

2011 LEGAL CONFERENCE

June 5 - 7, 2011
Brown Palace • Denver, Colorado



Program

Intellectual Property • Employment Law • Environmental Law
Food Law and Policy • Privacy/Social Media Issues

Who Should Attend

Legal leadership of the retail and wholesale food industries, including
general counsel, corporate counsel and invited retained counsel

Earn 10 or more CLE Credits!



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Sunday, June 5, 2011

4:00 p.m. – 6:00 p.m. Registration

5:30 p.m. – 7:00 p.m. Reception

Renew friendships and meet new colleagues at the opening reception.

Monday, June 6, 2011

7:00 a.m. – 4:30 p.m. Registration

7:30 a.m. Breakfast

8:00 a.m. – 11:45 a.m. Welcome and Opening Remarks

CONFERENCE CHAIR:

Janet Kelley, General Counsel, Meijer

8:30 a.m. – Noon General Session

8:30 a.m. – 10:00 a.m. Highly Regulated Products: Fuel and Tobacco

Fuel and tobacco products rank among the most highly regulated items sold by supermarket retailers. The Tobacco Control Act enacted in 2009 dramatically changed the way cigarettes can be marketed and sold. This session will cover the new obligations retailers face in the sale and display of tobacco products under the law. Retailers contend with a myriad of rules governing the sales of fuel. This session will cover the latest developments on this topic as well.

SPEAKERS:

Tim Columbus, Steptoe & Johnson

Doug Kantor, Steptoe & Johnson





10:15 a.m. – 11:45 a.m. Environmental Law: Hazardous Materials

In the course of operating their businesses, food retailers may handle a number of hazardous materials—from batteries to household chemicals. Regulations governing the handling, transportation and disposal of hazardous materials are complex. This session will provide an overview of federal hazardous material regulations as they affect retail supermarkets and cover the latest developments on this topic.

SPEAKER:

*Moderator: Janet Kelley, General Counsel, Meijer
Aaron Goldberg, Beveridge & Diamond*

12:00 p.m. – 1:30 p.m. Antitrust Luncheon

This session will provide an update on the latest developments in antitrust law. Key decisions from the courts and the Federal Trade Commission will be discussed. The latest information on payment card issues will also be covered.

SPEAKERS:

*Chris MacAvoy, Baker Botts
Doug Kantor, Steptoe & Johnson*

2:00 p.m. – 4:30 p.m. General Session

2:00 p.m. – 4:30 p.m. Labor & Employment Law

with 15 min break

This comprehensive session will include discussions and updates on current developments in labor and employment law, including the latest on worker classification rules, wage and hour regulations and the impact social media has on employees. OSHA issues and NLRB activity also will be addressed.

SPEAKERS:

*Mark Schneider, Littler Mendelson
Julie Dunne, Littler Mendelson*

6:00 p.m. Off-Site Social Event

Meet in Hotel Lobby at 5:30 p.m., to leave for the restaurant.

6:00 p.m. – 6:30 p.m.

Networking and Cocktails

6:30 p.m.

Dinner (please be prompt)

Restaurant: TBD





Tuesday, June 7, 2011

7:30 a.m.

Breakfast

8:30 a.m. – 12:15 p.m.

General Session

8:30 a.m. – 9:45 a.m.

Intellectual Property: Patent Trolls

More and more retail legal departments are contending with the headache of patent trolls—entities that secure patents and enforce them across an industry, without any intent to manufacture or market the patented invention. Learn about key steps to limit exposure and strategies for minimizing costs and maximizing the success of defense efforts.

SPEAKER:

R. David Donoghue, Holland & Knight

10:00 a.m. – 11:00 a.m.

Professional Responsibility: How to Do the Right Thing

Ethical principles are often characterized in abstract terms, making it difficult to apply them to practical business situations. Merely being in compliance with the law is not always the same as doing the right thing. Professor Pepper will provide insights in understanding the ethics of the corporate counsel's working life.

SPEAKER:

Professor Stephen L. Pepper, University of Denver School of Law

11:00 a.m. – 12:15 p.m.

Food Safety Modernization Act

The Food Safety Modernization Act marks the most sweeping change to our nation's food safety laws since the enactment of the Federal Food, Drug and Cosmetic Act. FSMA will have tremendous impact along the entire supply chain, including retailers. This session will review the requirements of the law and the latest developments on FDA's work to implement it.

SPEAKER:

Gary Kushner, Hogan Lovells

12:30 p.m. – 1:45 p.m.

