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OCTOBER 26-29
NBALES2023

THE LABOR & EMPLOYMENT SECTION'S
ANNUAL CONFERENCE

Program Book



Loews Miami Beach Hotel
1601 Collins Ave • Miami Beach, FL 33139



**Kevin Reese,
Chair**



JacksonLewis

Our attorneys are proud champions of the **2023 Labor and Employment Section Annual Conference**. We look forward to engaging with you, and hope to see you at our panels.



Kevin D. Reese
Principal, San Francisco
Chair, NBA Labor & Employment Section
Moderator
Wealth Management Topic



Harold R. Jones
Principal, San Francisco
Executive Committee Member
Moderator
Internal Investigations:
Conducting Them & Keeping Them Privileged (Or Not)



Kensley A. Davis
Associate, Los Angeles
Executive Committee Member
Moderator
The Rapid Rise of ChatGPT and its Implications on the Law



Damón Gray II
Associate, Raleigh
Moderator
Class Actions 101



Ryan C. Chapoteau
Principal, New York City
Speaker
Class Actions 101



Katessa M. Charles
Principal, Los Angeles
Speaker
Anatomy of an Employment Case Part II Trial Strategies



Charles H. Wilson
Office Managing Principal, Houston
Speaker
Anatomy of an Employment Case Part II Trial Strategies



Michael D. Thomas
Principal, Orange County
Executive Committee Member
Speaker
Advancing Workplace Diversity In the Wake of the SFFA Supreme Court Decision



Brandon U. Campbell
Associate, Miami
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Best Practices and Strategies for Arbitrations



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Focused on labor and employment law since 1958, our 950+ attorneys located in major cities nationwide identify and respond to new ways workplace law intersects business.

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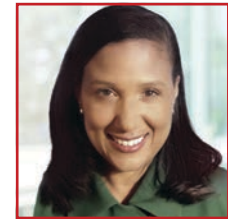
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LETTER FROM THE CHAIR NBA LABOR AND EMPLOYMENT SECTION

Greetings!

On behalf of the Labor and Employment Law Section of the National Bar Association, it is my pleasure to once again welcome you to our Annual Conference. We are excited to have so many excellent attorneys committed to make this year's conference an exceptional event.

Our executive committee has worked tirelessly at the production of this event and has curated an outstanding program featuring talented speakers who will showcase their subject-matter expertise on a wide range of cutting-edge topics. It is always our goal to provide strong content that will be of service to our membership by enhancing your professional knowledge and skills to ensure each of you are adequately equipped to face the evolving challenges and opportunities in our practice area.

In addition to our emphasis on strong content, we also have arranged various networking opportunities to foster connections and camaraderie among our section members. Our section has continued to grow in no small part because we believe in a sense of community and support. It remains a priority that we continue moving forward by promoting our connectivity with each other.

Finally, I want to express my immense gratitude to all of our esteemed members for their continued support of our section. I am proud of our growing community and in these challenging and uncertain times, it is more important than ever that we lean in to support and help each other. I hope that you find this year's conference to be inspiring, uplifting and motivating.

I look forward to seeing you all in Miami!

Warm Regards,

Kevin D. Reese
Chair, Labor and Employment Section, National Bar Association



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LETTER FROM THE PRESIDENT NBA LABOR AND EMPLOYMENT SECTION

**Dear Members of the Labor and Employment Section
of the National Bar Association,**

As President of the National Bar Association, I would like to express my sincerest appreciation for your invaluable contributions to the National Bar Association.

The Labor and Employment Section has consistently demonstrated its commitment to upholding the highest standards of legal excellence, promoting the advancement of justice, and advancing diversity, equity, and inclusion within and outside of the profession. Your dedication to the National Bar Association is commendable and plays an integral role in promoting the rule of law.

Moreover, the Labor and Employment Section has created numerous initiatives and programs that have contributed to the advancement of African American law students, lawyers, and legal professionals. We commend you all for your leadership, which serves to advance diverse communities and protect the legal and political rights of all citizens.

