

# FOCUS

WHERE LEADERSHIP COMES INTO VIEW



## President's Letter

**Stephanie Lambert**

Shortcuts can be valuable. They get us from Point A to Point B faster than the conventional route. When I think of highway shortcuts, my father comes to mind—he was the master of shortcuts and backroads. Growing up we always took the road less traveled—the fewer cars on the road the better, or so my father thought. He knew, however, that shortcuts don't apply to everything, especially in his job piloting a small corporate plane. On a typical workday he was up at 4 am to arrive at the airport by 6 am to conduct his preflight check, hence the preference for a short commute.

For those who don't know, the preflight checklist is lengthy; it involves checking the weather, the weight and balance in the plane, the exterior physical check of the plane, the performance of the instruments, and so on, with pilot vigilance around systems continuing throughout the flight until the plane lands at its destination and shuts down. Unlike choosing the route to work, piloting a plane, where safety is a top concern, is not the time to look for shortcuts. Indeed, whether it's the corporate plane or the corporate books and records, there are many other areas where corporate shortcuts can present heightened risks. Yet shortcuts seem to be the precursor to the latest corporate scandals. Everyday headlines tell the story of corporate shortcuts taken in the name of efficiency or profit.

How do we as in-house practitioners, especially those of us new to this type of practice, recognize when a corporate shortcut should be avoided or embraced, when taking the shortcut could lead to a scandal or an efficiency? Our professional journey is not that different from the pilot's: we are both trained for long periods and tested to ensure qualifications. We take continuing education courses to stay on top of changes in our respective fields and experience is a top qualification for career progression. Nevertheless, the role of an in-house attorney can be isolating, and there are times when we, like the pilot, are the sole individual assessing and taking action to avoid risk. We can be on a solo flight at times, pushing back on an ill-advised shortcut. Going it alone on the road least traveled might work for the daily commute, but it is a challenging and stressful course as a lawyer in a corporation today. So, while a pilot does a preflight check to assess safety for the plane's passengers, how do we as in-house counsel get ready to assess a risky course of action for our company? The answer is quite simple; we don't fly solo. Instead, we build a community of peers within our profession to stay on top of best practices and learn what others have done when faced with the same choices. We build relationships with others in our profession that we can call upon for support when pressure mounts.

Reaching out to in-house counsel in other companies to gain community support

is a better route to success than flying solo, and the ACC, an association of over 40,000 in house lawyers, offers many ways for us to do so. The Northeast Chapter, as one of the ACC's largest chapters, offers a valuable community to engage for this purpose. This newsletter describes multiple ways to get involved to expand your support network, depending upon how much time you wish to invest. You can join a committee, speak on a program, write for the newsletter, and attend events remotely or in person. In participating in these activities, you may even develop your own "collaborative circle". For more details on collaborative circles see page 8 for Sean Fitzmichael Devlin's discussion of Michael P. Farrell's book on the topic. You will also find an entertaining article by Kelly Whetstone, editor-in-chief of this newsletter, sharing her experience with in-person attendance at the recent ACC Annual Meeting in Las Vegas. (Thanks, Kelly, for sharing your personal anecdotes!) The global network at the Annual Meeting provides even more opportunities to efficiently connect with other in-house counsel, lawyers in law firms, and legal service providers all in one place.

Like Kelly, I also found the Annual Meeting to be an energizing event, one which confirmed for me that I am focused on the right compliance challenges. It also enabled me to connect with a few service providers who had some insightful ideas on improving department efficiencies. (Sidebar: this year's meeting was the 13

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continued from page 1

meeting that I attended.) On the personal side, I made new connections this year in unlikely places (in the steam room of a spa, for instance) and caught up with friends from past Annual Meetings. While online programming does provide a convenient way to get up to speed on a given topic, in person gatherings with the Chapter or the global network not only allow us to learn something new quickly,

but also add great resources to our networks (and lifelong friends). This ACC community makes for a great shortcut—allowing for a quicker way to get further along to whatever our personal Point B happens to be. In my experience, the ACC community has enabled a shortcut on the route to in-house success while reducing the risk of corporate scandals along the way. Hopefully a shortcut that even a

corporate pilot would recognize as a path worth taking.

