

23rd Annual Business Litigation Conference 2024

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Get the latest update on new business litigation developments and important case law delivered in a dynamic, streamlined format by a stellar faculty of U.S. District judges, U.S. Magistrate judges, Massachusetts Superior Court judges, and preeminent practitioners. The judges discuss trends and field your questions in the ever-popular Business Litigation Session Judicial Panel and Federal Judicial Panel. Get highly practical, sage perspective that only experience—and the *Conference*—can provide.

Agenda

- **Year-in-Review: A Dialogue on the Top 10 Cases**
- **Business Litigation Session Judicial Panel**
- **Best Practices for Streamlining Litigation**
 - **Cost as a prime factor in business litigation**
 - **Practices for making litigation less cumbersome:** Limitations on discovery; Phasing of discovery; Participation in the BLS Discovery Project; Judicial assessment of case under Superior Court Rule 20; Waiver of jury trial; Waiver of detailed findings in a bench trial
 - **Court assistance in settlement discussions:** Mediation by a U.S. magistrate judge; Mandatory mediation in the First Circuit; Mediation by retired judges in state court
 - **Benefits of the streamlined lawsuit over arbitration:** Availability of summary judgment to resolve or narrow issues; Interrogatories and third-party discovery; Lack of arbitration costs; Appellate rights
 - **Streamlining as a strategy for client satisfaction**
- **New Federal Rules on Post-Employment Restrictions**
 - **Confidentiality and Non-Disparagement:** Sections 7 and 8 of the National Labor Relations Act; Prior NLRB decisions regarding confidentiality and non-disparagement provisions; Impact of *McLaren* decision; Penalties for potential non-compliance; Potential impact of *McLaren* on current and future employee separation agreements; Enforcement of existing agreements; Drafting agreements to comply with the decision; Status of legal challenges to *McLaren*
 - **Non-Competition:** Background on non-competition agreements; Section 5 of the Federal Trade Commission Act; Federal Trade Commission's proposed rule banning non-competes; Status of legal challenges to the proposed new rule
- **Federal Judicial Panel**

Faculty

Michael D. Brier, Esq., *Gesmer Updegrove LLP, Boston*, Cochair; Sara J. Shanahan, Esq., *Sherin and Lodgen LLP, Boston*, Cochair; Gregory S. Bombard, Esq., *Greenberg Traurig LLP, Boston*; Lisa A. Stephanian Burton, Esq., *Ogletree, Deakins, Nash, Smoak & Stewart, PC, Boston*; Hon. Donald L. Cabell, *U.S. District Court, District of Massachusetts, Boston*; Hon. Judith G. Dein, *U.S. Magistrate Judge, U.S. District Court, District of Massachusetts, Boston*; Andrew R. Dennington, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*; Lisa C. Goodheart, Esq., *Fitch Law Partners LLP, Boston*; Hon. Nathaniel M. Gorton, *U.S. District Judge, U.S. District Court, District of Massachusetts, Boston*; Hon. Helene Kazanjian, *Superior Court, Commonwealth of Massachusetts*; Hon. Peter B. Krupp, *Superior Court, Commonwealth of Massachusetts*; David A. Michel, Esq., *Sherin and Lodgen LLP, Boston*; Hon. Michael D. Ricciuti, *Superior Court, Commonwealth of Massachusetts*; Hon. Katherine A. Robertson, *U.S. Magistrate Judge, U.S. District Court, District of Massachusetts, Springfield*; Hon. Kenneth W. Salinger, *Superior Court, Commonwealth of Massachusetts*; Hon. F. Dennis Saylor IV, *Chief Judge, U.S. District Court, District of Massachusetts, Boston*; Hon. Debra A. Squires-Lee, *Superior Court, Commonwealth of Massachusetts*; Daniel P. Tighe, Esq., *Donnelly, Conroy & Gelhaar LLP, Boston*

Dates & Locations

Register at www.mcle.org

BOSTON

Friday, February 9, 2024
12:00 pm–5:00 pm
MCLE Conference Center
10 Winter Place, via Winter Street
Program # 2240105P01

LIVE WEBCAST

Friday, February 9, 2024
12:00 pm–5:00 pm
Program # 2240105WBC

REBROADCAST

Monday, February 26, 2024
11:00 am–4:00 pm
Program # 2240105RB1

REBROADCAST

Tuesday, March 5, 2024
9:00 am–2:00 pm
Program # 2240105RB2

ON DEMAND WEBCAST

View after Tuesday, March 5, 2024
Program # 2240105WBA

Tuition *(includes written materials)*

- \$275
- \$247.50 MCLE Sponsor Members
- \$137.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
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To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

- E-materials link emailed upon registration
- Transcript & videorecording emailed 2 weeks post-program

CLE Credits

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