

SHARPENING THE AXE: FORGING THE TOOLS NEEDED TO OPTIMIZE YOUR RESPONSE TO THE COVID-19 DISRUPTIONS

Date:

Tuesday, April 14, 2020

Time:

12:00 p.m. – 1:00 p.m. CT

About this Webinar:

“Give me six hours to chop down a tree and I will spend the first four sharpening the axe.”

- Abraham Lincoln

As businesses and individuals cope with the disruptions which have – and will – occur as a result of the COVID-19 pandemic, preparation is crucial to emerging as healthy as possible, whether through negotiation or in litigation. In this webinar, our panel will provide an overview of legal doctrines applicable to both claims and defenses relating to the disarray arising from the current shutdowns. Then, relying upon several hypotheticals, they will discuss ways that these principles may apply in real world situations, and offer suggestions of nuances that may be used. After a discussion of how insurance products may factor, the panel will offer proactive steps to be taken now in order to optimize the use of those doctrines in dealing with counterparties, both in restructuring agreements and in the event litigation is needed.

Presenters:

JOSEPH G. FORTNER, JR. is co-chair of the Commercial Litigation Practice Group of the Connecticut ALFA International law firm of Halloran & Sage LLP. He is the chair emeritus of ALFA International’s Business Litigation Practice Group, and chaired its 2017 Seminar. Joe is an experienced business litigator and trial lawyer in a wide range of business, intellectual property and related commercial matters in state and federal courts, ranging from trade secret claims, contract disputes, business fraud and other commercial torts, technology-related matters, trade regulation, unfair trade practices, employee termination, and product-related commercial disputes. Joe represents clients in trademark and trade dress, copyright, patent, cyber defamation, domain name, licensing and other intellectual property matters. Among the market segments in which he works are financial services, chemical processing, construction, information technology, marketing, firearms, music, and other manufacturing and services industries. Joe uses his experience to counsel clients regarding intellectual property issues and other business relationships, prosecutes trademark matters at the Patent & Trademark Office, and negotiates licenses, assignments and other intellectual property agreements. He has written and lectured on trademarks and trade dress, trade secrets, trademark dilution, antitrust issues and e-commerce, including authoring the Connecticut portions of several ALFA compendiums regarding trade secrets. He is a graduate of Duke University and received his J.D. from Vanderbilt University School of Law. When not practicing law, he works on his blues, jazz and country guitar skills, and performs with his wife (also an attorney) in their vocal and guitar duo, “Blind Date.”

ANGELA HIGGINS is a member of the ALFA International law firm of Baker Sterchi Cowden & Rice, LLC in Kansas City, Missouri. For 18 years, Angela has focused her practice on insurance coverage and bad faith litigation, and routinely provides coverage opinions, litigates coverage and bad faith cases, and argues appeals in state and federal court. She has written and presented extensively on topics of interest to insurance carriers and claims

professionals, with a particular focus on Missouri and Kansas law. She is a member of ALFA International's Insurance Practice Group Steering Committee. Angela received her B.A. from Clemson University and earned her J.D. from University of Missouri – Kansas City School of Law. She is admitted to practice in Missouri, Kansas, District of Columbia, and before the U.S. District Court for the Western District of Missouri, the U.S. District Court for the District of Kansas, the 8th U.S. Circuit Court of Appeals, the 10th U.S. Circuit Court of Appeals and the U.S. Supreme Court

JOHN OSGATHORPE is a managing partner and shareholder with Taylor Day, the ALFA International member firm in Jacksonville, Florida. In his practice, John protects the interests of companies, management teams, and business owners in a diverse array of commercial and torts disputes in Florida. His broad experience includes contract disputes, corporate control/fiduciary litigation, business torts, and real property disputes, as well as the defense of retailers, manufacturers, and trucking companies in significant injury claims. He is a member of the Florida Bar and Illinois Bar (inactive). John graduated from Indiana University (Economics) and Indiana University School of Law-Indianapolis. He served as an associate editor for the *Indiana International and Comparative Law Review* and studied law at East China University of Political Science in Shanghai and Temple University's School of Law-Tokyo. He currently serves on the board of directors and as treasurer for ALFA International. John is a member of several committees within the ALFA International Business Litigation Practice Group.

JENNIFER PEDEVILLANO is a partner at ALFA International member firm, Halloran & Sage LLP, and a member of the Firm's Construction, Labor & Employment and Litigation Practice Groups. She handles construction matters, contract disputes, products liability, complex commercial and corporate litigation matters, and represents employers in all areas of labor and employment law, including employer counseling, training and the litigation of employment disputes, such as discrimination claims, unemployment compensation claims and claims for wrongful termination. She also has significant experience assisting medical providers subpoenaed for records and testimony. Jen has tried cases before arbitrators, judges and in jury trials, and has extensive litigation experience in large complex matters, including electronic discovery. She earned her B.A., *magna cum laude*, from DeSales University, and her J.D., *magna cum laude*, from Quinnipiac University School of Law. She is admitted to practice law in the State of Connecticut and the District of Connecticut.