



I. Next Generation Conference

Objective: In order to help expand the depth, breadth, and diversity of the complex litigation bar, the Institute will be hosting the Next Generation Rising Stars Program. Emerging leaders within the complex litigation bar will have the opportunity to participate in this program focusing on the challenges faced by new partners, with a focus on those looking to transition into leadership roles in complex litigation.

Conference Structure: While superficial wisdom about how to build one's complex litigation practice abounds, partners rarely have the opportunity to come together to have a candid discussion about the complex barriers to implementation of that familiar advice. The morning session has been designed by our Next Gen board to facilitate a discussion that moves beyond conventional wisdom, to help each participant develop specific strategies to enhance their own practices.

The afternoon session focuses on allowing a candid discussion with the judiciary about the structural barriers that are confronted by partners seeking to break into leadership. During the afternoon, participants will have an opportunity to speak directly with judges about the structural barriers present in the current system, discuss the effectiveness of specific existing judicial responses, and brainstorm new approaches. Participants will also hear from judges and in-house counsel about how they select lead counsel and also how to overcome specific challenges faced by participating counsel in advocating for increased responsibility. The afternoon session is therefore designed to allow a candid and direct dialogue, in both directions, between judges and counsel.

Wednesday, December 14

7:45-8:30am Coffee reception and registration

8:30-8:40am Welcome remarks and conference objectives

8:40-9:30am Reputation-Building: Relative Resource Allocation

As partners, we know the value of doing excellent work and always acting with integrity. But it is not enough. We are also encouraged to actively cultivate existing relationships, become active in bar associations, write articles, speak at conferences, engage with the media, utilize social networking, and take on additional responsibilities to become indispensable in every case on which we work. But, when it comes to allocating scarce resources of time and money, which of these yield the greatest return in enhancing your professional reputation and client base?

Moderators: Kim Dougherty; Geoff Drake

Commentator: Hon. Audrey Fleissig; Panelists: Alyson Jones, Danielle Mason

9:30-10:30am Pitfalls in Climbing the Ladder

We frequently hear about the secrets to moving up within our firms and profession—indeed, partnership is itself a sign of our success in this regard. But the very traits one is to embody, the opportunities one is to create, can often give rise to tensions with colleagues. Studies show that this dynamic is even more powerful with respect to women and racial minorities, adding more complexity to the challenge of developing diverse leadership and in turn a robust set of mentors for the future. While attorneys are always happy to share their glorious war stories, this segment focuses on warnings, mistakes, and pitfalls that are often less discussed but far more valuable.

Moderators: Zachary Wool; Aimee Wagstaff

Commentator: Hon. David Herndon; Panelists: Robin Greenwald, Lauren McClurg

10:30-10:45 Coffee Break

10:45-11:45 My Mentor Didn't Have to Deal with This... Turning Emerging Trends into Opportunities to Build Your Niche

Listening to the stories of the most successful attorneys, one quickly sees a commonality in work ethic. But, it is equally clear that the barriers to entry are fundamentally different for attorneys trying to break into an established field than they were for today's leaders, many of whom entered the field in its infancy. At the same time, the world is shifting, from the role of technology in practice to the rise of judicial analytics. Given these differences in legal practice, we will focus on how to modify traditional strategies to fit the new reality today's partners face. As part of this discussion, we will discuss the extent to which partners should or should not bargain for a firm's support in taking on a lead role in lieu of enhanced short-term compensation or, for defendants, offer a discounted rate for lead counsel roles.

Moderators: Gretchen Freeman Cappio; Andrew Trask

Panelists: Cathy Yanni; Fidelma Fitzpatrick; Rob Wilson; Ariana Tadler

11:45-12:45 Lunch

Judges and in-house counsel will be seated at different tables to allow informal, candid discussion

12:45-2:45pm Getting Selected for Leadership – What Decisionmakers Look For and How to Overcome Common Barriers

Many partners acquire the opportunity to participate in major cases, the skills of top-tier litigation, and build their resumes by working for firms with established repeat players. But, at some point, this becomes a disadvantage for many, as judges and in-house counsel alike often prefer to play it safe by selecting the more established partner—and if pressed to select another attorney, firms worry they may instead select a different firm. Even after years of working with the same in-house counsel, many partners express frustration at the inability to get agreement to run a major case. So too, plaintiffs' counsel struggle as a second's work is often behind the scenes and thus may not be relayed well in a formal PSC application nor even be known to the judge in the prior case, and thus cannot be conveyed through informal judicial communications either. How then does a second-chair convert into a first-chair?

- 12:45-1:40 Presentations by senior counsel on how they obtained their first appointment, with commentary by judges and in-house counsel
Moderators: Annika K. Martin; Mike Williams
Panelists: Mark Chalos; Erin Copeland; Cari Dawson, Chris Seeger
Commentators: Connie Matteo (Pfizer); Hon. David Herndon
- 1:45-2:45 Breakout Groups - roundtable discussion by rising stars of specific challenges faced, with feedback and strategies offered by judges (for plaintiffs' counsel) and judges and in-house counsel (for defense counsel)
Plaintiffs' Breakout Moderator: Jacksy Bilborrow
Judges: David Herndon, Kathleen Cardone, Shelly Dick, Audrey Fleissig, Charlene Honeywell, Leigh May
Defense Breakout Moderator: Amy Laurendeau
Commentors: John Beisner; David Christopherson (Floor & Décor), and Will Barnette (Home Depot)
Judges: Virginia Covington, Sara Ellis
- 2:45-3pm Coffee Break
- 3-4:45pm What the Judiciary Can Do
 Some judges have taken the lead in appointing seconds, while others have insisted more junior attorneys have an opportunity to argue in their courtroom. Do attorneys feel these experiments have succeeded? Do in-house counsel feel this has enhanced or hindered their representation? Are there approaches that have succeeded in-house that can be adopted by the judiciary? Some repeat players have affirmatively sought to promote their seconds, weighing options ranging from mere supportive declarations to seeking co-appointments. Are there alternative ways for judges to obtain assurances of quality in making first-time appointments to seconds? In contrast, other would-be leaders leave repeat-player firms to open their own practices. While this solves the second problem, judges are increasingly concerned about the ability of these appointees to meet their financial obligations. Is the judiciary asking the right questions?
- 3:00-3:45 Panel discussion of existing judicial strategies focusing on what has worked and what has had unintended consequences or little effect
Moderators: Lauren Barnes; Ana Reyes
Panelists: Elizabeth Cabraser; Chilton Varner; Dionna K Litvin (Merck)
Judges: Amy St. Eve, Susan Mollway, Alvin Hellerstein, and Sarah Vance
- 3:45-4:45 Collaborative brainstorming session on potential new approaches
- 4:45-5pm Diversity Award – Jayne Conroy
- 5-6pm Reception for judges and Next Gen conference attendees