#### **Communications Committee**

Communications Committee and Newsletter Editorial Board: Kelly Whetstone (editor-in-chief), Alex Bubier, Brian Ciaramicoli, Liz Cox, Sean Fitzmichael Devlin, Jamie Wells and Patrick Wu. Other contributors: Sharon Kamowitz and Ruchi Shah.

## Welcome New & Renewing Members

Please help us welcome the following members who joined within the last few months:

**Matthew Ambros**  
BlueRock Therapeutics

**Samuel Ascanio**  
Sitecore Schweiz AG

**Brendan Beasley**  
Highland Electric Transportation

**Cassandra Benito**  
NetScout Systems, Inc.

**Thomas Cappalli**  
Keurig Dr. Pepper

**Tim Casula**  
Juniper Networks

**Jeff Cristoforetti**  
Lantheus Medical Imaging

**James Coe**  
Keurig Dr. Pepper

**Jason Cofield**  
Foundation Medicine

**Nancy Cremins**  
Public Consulting Group

**Eric Crescimano**  
iRobot Corporation

**Daswell Davis**  
Akoya LLC

**Dawn Ehlers**  
Cengage Group

**Adrienne Garcia**  
Cengage Group

**Eleanor Gilbane**  
Sunnova Energy Corporation

**Matthew Gildart**  
General Dynamics Corporation

**Sujin Han**  
Cengage Group

**Liza Hays**  
Cengage Group

**Kate Huleatt**  
Takeda Pharmaceuticals U.S.A., Inc.

**Len Keefe**  
Cengage Group

**Kori Klustaitis**  
BlueRock Therapeutics

**Nicholas Korbas**  
Keurig Dr. Pepper

**Beth Krewson**  
BlueRock Therapeutics

**Michelle Lin**  
Cengage Group

**Mary Luosey**  
Computershare Inc. (USA)

**Erin Mahoney**  
Cabot Corporation

**Erin Olesen**  
Hologic, Inc.

**Quang Pham**  
Cengage Group

**Jessie Reniere**  
AAA Northeast

**Mike Schultz**  
NetApp, Inc.

**Amy Sennett**  
Open Text Corporation

**Darlene Vanstone**  
Lantheus Medical Imaging

**Christina Wahlig**  
Marathon Health

**If you forgot to renew please email [membership@acc.com](mailto:membership@acc.com).**

# Why Accessibility Matters

By Yosr Hamza, Gartner Director, Legal Counsel



I recently traveled with my kid. As a caregiver to a [pushchair](#)/wheelchair user, we were automatically asked to use the wheelchair line. While waiting in line for our turn, I could not help but notice that our check-in counter was lower than all the other counters. As a newbie to the disability community who has become accustomed to many things being inaccessible for people like my kid, I asked the security officer if the lower counter was intentional.

**“Yes. We want everyone to be equal. They need a lower counter so they can communicate with the security officer with confidence, ease, and comfort. Their experience should be a pleasant one.”**

Security officer at check-in counter

The incident triggered many thoughts and emotions. That something so simple can make a whole community visible blew my mind. More than diversity and equity matters: Inclusion matters too.

## Consider the entire experience

And accessibility needs special attention. Because even though people who have disabilities may want to participate in the world fully and independently, they struggle when they undertake simple services, shop, dine out, go to cultural

and sports events, and maintain vehicles. They can't always find accessible offices and workstations that enable them to hold jobs. Education may be out of reach too. Even when accessibility is addressed, it's not always adequate and yet, it often could be easily. Much is designed without people with disabilities being taken in consideration.

