



Trending Topics in Business Litigation 2023

Program dates start November 28. Register today!

8 CLE

Trending Topics in Business Litigation 2023

Mind your business

Get answers to the questions your business clients are facing today at **Trending Topics in Business Litigation 2023**. Take a deep dive into timely topics using real-world case studies and panel discussions with experienced business litigators. You'll hear insights on business torts, your ethical obligations in mediation, and how environmental, social, and governance (ESG) reporting missteps can lead to breach of contract, derivative claims, and false advertising.

How you'll benefit:

- Explore the hottest trends and best practices in business litigation
- Review and assess potential tort claims against departing employees
- Understand the scope and importance of indemnification insurance provisions
- Examine the use of artificial intelligence in business litigation
- Receive a case law update on business litigation in Wisconsin

Who should attend:

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

Stay ahead of emerging issues and keep your practice up to date with *Trending Topics in Business Litigation 2023*.

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

Robert S. Driscoll

Reinhart Boerner Van Deuren, S.C.
Milwaukee

Erik K. Eisenmann

Husch Blackwell LLP
Milwaukee

Caleb R. Gerbitz

Meissner Tierney Fisher & Nichols, S.C.
Milwaukee

Patrick J. Murphy

Quarles & Brady LLP
Milwaukee

David J. Turek

Gass Turek LLC
Milwaukee

Adam E. Witkov

Michael Best & Friedrich LLP
Milwaukee

Dates

Location

In-Person Seminar—Madison

Tuesday, November 28, 2023

State Bar Center

5302 Eastpark Blvd.,
Madison, WI
(608) 257-3838

Live Webcast

Tuesday, November 28, 2023

Webcast Replay

Friday, December 8, 2023

Saturday, December 16, 2023

Thursday, December 21, 2023

Wednesday, December 27, 2023

Tuesday, January 2, 2024

Monday, January 8, 2024

Wednesday, January 17, 2024

Tuesday, January 23, 2024

Monday, January 29, 2024

Credits

This program will be submitted to the Wisconsin Board of Bar Examiners for **8 CLE credits**. It does not qualify for EPR credit.

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wisbar.org/ondemand

Schedule

8:00 AM Registration

8:30 AM Shareholder Preparing to Compete – What Is Lawful?

- Permissible activities
- Impermissible activities
- Strategies

Robert S. Driscoll

9:20 AM Case Study: Employee Departure and Hire by Competitor

- Claims
- Defenses
- Strategies
- Ethical implications of joint representation of employer and new employee
- Legal and ethical implications of new employer's payment of new employee's fees

Erik K. Eisenmann

10:10 AM Break

10:25 AM Business Torts Review

- Civil conspiracy and Sec. 134.01 conspiracies
- Conversion, civil theft (Sec. 895.446) and computer crimes (Sec. 943.70)
- Copyright infringement
- Defamation and disparagement
- Fraud, misrepresentation, and WOCCA (Sec. 946.80)
- Tortious interference
- Trade secret misappropriation

Robert B. Corris

11:15 AM Panel Discussion – Experiences and Practice Pointers Regarding Employee Departures and Business Torts

Moderator: Michael J. Cohen

Panelists: Robert B. Corris, Robert S. Driscoll, Erik K. Eisenmann, Caleb R. Gerbitz, Patrick J. Murphy, David J. Turek, Adam E. Witkov

12:05 PM Lunch (on your own)

1:05 PM Contractual Indemnification and Insurance

- Scope of indemnity
- Tender of claims
- Choice of counsel and ethical implications
- Importance of insurance provisions

David J. Turek

Panel Discussion

Moderator: Michael J. Cohen

Panelists: Robert B. Corris, Robert S. Driscoll, Erik K. Eisenmann, Caleb R. Gerbitz, Patrick J. Murphy, Adam E. Witkov

1:55 PM Panel Discussion – Hot Topics in Business Litigation

- Implied covenant of good faith and fair dealing
- Use of AI in litigation
- Mediation and ethical obligations
- Unauthorized practice of law in non-licensed jurisdictions

Moderator: Michael J. Cohen

Panelists: Robert B. Corris, Robert S. Driscoll, Erik K. Eisenmann, Caleb R. Gerbitz, Patrick J. Murphy, David J. Turek, Adam E. Witkov

2:45 PM Break

3:00 PM Business Litigation in Wisconsin Courts – A Case Law Update

- Court of Appeals
- Supreme Court
- Trends

Caleb R. Gerbitz

Panel Discussion

Moderator: Michael J. Cohen

Panelists: Robert B. Corris, Robert S. Driscoll, Erik K. Eisenmann, Caleb R. Gerbitz, Patrick J. Murphy, David J. Turek, Adam E. Witkov

3:50 PM Emerging Claims – The New Frontier

- ESG reporting suits
 - Breach of contract
 - Derivative claims
 - False advertising
- Social media advertising suits
- Employment context

Erik K. Eisenmann, Patrick J. Murphy

4:40 PM Program Concludes

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

Registration

Online: wisbar.org/seminars

Phone: (800) 728-7788

Fax: (608) 257-5502

Mail: State Bar PINNACLE Registrations

P.O. Box 7158

Madison, WI 53707-7158

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 those attending the seminar: 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 **SAVE 15%** on *Business Litigation and Dispute Resolution in Wisconsin*.^{*} Discover the guidance you need to counsel business clients on the rules, regulations, and risks they face in their daily operations and business relationships.



* Attendees will receive information to access the 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.

Also of Interest:

Advising the Closely Held Business: What Could Possibly Go Wrong?

Would your closely held business clients survive a bitter fallout between friends or a contentious divorce? Plan for splits or divorces before they arise by learning how to draft shareholder agreements that account for every eventuality. **7 CLE/1 EPR**

Webcast Replays: Oct. 24, 2023 | Oct. 30, 2023 | Nov. 7, 2023 | Dec. 14, 2023

Dec. 18, 2023 | Dec. 27, 2023 | Jan. 23, 2024

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Priority Code: **S 4 2 6 9 B**

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IN-PERSON SEMINAR:

Tues., Nov. 28, 2023 – Madison

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WEBCAST REPLAYS:

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