



# Handling Complex Business Cases 2023

**Program dates start March 17. Register today!**

**6 CLE**

# Handling Complex Business Cases 2023

Endorsed by the Business Law Section of the State Bar of Wisconsin

## The best in the business

Now that Wisconsin's Commercial Docket Pilot Project, better known as "business court," has been extended until at least 2024, Wisconsin lawyers who handle disputes between businesses should be prepared to litigate in business court.

Join leaders from the bar and bench for **Handling Complex Business Cases 2023**. This one-day program features two tracks of content designed to bring you up to speed on shareholder disputes, intellectual property, commercial arbitration, non-competes, and more.

Justice Patience Roggensack will kick off the day with opening remarks. And after the closing plenary, you're invited to join fellow practitioners and judges for a lively networking reception.

## How you'll benefit:

- Hear straight from the bench about what's expected of counsel in business court cases
- Understand commercial law provisions that are unique to Wisconsin
- Discover practical tips for presenting evidence and expert witnesses in commercial cases
- Explore recent developments in shareholder disputes and business tort cases

## Who should attend:

- Business lawyers
- Intellectual property lawyers
- Real estate lawyers
- Construction lawyers
- Commercial lawyers
- Bankruptcy lawyers
- Arbitrators
- Judges assigned to business courts
- In-house counsel
- General practitioners

Get the upper hand on litigating in Wisconsin's business courts with the information you'll learn at *Handling Complex Business Cases 2023*.

**Register now!**

## SCHEDULE AT A GLANCE

8:00 a.m.	Registration, Coffee, and Networking	
8:30 a.m.	Opening Remarks – Justice Patience D. Roggensack	
	OPENING PLENARY SESSION	
8:45 a.m.	What Judges Want Attorneys and Litigants to Know About Commercial Court Cases	
9:35 a.m.	Break	
	TRACK ONE	TRACK TWO
9:50 a.m.	Shareholder Real World Disputes: What to Do When the "Sharing" Stops	Business Torts and the Economic Loss Doctrine
10:50 a.m.	Break	
	TRACK ONE	TRACK TWO
11:05 a.m.	Non-Competes, No-Solicitation, and Confidentiality Clauses: Fair Protection or Unreasonable Restraints?	Hot Topics in Construction and Real Estate Disputes
11:55 a.m.	Lunch (on your own)	
	TRACK ONE	TRACK TWO
1:00 p.m.	Receiverships, Insolvency, and Related Issues: What to Do When the Money Runs Out	Commercial Cases Involving Intellectual Property: IP Basics
1:50 p.m.	Break	
	TRACK ONE	TRACK TWO
2:00 p.m.	Wisconsin's "Unique" Commercial Laws – Including the Wisconsin Fair Dealership Law, Liquor/Beer Laws, Unfair Sales Act (aka the Minimum Markup Law) and Others	Enforcing or Avoiding Arbitration in Commercial Court Cases
2:50 p.m.	Break	
	CLOSING PLENARY SESSION	
3:05 p.m.	Trial Skills in a Commercial Case: Experts and Evidence	
4:00 p.m.	Program Concludes / Networking Reception (at the In-Person Seminar)	

# Schedule

- 8:00 AM**     **Registration, Coffee, and Networking**
- 8:30 AM**     **Opening Remarks**  
*Wisconsin Supreme Court Justice Patience D. Roggensack*
- 8:45 AM**     **OPENING PLENARY SESSION — What Judges Want Attorneys and Litigants to Know about Commercial Court Cases**  
 Hear wisdom from a panel of judges who have experience handling complex commercial cases. They'll reveal lessons learned and share suggestions for moving these cases forward efficiently and effectively.  
**Moderator:** Laura A. Brenner; **Panelists:** Hon. Michael J. Aprahamian, Hon. Michael R. Fitzpatrick, Hon. Tammy Jo Hock, Hon. James A. Morrison
- 9:35 AM**     **Break**
- 9:50 AM**     **TRACK ONE — Shareholder Real World Disputes: What to Do When the "Sharing" Stops**  
 Examine the most interesting Wisconsin cases involving disputes among business owners, the challenging issues that arise, and get tips for addressing them.  
*Hon. Michael J. Aprahamian, Deanne M. Koll, Matthew W. O'Neill*
- TRACK TWO — Business Torts and the Economic Loss Doctrine**  
 Review recent developments in the law of "business torts," such as misrepresentation, fraud, and tortious interference. Discuss the impact of the Economic Loss Doctrine under Wisconsin law.  
*Hon. Michael R. Fitzpatrick, Nora E. Gierke, Mark M. Leitner*
- 10:50 AM**     **Break**
- 11:05 AM**     **TRACK ONE — Non-Competes, No-Solicitation, and Confidentiality Clauses: Fair Protection or Unreasonable Restraints?**  
 Delve into Wisconsin law on non-compete clauses, non-solicitation and no-hire clauses, confidentiality clauses, and know what to expect in cases where these types of restraints are at issue. Distinguish between restraints on employees and restraints on business sellers and other entities.  
*Hon. Val Bailey Rihn, Aaron Halstead, Oyvind Wistrom*
- TRACK TWO — Hot Topics in Construction and Real Estate Disputes**  
 Explore hot topics and issues that often arise in complex construction and real estate cases and hear best practices for moving these cases through the court system without undue delay.  
*Hon. Jon E. Fredrickson, Sherry Coley, Thomas C. Hofbauer*
- 11:55 AM**     **Lunch (on your own)**

