

LEGAL CONFERENCE

THE CLAREMONT RESORT & SPA • BERKELEY, CA • MAY 18-20, 2008

Mail to: Food Marketing Institute, Lockbox #758884, PO Box 758884, Baltimore, MD 21275-8884;
Fax to: 202.220.0870 (with credit card information); or register at <http://www.fmi.org/forms/MeetingCalendar/>.
Registration questions? Contact Susan Arena at 202.220.0615 or sarena@fmi.org.

Please Print or Type:

Name _____ Badge Name _____

Title _____ Company _____

Street _____

City _____ State _____ Zip Code _____

Telephone _____ Fax _____

E-mail _____

Please indicate any dietary restrictions: _____

Companion's Name (if attending) _____

Companion's Badge Name _____

☐ I will ☐ will not attend the Sunday, May 18th reception.

☐ I will ☐ will not attend the Monday, May 19th evening event.

CLE Credit: If you would like to receive CLE credit for attending the course, *pending state approval*, please indicate the state(s) of interest and your corresponding bar identification number(s): _____

Registration Fee:

Members: ☐ \$800 per person ☐ \$750 per person when three or more are attending

Non-Members: ☐ \$1350 per person

Associate Members: ☐ \$1125 per person

Note: Outside counsel must either be invited by a retailer or wholesaler or else sponsor the Conference in order to attend. Please contact Susan Arena at sarena@fmi.org for information on sponsorship opportunities.

Payment Information:

☐ Enclosed is my check payable to the Food Marketing Institute for \$ _____.

☐ Please charge \$ _____ to my credit card. ☐ American Express ☐ Visa ☐ MasterCard

Credit Card # _____

Exp. Date _____

Credit card in the name of: _____

Signature _____

If payment will cover multiple registrations, please indicate number _____ and identity of additional registrant(s):

Name(s) _____ , _____ , _____

Cancellation: 100% refund if notification is received before May 4th; *no refund if notification received after May 4th*.

Note: Please make room reservations directly with the Claremont Resort & Spa 1.800.551.7266, and identify yourself as an attendee of the FMI Legal Conference to receive the rate of \$269. To ensure accommodations are available, reservations must be made no later than an April 17.

FMI is committed to participation in its programs by persons with disabilities. ☐ Please check if you need accommodations.

Please specify _____



FOOD MARKETING INSTITUTE

2345 Crystal Drive

Suite 800

Arlington, VA 22202-4801



CLE

LEGAL CONFERENCE

MAY 18 - 20, 2008 • BERKELEY, CA

BUILDING SOUND COMPLIANCE
PROGRAMS UNDER THE FEDERAL
SENTENCING GUIDELINES

PHARMACY

FOOD SAFETY

IMMIGRATION

ENVIRONMENTAL

TRANSPORTATION

ALSO —

ETHICS

ANTITRUST

EMPLOYMENT

SUNDAY, MAY 18, 2008

REGISTRATION AND RECEPTION

6:00 P.M. – 7:30 P.M.

Join your colleagues for a welcome reception and register for the conference. Pick-up a ballot to vote for the location of next year's conference. (After all, this is a federal election year!)

LEGAL CONFERENCE

**THE CLAREMONT
RESORT & SPA**

BERKELEY, CALIFORNIA

MAY 18-20, 2008

MONDAY, MAY 19, 2008

CONFERENCE CHAIR

Robert Gordon

*Senior Vice President, General Counsel
and Secretary, Safeway Inc.*

GENERAL SESSION

8:30 A.M. – NOON

**FEDERAL SENTENCING GUIDELINES AND
IMPORTANCE OF COMPLIANCE**

Under the Federal Sentencing Guidelines, a strong compliance program is more important than ever. A recognized expert will review the legal reasons and the business case for a strong program.

SPEAKER:

Christopher Myers, Holland & Knight

**EXPERIENCE BUILDING REGULATORY
COMPLIANCE PROGRAMS FOR
RETAILERS AND WHOLESALERS**

Building a strong compliance program isn't necessarily easy. Your colleagues in the food distribution and retail industries who have built compliance programs will explain how they did it – what worked, what didn't and why.

PANEL:

Nathan Prater, Food Lion LLC

Mary L. Masse, Nash Finch Company

EMPLOYMENT LAW UPDATE

Experts who specialize in employment law for the food retail and wholesale industries will discuss developments of 2008 and changes on the horizon in 2009. Topics will include cases pending before the Supreme Court, the National Labor Relations Board's ruling on employee use of e-mail and statutory and regulatory changes to the Family and Medical Leave Act standards.

PANEL:

Edmund J. McKenna, Ford & Harrison LLP

Jesse M. Caryl, Ford & Harrison LLP

LUNCHEON WITH SPEAKER

NOON – 1:45 P.M.

Enjoy lunch with your colleagues and discuss the latest political developments in Washington and across the nation in 2008 — one of the most exciting and dynamic political years in recent memory — with the industry's chief lobbyist.

SPEAKER:

*John Motley, Senior Vice President,
Food Marketing Institute*

GENERAL SESSION

2:00 P.M. – 5:00 P.M.

SESSION CHAIR

*Paul Heldman, Executive Vice President,
Secretary and General Counsel, The Kroger Co.*

INTERCHANGE: NEW LEGISLATIVE REMEDY AND INTERPLAY WITH LITIGATION

Credit card fees are growing at a rate faster than health care costs in our industry. FMI is leading the charge on a legislative solution, while individual companies are challenging the credit card companies' practices in the courtroom. The architect of the legislative solution will explain the proposed remedy and the interplay with the litigation strategy.