As we continue to navigate the ever-evolving legal landscape, your work has become increasingly crucial. The work of the Labor and Employment Section remains vital to maintaining the integrity of our profession, institutions, and our community.

Once again, the National Bar Association would like to express our utmost gratitude to the dedicated members of the National Bar Association's Labor and Employment Section. I look forward to promoting the continued success and growth of the Labor and Employment Section.

Sincerely,

Dominique D. Calhoun
President, National Bar Association

CONFERENCE AGENDA

Thursday, October 26, 2023

8:30 am – 2:30 pm Registration

9:30 am – 10:55 am Recent NLRB Decisions: Where Do we Go from Here?

The panelists will discuss recent decisions from the NLRB, including decisions highlighting protections for worker outbursts and whistleblower productions, among other hot topics.

Moderator: April Madison-Ramsey – Stanford University
Panelists: Taylor Lawson – Littler Mendelson P.C.
Jerry M. Hunter – Bryan Cave Leighton Paisner
Mark Pearce – Georgetown Law
Aaron Agenbroad – Jones Day

11:00 am – 12:00 pm The Art of the Pitch: Business Development Strategies from Top Rainmakers

During this panel we will hear from top rainmaker at private law firms. They will share how they build their book of business and various strategies attorneys can incorporate into their practices.

Moderator: Terrance Evans – Duane Morris LLP
Panelists: Theodora Lee – Littler Mendelson P.C.
Miguel Pozo – Cozen O'Connor
Michael Wilder – Littler Mendelson P.C.
Joseph Drayton – Cooley LLP
Greg Cheng – Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

12:00 pm – 1:30 pm Lunch Break

1:30 pm – 2:30 pm Anatomy of an Employment Case Part I

The panelists will provide an analysis and discussion of considerations and strategies for case intake and evaluation, discovery, motion practice, mediation, and pre-trial preparation. The discussion will include perspectives from the plaintiff's and defense bar.

Moderator: Jessica Thomas – Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Panelists: Kendall Onyendu – Outten & Golden LLP
Winter Wheeler – Miles Mediation & Arbitration, LLC
Jasmine Harding Guy – Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Sharde Skahan – Seyfarth Shaw LLP
Natasha Sarah-Lorraine – NSL Consulting LLC



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CONFERENCE AGENDA CONT.

2:40 pm – 3:40 pm EEOC Priorities and Trends

The panelists will discuss EEOC hot topics, including settlements and enforcement actions over the past year as well as what is on the horizon for 2024.

Moderator: LaToi Mayo – Littler Mendelson P.C.

Panelists: Maurice Robinson – Port Authority of NY & NJ – EEOC Officer
Sabine Jean – Outten & Golden LLP
Sidney Minter – Advanced Auto Parts

3:45 pm – 4:45 pm Internal Investigations: Conducting Them & Keeping Them Privileged (Or Not)

The panelists will discuss the strategies for internal investigations, when to hire outside counsel to conduct investigations, and how to maintain the attorney-client privilege with regard to the investigation. The panel will also discuss when an employer may want to engage in a waiver of the privilege with regard to the investigation.

Moderator: Harold Jones – Jackson Lewis P.C.

Panelists: Jeanine Conley Daves – Littler Mendelson P.C.
Patrick Martin – Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Lauren Parris Watts – Seyfarth Shaw LLP
Paul Garrison – Law Offices of Paul Garrison

5:30 pm – 7:00 pm Thursday Night Reception Sponsored by NBA

CONFERENCE AGENDA CONT.

Friday, October 27, 2023

8:30 am – 2:30 pm Registration

9:00 am – 9:55 am The Rapid Rise of ChatGPT and its Implications on the Law

This panel will discuss how ChatGPT is being used, and can be used in employment, and how it will be used to automate legal and business functions.

Moderator: Kensley A. Davis – Jackson Lewis P.C.

