

## *Eighth Annual*

### AGENDA

MARCH 4-7, 2020

*California*  
EMPLOYMENT LAW &  
CABERNET

#### LOCATION

The Meritage Resort and Spa  
875 Bordeaux Way  
Napa, CA 94558  
(866) 370-6272

#### COST

\$995 per person (clients)  
\$1,495 per person (non-clients)

#### REGISTRATION

ONLINE  
[www.ogletree.com](http://www.ogletree.com)

EMAIL  
[ODEvents@ogletree.com](mailto:ODEvents@ogletree.com)

HRCI, SHRM, and CLE credit is anticipated for this program. To confirm whether CLE is available in your state, please email [cle@ogletree.com](mailto:cle@ogletree.com) in advance.



## WEDNESDAY, MARCH 4, 2020

2:00 – 6:00 p.m. **Early Registration**

3:00 – 6:00 p.m. **Climate Change? Employers Are Drowning in the Rising Sea of Laws in California!**

California's climate may be ideal for tourists and surfers, but its regulatory climate may not be so accommodating to employers. Even the most experienced in-house counsel and HR professionals can have difficulty keeping track of the workplace rules that regulate almost every aspect of the employment relationship. This primer on California employment law will focus on the legal issues that create the most headaches for in-house counsel and HR professionals. This session is recommended for both those new to dealing with workers in California and those with years of experience managing workers in the Golden State. This session is sure to be a great way to kick off a great program!

*Speakers:* Betsy Johnson (Los Angeles) ▪ Thomas H. Knudsen, *Deputy General Counsel*, Pepperdine University  
Christopher W. Olmsted (San Diego)

6:00 – 7:30 p.m. **Welcome Reception**

## THURSDAY, MARCH 5, 2020 (DAY 1 AGENDA)

8:00 – 8:45 a.m. **Registration and Breakfast**

8:45 – 9:00 a.m. **Welcome and Opening Remarks**

Joseph L. Beachboard, *Managing Director*, Ogletree Deakins

9:00 – 10:00 a.m. **"Headline News": The Latest Developments in California Employment Law**

Each new year brings new challenges for organizations doing business in the Golden State. This session will highlight the latest developments, with a special focus on the practical ramifications for your organization. Our speakers will address the most significant employment law cases, new workplace regulations, safety developments, trade deals, union activity, and much more.

*Speakers:* Maria Anastas (Los Angeles) ▪ Kevin D. Bland (Orange County) ▪ Evan R. Moses (Los Angeles)  
David Raizman (Los Angeles) ▪ Gregory C. Cheng (San Francisco) ▪ Pietro Straulino-Rodriguez (Mexico City)  
*Special Guests*

10:00 – 10:45 a.m. **What Is "Work" and Who Are Your Employees Now?**

California Assembly Bill (AB) 5 has been in the spotlight nationwide and will have a major impact on not only employers that use independent contractors, but also the business community across the state. Our panel will examine this new law and take a deep dive into the more fundamental changes to the employer-employee relationship and what is considered "work" in California.

*Speakers:* David Salazar Cavazos, *Vice President Legal Services*, GRUMA ▪ Patricia A. Matias (Orange County)  
Robert R. Roginson (Los Angeles)

10:45 – 11:15 a.m. **Break**

11:15 a.m. – Noon **California Consumer Privacy Act: What Every Employer Needs to Know**

Following the lead of Europe, California passed a comprehensive consumer privacy law that took effect on January 1, 2020. This informative session will discuss what employers need to do to comply with the California Consumer Privacy Act and how to prepare for anticipated changes in the law as it applies to employees in 2020 and beyond.

*Speakers:* Sean P. Nalty (San Francisco) ▪ Albert Nicholson, *Senior Corporate Counsel*, Lineage Logistics  
Sean Paisan (Orange County)

Noon – 1:15 p.m. **LUNCH AND KEYNOTE PRESENTATION**

**Litigating the High-Profile Employment Case: Lessons Learned From a Trial Master**



In 1994, Alan Exelrod represented plaintiff Rena Weeks in a sexual harassment case against Baker & McKenzie, one of the world's largest law firms. The trial, which was extensively covered by the media, resulted in the largest jury verdict in an individual sexual harassment case at the time. Most recently, Exelrod represented Ellen Pao in her landmark discrimination case against Kleiner Perkins, one of the nation's leading venture capital firms. During his career, Exelrod has achieved numerous trial victories for plaintiffs in high-stakes employment cases, earning him a reputation as one of the nation's most highly regarded trial lawyers. Join us for what promises to be a rare and intriguing glimpse into litigating high-profile employment cases from one of the masters of the plaintiffs' trial bar.