- 1:00 PM**     **TRACK ONE — Receiverships, Insolvency, and Related Issues: What to Do When the Money Runs Out**  
 Understand Wisconsin law and process in cases involving receiverships, insolvency, and related issues.  
*Hon. R. Michael Waterman, Rebecca R. DeMarb, Seth E. Dizard, Paul G. Swanson*
- TRACK TWO — Commercial Cases Involving Intellectual Property: IP Basics**  
 Examine cases involving "IP" disputes, including disputes about trademark violations, theft of trade secrets, and website usage. What can litigants expect, and how can they avoid the costs and complexities often associated with such cases?  
*David G. Hanson, Jonathan H. Margolies, Katherine W. Schill*
- 1:50 PM**     **Break**
- 2:00 PM**     **TRACK ONE — Wisconsin's "Unique" Commercial Laws—Including the Wisconsin Fair Dealership Law, Liquor/Beer Laws, Unfair Sales Act (aka the Minimum Markup Law) and Others**  
 Get a crash course on the many unique Wisconsin commercial laws that business attorneys should know about, including the Wisconsin Fair Dealership Law, the Unfair Sales Act, and franchise disclosure law. Learn to recognize when these laws might apply so you can help clients avoid surprises.  
*Hon. William J. Domina, Laura A. Brenner, Trent M. Johnson*
- TRACK TWO — Enforcing or Avoiding Arbitration in Commercial Court Cases**  
 Many commercial contracts contain broad arbitration clauses, but are they always enforceable? Do they apply to third parties and consumers? Can you assert your rights to arbitrate after litigation has begun? Are they enforceable when they were tucked into the standard "terms and conditions"? Get answers to these questions and more.  
*Hon. Michael R. Fitzpatrick, Anthony S. Baish, Joseph S. Goode*
- 2:50 PM**     **Break**
- 3:05 PM**     **CLOSING PLENARY SESSION — Trial Skills In a Commercial Case: Experts and Evidence**  
 Commercial cases often turn on expert testimony. Experienced trial attorneys and judges will offer real world, practical tips for selecting expert witnesses and handling expert witness testimony at trial in commercial cases.  
*Hon. Michael J. Aprahamian, Scott W. Hansen, William H. Harbeck, Susan E. Lovern*
- 4:00 PM**     **Program Concludes/Networking Reception (at In-Person Seminar)**