**Much is designed without people with disabilities being taken in consideration.**

Although it sounds so simple while writing it, including everyone is more than just the right thing to do. It is a smart business decision, and will eventually provide you with a larger pool of customers and employees.

Most of us will at some time will deal with a temporary or situational disability (e.g., broken wrist, sprained neck, etc.). Accessibility, keep in mind, is much more than building wheelchair ramps and posting signs in braille. It is about the entire experience of how something is designed to be used — to assure someone dealing with any kind of impairment can participate as fully as possible and glean what is wanted to be gleaned for what they are doing.

**Accessibility, keep in mind, is much more than building wheelchair ramps and posting signs in braille.**

## Lead by example

There are many ways that we can nudge the status quo and encourage employers or shops or service providers to make services, products, or premises more accessible. Go beyond the law and beyond ideal [environmental, social and governance \(ESG\)](#) recommendations. Help your organization shine and lead as an example. Prove to your disabled employees and customers, and the world at large, that all are valued, and that you are making conscious effort to ensure they can benefit from an ideal experience, like the one I and my kid had.

**There are many ways that we can nudge the status quo and encourage employers or shops or service providers to make services, products, or premises more accessible.**

And always remember: It often takes just one person to make a change.

## ACC News

### ACC In-house Counsel Certification Program: Dec. 5-15, Virtual

The [In-house Counsel Certification Program](#) covers the core competencies identified as critical to an in-house career. This virtual training is a combination of self-paced online modules and live virtual workshops. The workshops will be conducted over a two-week period, four days a week for three hours each day.

### ACC365 App Now Available to Download

Your work goes beyond your desktop and now so does the ACC member experience. The brand-new ACC365 app is now available to [download](#). Stay connected and get the ACC experience in the palm of your hand. With one tap, you are plugged into the people, resources, and knowledge that accelerate your career.

## Committee Corner

### Communications Committee

This quarter's Committee Corner features the Communications Committee. The Committee, comprised of Kelly Whetstone (Co-chair), Patrick Wu (Co-chair), Brian Ciaramicoli, Alex Bubier, Jamie Wells, and Sean Devlin is focused on fostering more interest in programs, giving access to Board members, acting as informational resource for members, and integrating new members and members in neighboring states. One of the primary responsibilities of the Communications Committee is writing and assembling the quarterly Northeast Chapter FOCUS newsletter which you are currently reading. The newsletter covers chapter events from that quarter, as well as features articles including member spotlights and topics affecting our chapter membership. As the way we all work and communicate changes, the Communications Committee has been adapting as well. A key initiative of the Communications Committee is the chapter's social media presence and outreach. The Committee works on social media strategy for the chapter to engage its members digitally. Through posting event notices and sharing useful articles on LinkedIn and Twitter, the Committee keeps the chapter up to date. The most recent addition to the chapter's social media presence is YouTube. The Northeast Chapter's YouTube channel video series features, Ask the Experts, where members share their expertise on a specific topic, and Five Good Minutes, which are short interviews with members. If you have not yet subscribed, please take a look. The Communications Committee provides a great opportunity to help ensure that your local ACC chapter provides the most value to its members and is looking for volunteers. If you are interested, please contact Julie Duffy for more information.

### COMMITTEE MEMBERS/ VOLUNTEERS WANTED.

We are always looking for volunteers to help with our various committees and activities. Please let us know if you would be interested in volunteering a small amount of your time to help keep our chapter running strong. We will work with you to line you up with a project that interests you!