*Special Guest:* Alan B. Exelrod, *Of Counsel*, Rudy, Exelrod, Zieff & Lowe, LLP

*Interviewed by:* Douglas J. Farmer (San Francisco)

1:15 – 1:30 p.m. **Break**

1:30 – 2:15 p.m. **Investing to Win: Managing Litigation Costs in California**

The thought of being sued in California sends chills down the spines of most business owners. Through careful planning and management, however, the costs of defending a lawsuit can be made more predictable and controlled. This presentation will focus on steps companies can take to keep their legal costs down. The presenters will provide tips and recommendations to make an early assessment and valuation of your case, develop an appropriate legal strategy to either resolve or fight a case, and identify tools available to Ogletree Deakins clients to manage their cases and case calendar.

*Speakers:* Thomas M. McInerney (San Francisco) ▪ Michael Pfyf, *Director, Legal-Employment*, Google  
Michael J. Sexton (Orange County)

## THURSDAY, MARCH 5, 2020 (continued)

- 2:15 – 3:00 p.m. Navigating Harassment Claims: The California Experience**  
We may be beginning a new decade, but the importance of properly handling harassment complaints has not changed. Recent cases provide direction on what employers should—and should not—do when handling these complaints. And many of the most important issues (and opportunities to limit liability) are associated with investigating allegations of improper behavior. Learn the latest tips and techniques for managing these difficult situations.  
*Speakers:* Paul Amante, Jr., *Senior Director, Compliance, Employee Relations & HR Operations*, The Irvine Company LLC  
Candace Gomez Harrison (Orange County) ▪ Frank L. Tobin (San Diego)
- 3:00 – 3:15 p.m. Break**
- 3:15 – 4:15 p.m. How to Win Your California Case at the Plaintiff's Deposition**  
Depositions can make or break a case—especially in California. They drive settlement outcomes and trial results. During this presentation, our speakers will identify strategies and techniques for gaining leverage at the plaintiff's deposition in an employment case. You will learn how to disarm argumentative lawyers, wrangle with lying or evasive witnesses, and obtain "killer" testimony from the plaintiff.  
*Speakers:* Lisa C. Hamasaki (San Francisco) ▪ Hardy R. Murphy (Los Angeles)  
Wade W. Poulson, *General Counsel*, Bob Baker Auto Group ▪ Spencer C. Skeen (San Diego)
- 4:15 – 4:45 p.m. The Most Bizarre Employment Cases of 2019—California Style**  
California is famous for crazy employment law news, and 2019 was an exceptionally wacky year. While the entertainment value is high (we hope), there is a learning (and therapeutic) component to examining the mistakes of others and the truly weird world of California employment law. This session is a great way to end our first day!  
*Speaker:* Joseph T. Clees (Phoenix)
- 4:45 – 5:00 p.m. Closing Remarks**
- 6:00 – 8:00 p.m. Wine Tasting Reception and Dinner**  
You won't want to miss our hosted wine tasting and dinner at The Meritage Resort and Spa's Estate Cave. Built into the hillside beneath the resort's nine-acre vineyard, this is the only facility of its kind in Wine Country. It features a unique barrel-shaped ceiling and plenty of luxurious amenities for everyone to enjoy.



## FRIDAY, MARCH 6, 2020 (DAY 2 AGENDA)

- 8:00 – 8:45 a.m. Breakfast**
- 8:45 – 9:00 a.m. Welcome and Day Two Conference Kickoff**
- 9:00 – 9:40 a.m. Sacramento Scene: California Legislative Developments (It's More Than Just AB 5)**  
The California Legislature's 2020 imprint on employers isn't limited to AB 5; it passed several other significant employment laws during its last term. And don't expect our state representatives to take this year off—several important work-related bills are expected to make their way through the Assembly and the Senate. Unlike former governor Jerry Brown, Governor Gavin Newsom has been quick to sign these bills into law. Join this important session to learn more about what we can expect from Sacramento this year.  
*Speakers:* Jennifer Barrera, *Executive Vice President*, California Chamber of Commerce  
Anthony J. DeCristoforo (Sacramento)
- 9:40 – 10:30 a.m. Is Any Absence Not Protected in California? Managing Leaves in a Challenging Environment**  
Managing the wide range of leave entitlements in California can be a full-time job, but few organizations are able to dedicate adequate resources to this challenging area. Rather, most employers ask their HR and/or legal team to "do their best" to manage employees' protected time away from work through policies and patchwork procedures. In California, where the statutory leaves are many and the litigation risks are high, a strategic approach to managing leaves of absence is necessary. Our experienced panel will share their most successful approaches and what has worked best for them.  
*Speakers:* Joni L. Gaudes, *Vice President and General Counsel*, ASICS America Corporation  
Christian J. Keeney (Orange County) ▪ Charles L. Thompson, IV (San Francisco) ▪ Leslie E. Wallis (Los Angeles)
- 10:30 – 11:00 a.m. Break**
- 11:00 – 11:45 a.m. California Wage and Hour Quandaries: The Five Biggest Mistakes Employers Make (and Keep Repeating)**  
Most of the largest employment law verdicts of the last decade in California stemmed from wage and hour claims, which were once considered by the plaintiffs' bar to be undesirable, boring, and unprofitable. These verdicts did not result from some new law employers were unaware of, but rather common (and avoidable) mistakes made repeatedly by the business community. This session will make sure you learn from the mistakes made by other employers.  
*Speakers:* Tracie L. Childs (San Diego) ▪ Douglas J. Farmer (San Francisco) ▪ Tim L. Johnson (San Diego)  
Louis Marlin, *Mediator*, Louis Marlin Mediation, LLC
- 11:45 a.m. – 12:15 p.m. Violence Prevention Training: Coming to a California Workplace Near You**  
Almost every day, a high-profile incident of violence occurs in a workplace somewhere in California. Currently, violence prevention training is required in California only in selected industries. However, pending legislation would require that this training (and much more) be provided in all industries. A nationally recognized workplace violence expert will help you better understand the issues; design a training program for your employees; and, most important, ensure that your employees are safe while on the job.  
*Speaker:* Dennis A. Davis, Ph.D. (Torrance)