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

## Faculty

### Hon. Michael J. Aprahamian

Waukesha County Circuit Court, Waukesha

### Anthony S. Baish

Godfrey & Kahn, S.C., Milwaukee

### Laura A. Brenner

Reinhart Boerner Van Deuren S.C.  
Milwaukee

### Sherry Coley

Amundsen Davis LLC, Green Bay

### Rebecca R. DeMarb

Development Specialists, Inc., Madison

### Seth E. Dizard

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

### Hon. William J. Domina

Waukesha County Circuit Court, Waukesha

### Hon. Michael R. Fitzpatrick

Wisconsin Court of Appeals District IV,  
Madison

### Hon. Jon E. Fredrickson

Racine County Circuit Court, Racine

### Nora E. Gierke

Gierke Law, LLC, Wauwatosa

### Joseph S. Goode

Laffey, Leitner & Goode, LLC, Milwaukee

### Aaron Halstead

Hawks Quindel, S.C., Madison

### Scott W. Hansen

Reinhart Boerner Van Deuren S.C.,  
Milwaukee

### David G. Hanson

Reinhart, Boerner, Van Deuren, S.C.,  
Milwaukee

### William H. Harbeck

Quarles & Brady, LLP, Milwaukee

### Hon. Tammy Jo Hock

Brown County Circuit Court, Green Bay

### Thomas C. Hofbauer

Axley Brynerson, LLP, Waukesha

### Trent M. Johnson

Foley & Lardner, LLP, Milwaukee

### Deanne M. Koll

Bakke Norman, S.C.  
New Richmond

### Mark M. Leitner

Laffey, Leitner & Goode, LLC, Milwaukee

### Susan E. Lovern

von Briesen & Roper, s.c., Milwaukee

### Jonathan H. Margolies

Michael Best & Friedrich, LLP, Milwaukee

### Hon. James A. Morrison

Marinette County Circuit Court, Marinette

### Matthew W. O'Neill

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

### Hon. Val Bailey Rihn

Dane County Circuit Court (Retired),  
Madison

### Justice Patience D. Roggensack

Wisconsin Supreme Court, Madison

### Katherine W. Schill

Johnson Controls Inc., Milwaukee

### Paul G. Swanson

Steinhilber Swanson LLP, Oshkosh

### Hon. R. Michael Waterman

St. Croix County Circuit Court, Hudson

### Oyvind Wistrom

Lindner & Marsack, S.C., Milwaukee

## Dates

## Location

## Registration

### In-Person Seminar – Milwaukee

Friday, March 17, 2023

#### The Pfister Hotel

424 East Wisconsin Avenue  
Milwaukee, WI 53202  
414-273-8222

### Webcast Replay

Monday, April 3, 2023

Friday, April 7, 2023

Wednesday, April 12, 2023

Tuesday, April 18, 2023

Thursday, April 27, 2023

Friday, May 5, 2023

Wednesday, May 10, 2023

Thursday, May 18, 2023

Tuesday, May 30, 2023

## Credits

This program will be submitted to the Wisconsin Board of Bar Examiners for **6.0 CLE credits**. It does not qualify for EPR credit.

**ONLINE:** wisbar.org/seminars

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**FAX:** (608) 257-5502

**MAIL:** State Bar PINNACLE Registrations  
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### State Bar CLE/PINNACLE Passbook

**Registrations:** Passbook Certificates must be received by the State Bar at least one business day prior to the event. For in-person seminars, walk-in registrations using Passbook Certificates are also welcome.

**Registration Cancellations:** Please visit **wisbar.org/cancellations** for information on PINNACLE registration cancellation policies.

**Course Materials for Attendees:** Course materials are provided in PDF format and are downloadable from myStateBar on wisbar.org up to two days prior to and 90 days after your seminar.

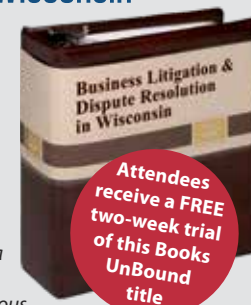
**COVID-19 Safety Information:** Complete and current safety guidelines can be found at **wisbar.org/covidsafety**.

### Book Bonus!

## Business Litigation and Dispute Resolution in Wisconsin

Seminar attendees will enjoy a **free two-week trial** of the *Business Litigation and Dispute Resolution in Wisconsin* Books UnBound® title and an invitation to **save 20%** on either a one-year subscription to the Books UnBound title or purchase of the print book.\* It's the perfect resource to help you advise and represent business clients, packed with relevant case law, practice tips, sample language, practice guides, and more.

\*Attendees will receive information to access the free trial and discount via email after attending the program. Discount applies to both print and digital Books UnBound editions of this title and cannot be applied to previous purchases. Offer valid as long as CLE credit is available for this program. For Books UnBound users, discount may be applied to purchase of individual Books UnBound title only and may not be used on purchase of full library.



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### IN-PERSON SEMINAR:

- ☐ Friday, March 17, 2023  
**The Pfister Hotel**  
 424 E. Wisconsin Ave.  
 Milwaukee, WI 53202

### WEBCAST REPLAYS:

- ☐ Monday, April 3, 2023  
☐ Friday, April 7, 2023  
☐ Wednesday, April 12, 2023  
☐ Tuesday, April 18, 2023  
☐ Thursday, April 27, 2023  
☐ Friday, May 5, 2023  
☐ Wednesday, May 10, 2023  
☐ Thursday, May 18, 2023  
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