



LEADERSHIP CONFERENCE – JANUARY 18-19, 2018

This leadership conference will bring together federal judges, corporate counsel, and experienced lead counsel from the defense and plaintiffs' bars to engage in a critical assessment of diversity and inclusion within the leadership ranks of class action and multidistrict litigation and to foster strategic thinking around talent development and parity in opportunities.

Participants Include:

Judges Eldon Fallon (La.), Kathryn Vratil (KS), Michael Davis (MN), Brian Martinotti (NJ), Sara Ellis (Ill.), Donovan Frank (MN), Carl Barbier (La.), Robert Dow (Ill.), Staci Yandle (Ill.)

Attorneys Sheila Birnbaum (Quinn Emmanuel), Elizabeth Cabraser (Lief Cabraser), Cari Dawson (Alston & Bird), Jayne Conroy (Simmons Hanly Conroy), Brenda Fulmer (Searcy Denney), Ana Reyes (Williams & Connolly) and In-House Counsel James Grasty (Merck), Tom Andreoli (Union Pacific Railroad), Will Barnette (Home Depot), Rita McConnell (Medtronic), Connie Matteo (Pfizer)

Among many other terrific members of the bench and bar...

For years, both bench and bar have sought to increase diversity and inclusion within the leadership ranks. More generally, the question of how we balance long-term succession planning with ensuring the best possible representation in today's litigation remains a perennial one. What responsibilities lay with individual lawyers and firms, corporate clients, and the judiciary, prove difficult to answer, and even more difficult to gain consensus on within the ranks of stakeholders in MDL and class actions. Moreover, years into the focus on inclusion and broadening the leadership ranks, we are now able to not only assess the successes and shortcomings of various approaches, but the secondary effects these have engendered.

This conference seeks to advance the dialogue by bringing together federal judges, in-house counsel, experienced leadership counsel, and newer/would-be entrants to leadership, to work through these complex issues, through a variety of panels, brainstorming, and breakout sessions. The first day is structured to allow a free exchange of ideas among those who set policy and those impacted by it, with the goal of allowing each participant to be more sophisticated in his or her thinking about these issues.

The second day of the conference is geared toward the attending attorneys, asking many of the difficult or taboo questions about diversity and inclusion that attorneys face in their practices but by their nature cannot be raised with a judge in their leadership application or with their in-house counsel clients. These questions will be posed anonymously by the moderators, based upon attendees' submissions, to allow participants to ask the truly difficult questions with which they are struggling.

LEADERSHIP CONFERENCE AGENDA

January 18, 2018:

8:00-8:45am **Breakfast/Coffee**

8:45am-9am **Welcome Remarks – Emory Law Dean, James Hughes, Jr.**

9-9:45am **Framing the Leadership Challenge**

For many reasons, leadership in the complex litigation space has not mirrored those of society as a whole. Yet, many promising programs to strengthen the pipeline, increase retention of diverse attorneys, and improve representation of clients have been undertaken. In this panel, Judge Vratil will moderate a discussion with leaders from both sides of the bar including Cari Dawson, Jayne Conroy, and James Grasty (Merck), identifying many of the most promising techniques – and what barriers remain.

9:45-10am **Midmorning Break**

10-11:50am **Dialogue with Decisionmakers**

10-10:45am **Panel 1: Next Generation Solutions**

Judge Staci Yandle will lead this panel discussion, in which counsel will present innovative ideas for encouraging meaningful work experience for young lawyers and whether specific programs or initiatives need to focus uniquely on promoting traditionally underrepresented lawyers, the unique challenges presented by correcting imbalances in different demographic categories, and the different perspectives on the promotion of traditionally underrepresented counsel – is it tantamount to affirmative action or normalization and equalization of opportunity?

10:45-11:30am **Panel 2: MDL Leadership**

This panel Judge Eldon Fallon, Elizabeth Cabraser, Sheila Birnbaum, Rita McConnell (Medtronic) will tackle the difficult questions posed in MDL, including the appropriate role for the judiciary in improving the diversity and inclusion in leadership on both sides of the aisle, the second-generation consequences (good and bad) of an explicit focus on diversity and inclusion in PSC selection, and strategies for judges, in-house counsel and law firms in improving the pipeline of qualified attorneys in MDL

11:30-11:50am **Presentation of Trailblazer Award**

This award is presented each year to a member of the federal judiciary has made particular strides to promote the inclusion of traditionally underrepresented lawyers in leadership roles within the civil litigation system. Presentation by Jayne Conroy.