Panelists: Michael D. Wilson, Jr. – Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Chambord Benton-Hayes – Benton Employment Law
Antony Haynes – Albany Law School
Caleb L. Green – Dickinson Wright PLLC

10:00 am – 10:55 am General Counsel Roundtable

Moderator: Daniel Morriss – Hinshaw & Culbertson LLP

Panelists: Marcus Sandifer – Celsius Holding, Inc.
Skeeter Scott – Truist Bank
Stacia Marie Jones – Lululemon
Tameka Simmons, – Delta Sigma Theta Sorority, Inc.
Chris Lewis – Edward Jones (Ret.)

11:00 am – 12:00 pm Wage and Hour Class Actions 101

This panel will answer the questions: What is a class action vs. collective action? PAGA action vs. hybrid action? How do you conduct discovery in class cases? How to certify a class (or overcome certification)? This panel will also discuss the benefits of mediation.

Moderator: Damon Gray – Jackson Lewis P.C.

Panelists: Jason Marsili, – Marsili Mediation, Inc.
Jarron McAllister – Outten & Golden LLP
Jared Palmer – Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Christina Le – Wilshire Law Firm, PLC
Ryan Chapoteau – Jackson Lewis P.C.

12:00 pm – 1:25 pm Lunch Break



CONFERENCE AGENDA CONT.

1:30 pm – 2:30 pm Anatomy of an Employment Case Part II Trial Strategies

This panel will cover topics including voir dire, jury consultants, opening statement, technology in the court room, witness prep and strategy, and closing argument. The panel will include perspectives from both the plaintiff's and defense bar.

- Moderator:** Roger Johnson – Hamilton Miller & Birthisel
- Panelists:** Judge Darrin P. Gayles – Southern District of Florida
Charles Wilson – Jackson Lewis P.C.
Mike Mitchell – Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Katessa Charles – Jackson Lewis P.C.
Rodney S. Diggs – Ivie McNeill, Wyatt Purcell & Diggs

2:45 pm – 3:50 pm Advancing Workplace Diversity In the Wake of the SFFA Supreme Court Decision

The panel will include a discussion of the SFFA decision and its implications. The discussion will highlight new challenges employers will face in retaining and recruiting diverse talent. The panelists will also answer the question of whether this precedent will pave a way for an increase in “reverse racism” lawsuits. The panelists will provide a path forward for employers seeking to balance compliance with the law and recruitment and retention of individuals from underrepresented groups.

- Moderator:** Joanne Saint Louis – JAMS
- Panelists:** Michael D. Thomas – Jackson Lewis P.C.
Mark Smalls – T. Bryce Consulting
Erin Johnson – Fox Rothschild LLP
Natalie E. Norfus – The Norfus Firm

4:00 pm – 5:00 pm A.I. 2.0 – Updates on Legislation & Litigation (Employment & Privacy Considerations)

This panel will discuss AI technology used in employment and will provide the regulatory framework that is currently in effect, and soon to be in effect. The panel will also discuss mitigating the risk of algorithmic bias for employers. The panel will also discuss the benefit of using these tools to increase the diversity of candidates for positions within the legal community and outside of it.

- Moderator:** Michael Victorian – Phelps Dunbar LLP
- Panelists:** Angelina Evans – Seyfarth Shaw LLP
Danielle Ochs – Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
Derede McAlpin – The Crisis Concierge
Antony Haynes – Albany Law School

5:30 pm – 7:30 pm Friday Night Reception – St. Moritz Lawn

CONFERENCE AGENDA CONT.

Saturday, October 28, 2023

9:30 am – 10:55 am **Wealth Management Topic**

This panel will discuss developing a Wealth Mindset and various ways for attorneys of color to build their wealth and resources, including, Real Estate Investing; Tax Planning/Estate Planning; investing in the stock market; and Business Ownership.

Moderator: Kevin Reese – Jackson Lewis P.C.