#### Communications Committee

Kelly Whetstone  
Patrick Wu

#### Diversity, Equity & Inclusion Committee

Lalitha Gunthuri  
Robin Walker

#### Membership Committee

James Coughlin

#### Next Gen Committee

Brian Ciaramicoli  
James Coughlin

#### Practice & Career Management Committee

Alex Aferiat  
Sharon Kamowitz

#### Pro Bono/Civic Engagement Committee

Mitch Appelbaum

#### Programs Committee

Larry Weiss  
Mitch Appelbaum

#### Women's Initiative Committee

Marisa Murtagh  
Kathleen Patton

## We would like to recognize and thank all of our 2022 Sponsors for their support of the Chapter this year.



# ANNUAL MEETING RECAP

## What Happens in Vegas . . .

By Kelly Whetstone, ACC Northeast Board Member, Deputy General Counsel, ACA Group

We all know the saying “What happens in Vegas, stays in Vegas.” But that’s not the case when you are in Vegas for the ACC Annual Meeting. As I’m writing this a week later, I’m still reviewing my notes from the sessions, sharing my ideas for legal operations, and sorting through my new network of peers on LinkedIn.

This was ACC’s first in-person annual meeting since Phoenix in 2019, and I wanted to make sure I did everything. After a six hour delay out of the Portland, Maine airport (no, there wasn’t a moose on the runway), I finally landed in Las Vegas Friday evening. This year’s meeting was held at the newly built Resorts World – a mega resort consisting of three hotels, a conference center, a casino, numerous high-end boutiques, restaurants, and not one, but two, Starbucks (seriously, there isn’t a reason to leave!). As I rode from the airport to the hotel, although I was exhausted from having been up since 3:00 am East Coast time, I felt the sudden surge of energy that only comes from the bright lights of the Strip.

### Corporate Counsel Classic – hosted by the ACC Foundation

Although I missed it due to my flight delay, the ACC festivities kicked off on Friday evening with the first event of the Corporate Counsel Classic (CCC). The CCC is held annually in conjunction with the annual meeting and is billed as the premier golf, spa, and networking

event in the in-house community. The CCC commenced with a pairings party at the Gatsby’s Cocktail Lounge, located within Resort World. Fellow ACC Northeast Board members in attendance enjoyed catching up with friends not seen in person for three years and meeting new attendees.

On Saturday, participants had the choice of eighteen holes of golf or a day at the spa. Anyone who knows me knows that this was a no brainer for me. At 8:00 am, I bundled up in my cozy robe and joined my fellow colleagues for a delicious brunch inside the spa, followed by a long soak in one of the many hot tubs, a facial, a breathwork class, and a steam in the sauna. Not a bad way to start a trip! Although networking with fellow in-house counsel while wearing a bathing suit was a new experience . . . Following the spa and golf, attendees were supposed to meet up by one of the many resort pools for an afternoon pool party, but due to a windstorm, this was moved to Sunday afternoon.

Saturday was capped off by the always popular ACC Has Talent Network and Awards Reception at the Redtail bar. Four brave souls got up and shared their comedic and singing talents, with Keilon Forest, ACC Foundation Director, taking home the top trophy with his passionate rendition of “Valerie”. The evening continued with raffles to help support the ACC Foundation’s diversity efforts, which

includes donations to and partnerships with diverse bar associations and a grant program that supports diversity and pro bono efforts that engage in-house counsel. What was a fun evening for everyone to catch up after so long turned into a great event to support an important cause.

### Leadership Development Institute – hosted by the ACC Foundation

After a morning of exploring the shops on the Strip with some fellow ACC Northeast board members, I attended the Leadership Development Institute (LDI) training session. The LDI’s mission is to provide chapter and network leaders with training and networking opportunities they need to effectively lead their constituents. After a delicious buffet lunch, participants were treated to a motivational presentation by Marilyn Sherman on what she calls “Front-Row Leadership.” Ms. Sherman encouraged us to avoid the balcony seats in life – feel empowered to move to the front row!

Following the presentation, each attendee chose four out of six breakout sessions on various topics relating to chapter and network success, including member engagement, using social media and branding, programming ideas, and maintaining sponsors post-COVID. After the breakouts, the group came back together to discuss key takeaways and lessons learned.

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I have a multi-page list of ideas that I can't wait to share with the Board and my committees. Also, the LDI gave me the opportunity to meet and network with many other ACC leaders and share ideas. This was my first LDI but certainly will not be my last!