Noon-1pm **Lunch with Federal Judges, In-House Counsel**

Keynote remarks by Judge Davis about the progress on racial and ethnic diversity in our civil litigation system during his career, and the challenges that remain

1-2:15pm **Roundtable Dialogue with Stakeholders**

Recognizing that we all are experts on this topic, with our own life experiences, small assigned working groups will be formed to discuss the issues in more depth, to help gain grassroots input for the Institute's work with both judges and in-house counsel. To the extent possible, the groups will be formed with a judge, in-house counsel, plaintiffs' counsel and defense counsel in each working group to ensure a broad spectrum and variety of views.

2:15-2:30 Mid-Afternoon Break

2:30-4pm Breakout Sessions

Plaintiffs' Breakout: The MDL Leadership Challenge

Leadership woes from the Plaintiff's bar can derail an otherwise successful diversity and inclusion plan. Stakes are high in formulating a successful MDL team given the wide array of different clients, court systems, and juries. Judges Martinotti, Ellis, Vratil, and Davis and leaders within the plaintiffs' bar will provide insight into avoiding diversity and inclusion lip service.

Defense Breakout: Corporate Leadership in Balanced Representation

In-house counsel including Will Barnette (Home Depot) and Connie Matteo (Pfizer) will discuss their efforts to promote diversity and inclusion, the challenges faced in building a solid pipeline of experienced lawyers given the high-stakes of complex litigation, and strategies for improving retention of top lawyers

4-5pm Reception – sponsored by Ankura

5:30-8pm Networking Dinner – sponsored by Garden City Group

Friday, January 19, 2018:

8:00-8:30am Breakfast/Coffee

8:30-9:45am Panel 1: Taboo Questions & Other Unmentionables

Judge Frank will join in-house counsel, as well as Ana Reyes and Maja Eaton, in tackling the questions we all ask each other in private, but are too scared to ask the real decisionmakers. We have a number of these questions already including what judges really think when you self-identify as diverse in a PSC application, how to handle maternity leave when you are in leadership, and other difficult questions -- but welcome your most difficult questions as well! They will be asked anonymously and without attribution.

9:45-10:45am Panel 2: Beyond the Conventional Wisdom

How do you really get the experience you need to get the opportunity you want? This panel including Lyn Pruitt and Michelle Parfitt will take your specific questions about getting through the chicken and egg problem that leadership all too often seems to pose.

10:45-11am Midmorning Break

11am-noon Panel 3: Lawyers as Managers

Although partnership necessarily means managing younger lawyers and staff, most of us never receive training in management. This panel Tom Andreoli (Union Pacific Railroad), Silvia Hodges Silverstein (Buying Legal Council), and Annika Martin, focuses on not only how we can manage down, but also managing up, to maximize productivity and work-life balance; a discussion of the perception that good managers often end up in management-intensive roles, but may then be perceived as doing less valuable work and thus not receive either the same leadership opportunities or the same compensation as colleagues; and the business case for incentivizing good management.

****Shuttles to the Atlanta airport (ATL) will depart at 12:15, arriving to the airport by 1pm.**

REGISTRATION INFORMATION/ FAQ

This is an invitation-only conference. If you would like to nominate someone or attend the conference yourself, please contact the Institute Director, Jaime Dodge, at JDodge@emory.edu.

Registration? <https://emorylaw.wufoo.com/forms/2018-leadership-diversity-conference/>

When? *January 18-19, 2018*

Where? *Emory University, School of Law – Atlanta, Georgia*

Cost? *\$1199; early-bird discount of \$999 through October 31, 2017*

CLE? *The program will be registered for Georgia CLE, which is also recognized by NY and CA. For other states, a letter will be provided that you may submit to your state for credit.*

Hotels? *We do not reserve a hotel block recognizing the number of different loyalty programs our attorneys utilize. The Emory Conference Center and Courtyard by Marriott are recommended hotels near the law school, but many attorneys choose to stay in Downtown Atlanta where there are premier hotel options.*

Flights? *We recommend that you fly in on Wednesday evening (or early Thursday morning) to the Atlanta International Airport (ATL) and schedule a return flight for 2:15pm or later on Friday.*

Please contact Amy.Marcellana@emory.edu for any other registration, CLE or logistical questions or information