(Agenda continued on back)

## FRIDAY, MARCH 6, 2020 (continued)

- 12:15 – 1:15 p.m. LUNCH AND SMALL GROUP DISCUSSIONS (Led by Speakers From Each Presentation)**  
This popular session will provide an opportunity for attendees to discuss the topics of the prior two days with various speakers from the program. One or more speakers will be assigned to each table. In addition, attendees will help develop talking points for the panel discussion that will follow later in the afternoon.
- 1:15 – 2:00 p.m. Taming the Tiger: Managing a California Workforce**  
You've spent two-plus days learning all the quirks of California law. But that's not enough to successfully manage a workforce in the Golden State. The issues that arise in California will test your knowledge, skills, and patience like none other. Our experienced panel will wrap up the 2020 program with a session that focuses on practical tips to survive the California experience.  
*Speakers:* Johnnie A. James (Los Angeles) ▪ Emily K. Shields, *Senior Counsel*, MRC Global Inc.  
Kimberly Wong, *Assistant General Counsel*, The J. Paul Getty Trust
- 2:00 – 2:45 p.m. Successfully Navigating California's Challenges—A Group Endeavor**  
In this session, presenters will provide key takeaways from each of the sessions from the prior two days. The topics to be addressed will include those raised by each table during lunch.  
*Moderator:* Jack S. Sholkoff (Los Angeles)
- 2:45 – 3:00 p.m. Day Two Closing and Grand Prize Drawing**
- 5:00 – 9:00 p.m. California Employment Law & Cabernet—A Learning, Wine Tasting, and Dining Experience**  
After two days of intensive education, enjoy a special evening with the program speakers and your colleagues from around the country at Jacuzzi Family Vineyards. While the brand name "Jacuzzi" is most often associated with hot tubs, in Sonoma it signifies the perfect Italian influence on California wine. Fred Cline opened Jacuzzi Family Vineyards as a way of honoring his grandfather Valeriano Jacuzzi, who taught a young Fred how to tease magic from the soil. The building that houses Jacuzzi Family Vineyards is a tribute to the Jacuzzi family home in Casarsa, Italy. True Italian hospitality awaits you! Transportation will be provided to and from the winery. This is an experience you won't want to miss!



## SATURDAY, MARCH 7, 2020 (DAY 3 AGENDA)

- 8:00 – 8:45 a.m. Breakfast, Networking, and Best Practices Discussions**
- 8:45 – 11:15 a.m. Has the Jury Reached a Verdict?**  
More and more often, California employment cases are going to trial. That means employers are putting their fate in the hands of a jury. With the assistance of a well-known jury consultant, our seasoned trial lawyers will conduct an interactive session where you are part of a jury that evaluates the real-world problems affecting a California company. You will hear scenarios that likely occur in your everyday practice, see how they can be interpreted through the eyes of a jury, and then reach a verdict! Don't miss this fast-moving, eye-opening experience.  
*Speakers:* Cara F. Barrick (San Francisco) ▪ Dan Gallipeau, Ph.D., *President*, Dispute Dynamics, Inc.  
Betsy Johnson (Los Angeles) ▪ Vince M. Verde (Orange County)
- 12:15 – 5:30 p.m. Wine Tasting Tour (an additional fee of \$95 per person)**  
Join us as we travel by luxury coach to visit two of Napa's premier wineries: Paraduxx Winery and Cliff Lede Vineyards. Space is limited, so please reserve your spot as soon as possible.



## Registration Information

CALIFORNIA  
Ogletree  
Deakins  
125  
LAWYERS

NAVIGATING CALIFORNIA  
EMPLOYMENT LAW

A Strategic Program for Multistate Employers

### REGISTRATION

Online: [www.ogletree.com](http://www.ogletree.com)  
Email: [ODEvents@ogletree.com](mailto:ODEvents@ogletree.com)

### HOTEL RESERVATIONS

Hotel reservations are the responsibility of participants and can be made by calling The Meritage Resort and Spa directly at (855) 884-7687 and requesting the Ogletree Deakins rate of \$209 per night. A limited number of rooms is available, so please make your reservations as early as possible. Reservations must be made by February 11, 2020, to receive this group rate.

Please let us know if you require any special services or accommodations.

### DATE

March 4-7, 2020

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