### **Keynote Speaker and Opening Events**

The annual meeting officially commenced Sunday afternoon with the opening keynote speaker, Iuliia Mendel, the former press secretary and spokesperson for Ukrainian President Volodymyr Zelenskyy. Prior to the session, Ms. Mendel signed copies of her book "The Fight for our Lives: My Time with Zelenskyy, Ukraine's Battle for Democracy, and What it Means for the World." Ms. Mendel discussed how she became press secretary – she was a winner of a competition of over 4,000 contestants – and regaled the audience with tales of her time under President Zelenskyy. In a heartwarming conclusion to her discussion, Ms. Mendel conveyed what it felt like to be a Ukrainian citizen during these war-torn times and her thoughts on how her country could be at peace. Ms. Mendel received a standing ovation from the audience.

Following Ms. Mendel's presentation, the audience was invited to reconvene in the exhibit hall for an opportunity to meet the ACC sponsors and to enjoy cocktails and networking. After a quick snack, an initial pass through the exhibit hall, and saying hello to both old and new peers, it

was on to the "ACC [in the] House Party" at the Zouk Nightclub, also located within Resort World. Let's just say, if you haven't danced away the (early) night with a club full of lawyers, you are missing out! While I jest, I had a fantastic time and had the blisters the next day to show it!

### **The Main Event**

If you have ever been to the annual meeting before, you know it is two and a half incredibly packed days, and this year was no exception. Despite the blisters from dancing the night before, I woke up early on Monday to meet the conference sponsored run group at 6:30 in the hotel lobby (for once, jet lag was working in my favor). What a way to experience the Strip – four miles roundtrip in the early morning sunlight. Also, I made some great connections while huffing and puffing my way up and down the bridges and past the casinos.

After a quick shower, it was on to breakfast, more of the exhibit hall, and then the first of many enlightening sessions. I don't have space here to write about all the sessions I attended, but I have a notebook jammed full of notes and to-dos. I particularly enjoyed a session put on by attorneys from Google on "Leading in Times of Rapid Change," and I'd like to give a big shout out to the Women in the House Network for their incredible presentation on the Imposter Syndrome. Also, I was privileged to see our Chapter President Stephanie Lambert speak on a panel presentation entitled "Building a Global Compliance Program," as well as

our past President, Gemma Dreher, who participated in a panel on technology and ethics.

I'd like to take a minute to say thank you to all our amazing sponsors. In addition to supporting the ACC and its programming, these companies make the annual meeting what it is, by sponsoring the various events and parties and by putting together some amazing booths. My daughter, who is eleven, knows that when Mom goes to the ACC annual meeting, she will come home with all of the swag – and this year did not disappoint. Stuffed animals, socks, t-shirts, pens, notebooks, coffee cups, backpacks, candy, hats, slippers . . . I even had my caricature done. Needless to say, I was over the 50lb limit at the airport and had to transfer a lot to my carry-on. But at least I'm set for pens for the rest of the year! On a more serious note, I had some meaningful conversations with several of our sponsors, participated in a few demos, and now have follow up calls scheduled with a few sponsors later this month to explore their product offerings. Thank you again to our sponsors!

### **Post-Conference**

Some people make the rookie mistake of flying out Wednesday, but not this girl. After going pretty much non-stop since Friday at the crack of dawn, it was nice to have Wednesday afternoon and evening to relax. I met one of our board members for a leisurely poolside lunch, followed by some sunbathing, a quick rest back in the room, and then onto drinks and dinner. I

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love when I get to see my work colleagues let their hair down and have a good time. I really got to know my fellow board members on this trip.