"Topic Tables" Buffet Lunch

Corporate counsel in the supermarket and distribution industries face challenges unique to the industry, but you can be sure that one of your colleagues has tackled the issue you are currently facing. Get advice and share strategies.





2:00 p.m. – 4:45 p.m. General Session

2:00 p.m. – 3:30 p.m. Forum on Privacy

Federal legislators and regulators have shown a renewed interest in privacy matters. As more retailers work to create apps and enhance loyalty card programs, implementing robust privacy practices is more important than ever. Join us for a discussion of the latest developments at the FTC and on Capitol Hill and how they can impact the cutting edge technologies being rolled out in the marketplace.

SPEAKER:

Zoe Strickland, Chief Privacy Officer, Wal-Mart

John Weinrieb, Olsson, Frank, Weeda, Terman, Bode, Matz

3:45 p.m. – 4:45 p.m. Washington Update

Legislative and regulatory activities can have an enormous impact on your business. Hear the latest developments from Washington on the issues that matter most to you including: interchange, menu and nutrition labeling, environmental regulations, tax legislation and more.

SPEAKER:

Erik Lieberman, Regulatory Counsel, Food Marketing Institute

Andy Harig, Director of Government Affairs, Food Marketing Institute

4:45 p.m. – 5:00 p.m. Closing Remarks

Janet Kelley, General Counsel, Meijer



Conference Information

Registration Fee Coverage:

Fee includes all meeting materials, light breakfasts, coffee breaks, lunches, receptions, and dinners indicated in program. Fee does not include your hotel accommodations.

Cancellation:

Please notify registrar in writing by email to register@fmi.org or fax 202.220.0830.

A full refund, less a \$75 processing fee is granted when a cancellation is received prior to May 20, 2011. A 60% refund is granted if cancellation is received by May 27, 2011.

No refund if notification is received after May 27, 2011.

Hotel Reservations:

Hotel reservations should be made directly with The Brown Palace Resort & Spa or by calling 1-800-321-2599. Please be sure to identify yourself as an attendee of the FMI Legal Conference to guarantee the special room rate of \$199.00 single/double.

A block of sleeping rooms will be held for attendees until May 13, 2011. Reservation requests received after May 13, 2011 will be handled on a rate- and space-available basis.

Conference Attire:

Conference attire is business casual.



REGISTRATION FORM

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Register online at www.fmi.org/events and select the Legal Conference

Registration questions? Susan Lentz at 202.220.0844 or register@fmi.org **Program/Sponsorship questions?** Meredith Esbeck at mesbeck@fmi.org

Please Print or Type:

First _____ Last _____ Nickname _____

Title _____

Company _____

Mailing Address _____

City _____ State/Province _____ Zip Code _____

Telephone _____ Fax _____ E-mail _____

Confirm to (if different from attendee) _____ E-mail _____

Companion's Name (if attending) _____

Events:

☐ I will ☐ will not attend the reception on Sunday, June 5th.

☐ I will ☐ will not attend the evening event on Monday, June 6th.

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:

Retailer/Wholesaler Members: ☐ \$795 per person ☐ \$745 per person
Associate Members: ☐ \$1,125 per person if 3 or more (paid)
Non-Members: ☐ \$1,350 per person attend from the
same company

Note: Outside counsel must either be invited by a retailer/wholesaler or sponsor the Conference in order to attend.

Payment Information: On-site registrations accepted only if accompanied by credit card payment.

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

Mail to: Food Marketing Institute, Lockbox #758870, PO Box 758870, Baltimore, MD 21275-8870; Ref.# 3600-004-0214

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

Fax to: 202.220.0830 (with credit card information)

Credit Card # _____ Exp. Date _____

Cardholder Name (please print): _____ Signature _____

Cancellation: Please notify registrar in writing, by email to slentz@fmi.org or fax 202.220.0830. A refund, minus a \$75 processing fee, is granted when a cancellation is received by May 20, 2011. A 60% refund is granted if cancellation is received by May 27, 2011. All registrations received after May 27, 2011 are non-refundable. No refund is granted if notification is received after May 27, 2011.

Hotel Information: Please make room reservations directly with the Brown Palace Hotel & Spa (1.800.321.2599), and identify yourself as an attendee of the FMI Legal Conference to receive the rate of \$199 per night. To ensure accommodations are available, reservations must be made no later than May 13, 2011.

FMI is committed to participation in its programs by persons with disabilities.

☐ Please check if you need assistance.

Please specify _____

Please indicate any dietary restrictions: _____



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