7th ed. 2016-17 (incl. 2017-18 supp.);

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Wisconsin Discovery Law and Practice

Tap into the knowledge and experience of Wisconsin's most successful litigators. Understand the scope of discovery that's available. Learn the function and advantages of both formal and informal discovery. Even find out how you can modify discovery procedures.

Print Book: #AK0042; 614+ pp.; 5th ed. 2017-18; **Member:** \$219 | **Nonmember:** \$269

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Seminar Date/Location:

- Live Seminar:** Thursday, November 29, 2018 – Pewaukee
- Live Webcast:** Thursday, November 29, 2018
- Webcast Replay:** Monday, December 10, 2018
- Webcast Replay:** Friday, December 21, 2018
- Webcast Replay:** Wednesday, December 26, 2018
- Webcast Replay:** Wednesday, January 2, 2019
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