Now, it is back to reality (and to the hundreds of emails I failed to keep up on while I was out). I'm a couple pounds heavier, a whole lot wiser and more connected, and I've more than completed my CLE requirements for the year. But before

I sign off, I'd like to loop back to how I started this account . . . what happens in Vegas doesn't always have to stay in Vegas. I will continue to share what I've learned at this year's annual meeting with my colleagues and will regularly refer to my notes from the conference. I will make a point of reaching out to some of my new colleagues on LinkedIn and continue to engage with them and perhaps partner with them on projects through

ACC in the future. The bottom line is that the annual meeting doesn't end when the conference is over – keep that Vegas energy and momentum alive by sharing what you've learned and engaging your colleagues. Attend ACC NE chapter events. Join a committee. Invite other in-house peers to join ACC.

I hope to see you all next year in San Antonio, October 22-25!



## DID YOU KNOW?

Did you know that you can test ACC resources for 30 days at no cost? Simply follow this [LINK](#) to the trial membership form. You have nothing to lose and much to gain, so don't delay!

## LOOKING FOR A PAST PRESENTATION OR VIDEO?

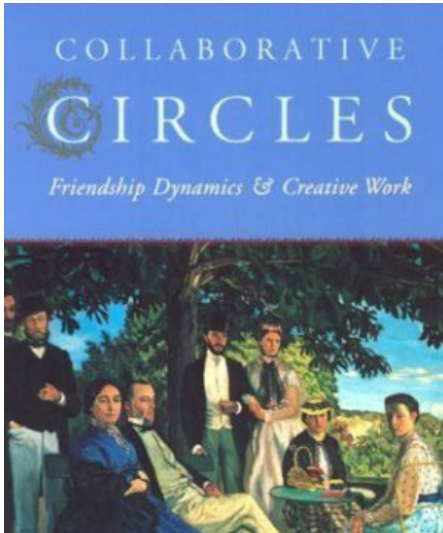
Just click the "Resources" link on the ACC Northeast website home page and you'll see links to past program materials, webinar recordings, and much more!

## ACC NORTHEAST BOOK CLUB LAUNCH

We are hoping to launch a virtual book group this winter. Would you be interested in joining us? We intend to meet every other month. Each member will be responsible for selecting a TBD monthly book and leading the discussion for one session. It will be a fun way to meet people, learn about new books/authors and participate in interesting discussions. The only "rule" is that you must read the book and come prepared to share your thoughts.

If you are interested, please email your name to [juliesduffy@gmail.com](mailto:juliesduffy@gmail.com).

## ACC-Northeast Book Review



*Collaborative Circles: Friendship Dynamics & Creative Work*  
by Michael P. Farrell

Review by Board Member  
Sean Fitzmichael Devlin

In June of 2020, the Westminster School (Simsbury, CT) offered alumni a free philosophy course with one of my favorite high school teachers. His Moral Philosophy course my junior year introduced me to logical fallacies and deep critical thinking that still resonate with me today. No way I was passing up this opportunity. The course revolved around assigned readings (Homer, Marcus Aurelius, Nietzsche, Pascal, Virginia Woolf) and weekly Zoom sessions with fifteen alums from all over the globe. Discussions were wide-ranging and freewheeling. It was an absolute blast.

During one session, the topic of the creative process was broached. One alum mentioned a book on group dynamics and its positive impact on the creative process. She sent along a short excerpt from *Collaborative Circles* for the class to read. I immediately ordered a copy of the book and found it to be fascinating and insightful.

In the Introduction, Prof. Farrell shares a quote from Henry James: “The best things come ... from the talents that are members of a group; every man works

better when he has companions working in the same line, and yielding to the stimulus of suggestion, comparison, emulation. Great things have of course been done by solitary workers, but they have usually been done with double the pains they would have cost if they had been produced in more genial circumstances.” I think this statement seems intuitively obvious, but Prof. Farrell endeavors to understand why group work unleashes what I’ll unscientifically refer to as “magic.”

*Collaborative Circles*, which is on the academic end of the non-fiction scale, analyzes groups of collaborating friends – collaborative circles -- and compares case studies of these groups that profoundly shaped the work of their members. Along the way, patterns of basic characteristics emerge around group dynamics through different developing stages of formation, collective action, and separation.