SPEAKER:

Todd Anderson, Constantine Cannon PC

ANTITRUST UPDATE

An update on the latest antitrust developments at the agencies and in the courts, including mergers (e.g., *FTC v. Whole Foods*), resale price maintenance, price discrimination, generic drugs, criminal enforcement and antitrust class action suits.

SPEAKER:

Christopher J. MacAvoy, Howrey LLP

HOW TO AVOID LEGAL ISSUES IN THE NEW "GREEN"-SCAPE

"Green" is the new way companies are getting into the black. A panel of specialists will explain the legal issues you should consider as your company develops programs in this area.

PANEL:

*Susan Cagann, Farella Braun & Martell LLP
Edward Quevedo, WSP Environment & Energy
Kevin Poloncarz, Bingham McCutchen LLP*

CONFERENCE EVENT

6:30 P.M.

Join your colleagues for a special dinner and a tour of the **Scharffen Berger Chocolate Factory** where you will have an opportunity to discuss the topics of the day in an informal environment.

TUESDAY, MAY 20, 2008

The second day of the program features regulatory compliance panels in specific areas key to the supermarket and food distribution industries. Each will provide an overview of the legal framework and clear "how to" advice on establishing or upgrading your regulatory compliance program.

GENERAL SESSION

8:30 A.M. – NOON

SESSION CHAIR

*Mary Kasper, General Counsel,
Fresh and Easy Neighborhood Markets*

REGULATORY COMPLIANCE: FOOD SAFETY

No supermarket or food distribution company can afford to ignore food safety. This session will provide the latest strategies on developing compliance programs to help ensure that the food you supply is as safe as possible and teach you how to respond if something goes wrong.

SPEAKER:

Leslie T. Krasny, Keller and Heckman LLP

REGULATORY COMPLIANCE: IMMIGRATION

New and more aggressive enforcement by U.S. Immigration and Customs Enforcement (ICE) against employers for their hiring practices and significant uncertainty in the law make immigration issues some of the trickiest areas for corporate counsel to navigate, particularly in our labor-intensive industry. A recognized expert will provide you with the latest information in this area and guidance on programs that you can implement.

SPEAKER:

Mary E. Pivec, Keller and Heckman LLP

REGULATORY COMPLIANCE: TRANSPORTATION

Moving a wide variety of products from distribution centers to stores (and sometimes back again) calls into play a number of legal issues that corporate counsel need to watch. Learn key steps that you can take to keep your company compliant.

SPEAKER:

Michael Morrone, Keller and Heckman LLP

NEW "TOPIC TABLES" BUFFET LUNCH

NOON – 1:45 P.M.

New this year, we will feature "topic tables" with key areas of interest to our industry. Meet colleagues who are engaged in the same issues you are and discuss strategies for tackling today's challenging issues.

GENERAL SESSION

2:00 P.M. – 4:30 P.M.

SESSION CHAIR

*John A. Attaway Jr., Senior Vice President,
General Counsel and Secretary,
Publix Super Markets, Inc.*

REGULATORY COMPLIANCE: ENVIRONMENTAL

Myriad environmental laws affect supermarkets and distribution centers, from the regulations that govern refrigerants, to the restrictions on water run-off, and disposal of adulterated foods and other wastes. This session will provide a comprehensive overview of the most important issues relevant to our industry.

SPEAKER:

Gary P. Gengel, Latham & Watkins LLP

REGULATORY COMPLIANCE: PHARMACY

Pharmacies are subject to a broader range of regulatory issues than the rest of your store. An expert in the law will explain the legal landscape – from privacy issues to controlled substances regulations and beyond.

SPEAKER:

*Gary W. Thompson,
Akin Gump Strauss Hauer & Feld LLP*

ETHICS

Corporate risk assessments undertaken in conjunction with Section 8B2.1(c) of the Federal Sentencing Guidelines can raise significant legal ethics issues. These risk assessments, which typically include employee interviews, questionnaires and document reviews, often raise complex ethical issues in areas such as the formation of an attorney-client relationship, confidentiality of information, conflicts of interest and other complexities inherent in representation of corporate entities. Sharpen your pencils to prepare for law school-style hypotheticals to help you review these important issues.

SPEAKER:

Sheldon Krantz, DLA Piper US LLP

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CONFERENCE INFORMATION

HOTEL RESERVATIONS:

A block of sleeping rooms at \$269 single/double will be held at The Claremont Resort & Spa, Berkeley, California, for our attendees until April 17, 2008. Reservation requests received after this cut-off date will be confirmed subject to availability. Make your reservation directly with the hotel at 1.800.551.7266 and be sure to identify yourself as an attendee of this FMI Legal Conference to assure the reduced rate.

AIRFARE AND CAR RENTAL DISCOUNTS:

United Airlines is the official airline for the FMI Legal Conference. Call United's Special Meeting Desk at 1.800.521.4041 and refer to Meeting ID Number 509RK to receive a 2–10 percent discount on applicable fares, including First Class. If you purchase a ticket at least 30 days prior to travel, you will receive an additional 5 percent discount. Call United for more information.

Avis Rent A Car is the official car rental provider for this meeting. Special discounts are available for all attendees and include unlimited free mileage. Call Avis at 1.800.331.1600 or log on to www.avis.com to make your reservations. Be sure to mention discount code AWD # B235499.

CONFERENCE ATTIRE

Conference attire is business casual.