Panelists: Jade Laye – Laye Investments LLC
Theodora “Theo-patra” Lee – Theopolis Vineyards
Andrew Maloney – Maloney Law Group
Ashley V. Gantt – Gantt Legacy Law

11:00 am – 12:15 pm **Best Practices and Strategies for Arbitrations**

This panel will discuss the use of the preliminary conference call to set the stage for efficient arbitration proceedings; Controlling the costs of the discovery in arbitration, including guidance on production of electronically stored information; Assessing the efficacy of motion practice; How to present your case in arbitration efficiently and effectively; and Post arbitration briefing strategies and considerations.

Moderator: Dean Burrell – Burrell Dispute Resolution

Panelists: Carl Turpin – Mediator & Arbitrator
Brandon Campbell – Jackson Lewis P.C.
Jonathan Andrews – Signature Resolution
Brandon Gibson – RTR Law

12:15 pm – 5:00 pm **Break (Feel free to enjoy the spa, a round of golf, or the beach)**

6:00 pm – 9:00 pm **NBA-LES Farewell Dinner**

10:00 pm – Until **“Littler at Night” White Party – Cellar Speakeasy Dance Club**



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NOTES

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From Caribbean to Cajun, Afro-Cuban to Creole, here's our list of the best Black-owned restaurants in Miami.

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(305) 374-7661
[https://www.miamiandbeaches.com/l/restaurants/jackson-soul-food-\(historic-overtown\)/1288](https://www.miamiandbeaches.com/l/restaurants/jackson-soul-food-(historic-overtown)/1288)

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(305) 640-9880
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(305) 454-9065
<https://www.rosiesmia.com/>

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(786)-542-0990
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<https://www.grown.org/>

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(305) 333-8272
<https://www.smithxwebster.com/>

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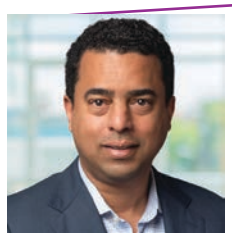
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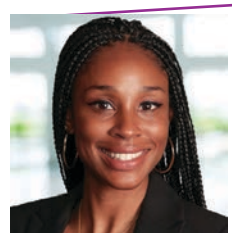
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JAMS Mediator
& Arbitrator



Donald M. Lewis, Esq.
JAMS Mediator
& Arbitrator



Joanne Saint Louis
JAMS Director,
Diversity Outreach



Jason C. Marsili, Esq.
Marsili Mediation,
JAMS Diversity Fellow



Maurice Q. Robinson, Esq.
Port Authority of NY & NJ,
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Miles' neutral Winter Wheeler will present on the following panel:



Anatomy of an Employment Case Part I:
Analysis and discussion of considerations and strategies from Case Intake & Evaluation, Discovery, Motion Practice, Mediation through Pre-Trial preparation