Examples of these highly successful circles explored in detail throughout the book include the Ultras (Susan B. Anthony, Elizabeth Cady Stanton, Lucretia Mott, Lucy Stone, and Antoinette Brown), French Impressionist painters (Monet, Renoir, Bazille, and Sisley), the Inklings (J.R.R. Tolkien and C.S. Lewis), and the Rye circle (Joseph Conrad, Ford Madox Ford, Stephen Crane, Henry James, and H.G. Wells). Besides the Ultras and their drive for women’s rights in mid-19th century America, the book mostly focuses on artists and writers.

Prof. Farrell posits that the most successful collaborative circles follow a near consistent process, forming first based on friendship, then rebellion, moving on to quest and creative stages, and then experiencing the stages of collective action and separation (and sometimes reunion). Despite *Collaborative Circle’s* focus on artists and writers, parallels are easily drawn by the reader to other professions – including the in-house practice of law.

Even outside of the professional context, collaborative circles have

significant value to their members. Prof. Farrell notes that early in the life of a collaborative circle, the dynamics of the group often resemble those of a delinquent gang. Boy, did this ring true to me. I have been, and remain, a member of a collaborative circle in which friendship and collaboration are intertwined. The circle is a small, close-knit group of college fraternity brothers who all chose professional paths in finance and law. While our professional lives don’t typically cross paths, twenty years after forming, we are all still actively collaborating and supporting each other towards what I like to think of as fulfillment of a life well-lived.

Prof. Farrell discusses the value of “magnet places” that bring together talented and ambitious individuals in a discipline providing opportunities to form collaborative circles. Drawing a parallel to the in-house practice of law and the ACC, our Northeast Chapter can serve as a petri dish for collaborate circles, much like Oxford University in the case of the Inklings or the cafés of Paris for the French Impressionists. Especially for attorneys who are new to the in-house practice of law, the ACC Northeast Chapter offers a fabulous environment for the opportunity to form collaborate circles.

In the last chapter, Prof. Farrell breaks down the component parts required (though not guaranteed) to create and sustain successful collaborative circles, even so much as to provide necessary assignments to participants, including roles such as the gatekeeper, executive manager, and charismatic leader. However, by breaking down a collaborative circle into a prescribed recipe that one might follow, Prof. Farrell misses the mark. After all, the first step in the formation of a successful collaborative circle is genuine fellowship amongst its members. How genuine is a friendship if individuals are intentionally following Prof. Farrell’s prescribed steps with the goal of a successful collaborative circle? My unsolicited view: the foundation of a successful collaborative circle is friendship, and the nature of that friendship is why the “magic” of collaborative circles happens.



# Webinars, Virtual Discussions & Social Event Recap

## Virtual Events

### ***Cupcakes & Content: Tips & Tricks when Implementing a Contract Management Platform and Other Technology***

**September 15, 2022**

What's better than a cupcake? A cupcake and some tips and tricks on how to evaluate and implement contract management technology. Sponsored by ACC Northeast, Pramata, and Wicked Good Cupcakes, Foster Sayer, Pramata's General Counsel, lead an engaging and collaborative session with both new and battle-tested in-house professionals which covered a general framework to overcome some of the most frustrating challenges faced by legal groups when looking to automate and solve problems using legal technology. The secret sauce to success? There isn't one, but focusing on alignment between your legal group's needs and the needs of your business partners is critical for all successful implementations. To do this, start with the "Why" and ask the right questions. Avoid solutions that require your team to implement duplicative processes and ensure that your project goals align with the strategic goals of your business.