**October 26th
1:30 pm -2:30 pm**

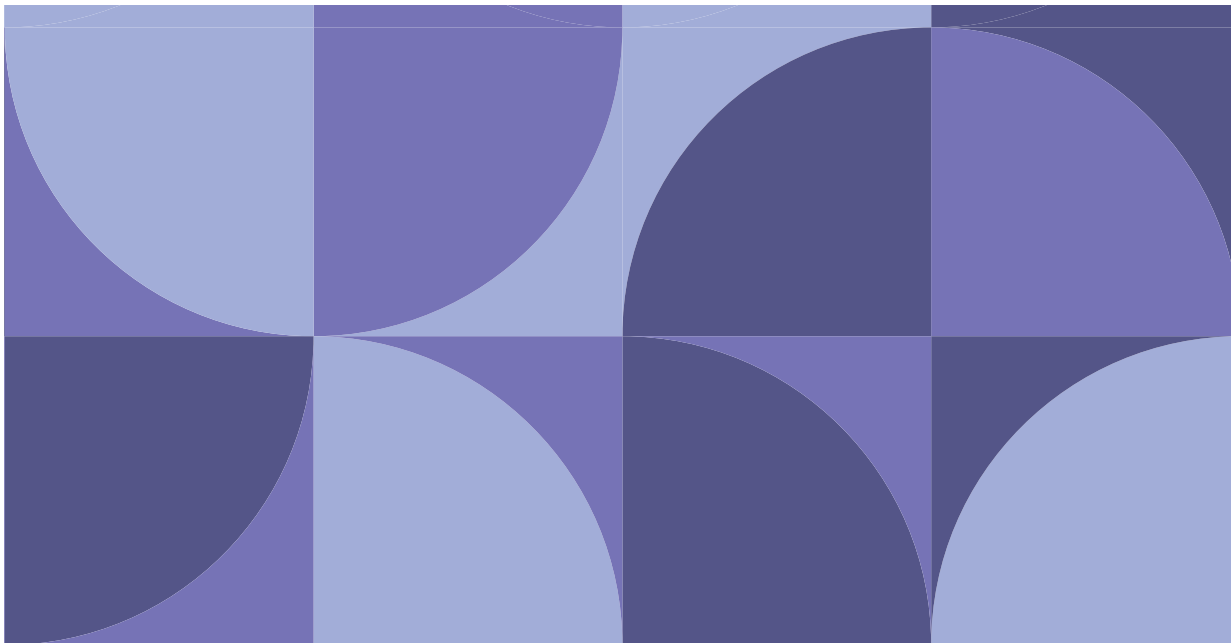


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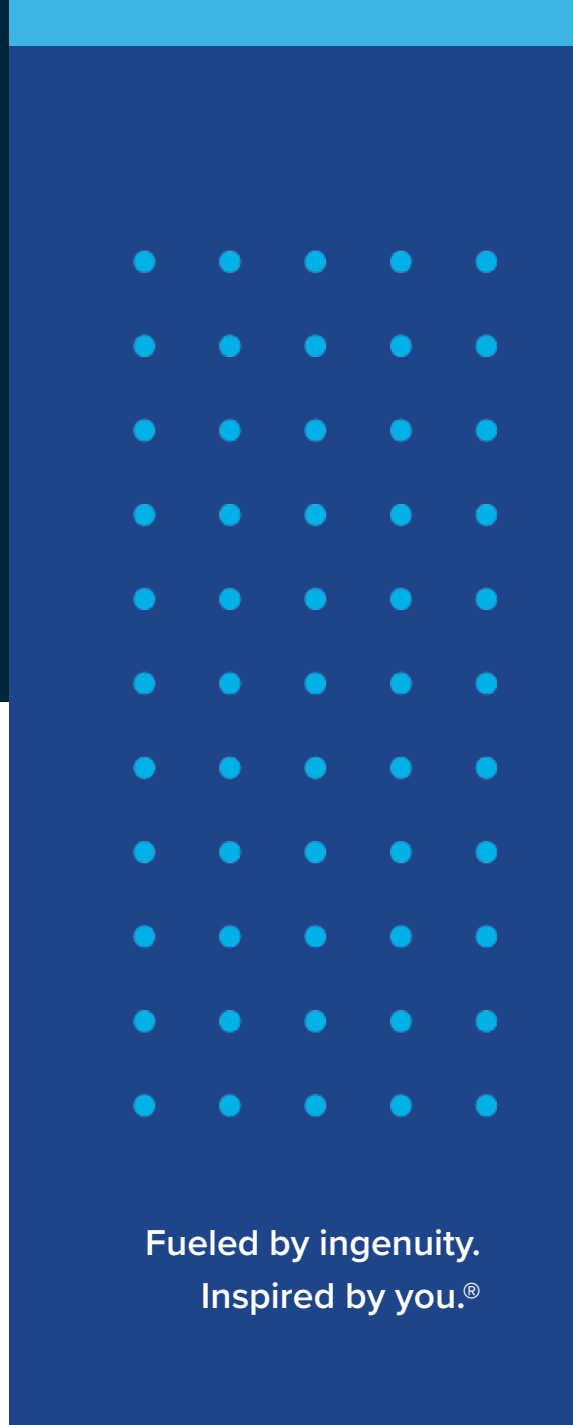


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