### ***NextGen Starter Brief: Transportation/Logistics***

**Presented by Preti Flaherty & ACC Northeast**

**NextGen Committee**

**September 16, 2022**

In the first installment of the NextGen Starter Brief series, Preti Flaherty attorney Daniel Sonneborn provided an overview of the legal framework governing the transportation and logistics industry and key considerations for in-house counsel when reviewing motor carrier agreements and other supply chain initiatives. Mr. Sonneborn began by noting that most cargo claims are governed by federal law, and specifically by the Carmack Amendment. Mr. Sonneborn proceeded to provide an overview of the Carmack Amendment, noting that a shipper need not prove negligence and motor carriers are generally liable for damages for cargo they receive in good condition.

Mr. Sonneborn stressed the importance of having a well-structured contract, and knowing exactly who your company is contracting with, and their role in the supply chain. For example, are they a motor carrier or a broker who will tender shipment via a third-party motor carrier? Mr. Sonneborn highlighted tools that in-house attorneys can use to select potential motor carriers, such as the DOT's SAFER Web Company Snapshot, which lists safety ratings of motor carriers.

Mr. Sonneborn noted the importance of the contract to address issues like non-transportation services (arranging for transportation, packing, etc.), double-brokering, default liability standard, and insurance requirements. Mr. Sonneborn noted that the motor carrier's liability under the Carmack Amendment may be waived by contract, and further discussed bills of lading and how they could affect liability of the carrier. In the latter half of the webinar, Mr. Sonneborn reviewed what damages are available and how they are measured under the Carmack Amendment, whether and to what extent a motor carrier may limit its liability contractually, and the typical defenses that motor carriers will raise to escape liability.

### ***Practical Skills Workshop: Be Your Own Legal Ops Function***

**September 22, 2022**

On September 22, 2022, ACC Northeast and Seyfarth Shaw led an interactive webinar on how law departments could maximize their legal operations' discipline and efficiency on a limited budget. The presenters were Eric M. Greenberg, Partner; Heather L. Eskra, Assistant Director; and Dustin Robinson, Senior Client Engagement Manager. The presenters reviewed various tools and resources in-house counsel could utilize, most of which included resources already readily available, including Microsoft and Adobe, and other knowledge management resources. Additionally, the panelists discussed process improvement and data analytics. Time was left at the end to answer questions from the audience, and each panelist shared a "lesson learned" from their own legal operations experience.

### ***Cocktails and Conversation with ACC Northeast and Mintz***

**Sponsored by Mintz**

**October 6, 2022**

ACC Northeast partnered with Mintz to host a unique small group exchange designed exclusively for General Counsel and their deputies. After an expert mixologist shared a recipe for cocktail/mocktails for all participants, the discussion focused on the challenges in-house attorneys face in advising their companies and business partners on how to respond to external events. Participants shared insights on how various companies create constructs to include diverse stakeholder interests and the decision-making and pitfalls around these types of challenges. Topics included the recent Dobbs decision, the Russia-Ukraine war, and the George Floyd protests. All participants agreed that careful consideration is required to navigate the potentially disparate viewpoints of stakeholders in these politically charged subjects.

## **M&A Tax Basics: From Diligence to Opportunity**

**October 10, 2022**

On October 10, 2022, ACC Northeast and McDermott Will & Emory presented an informative hour-long webinar on important tax issues in-house counsel should be aware of during an acquisition. McDermott attorneys Mike Hardgrove, Byron Kalogerou, and John Karasek, along with Julia Owen, Vice President of Tax at C&S Wholesale Grocers, began the program by walking through each phase of the deal flow and indicating where tax issues may arise. Next, they reviewed the concept of tax diligence and the different types of taxpayers and outlined the tax differences in an equity versus an asset acquisition. The panelist reviewed different reorganizations and their tax impact and post-integration considerations. Concluding the presentation, the presenters answered live M&A questions from the audience.

## **NextGen Starter Brief: Bankruptcy Basics**

**Presented by Preti Flaherty & ACC Northeast NextGen**

**Committee**

**October 21, 2022**

In the second installment of the NextGen Starter Brief series, Creditors' Rights and Bankruptcy attorney Bodie B. Colwell of Preti Flaherty provided an overview of bankruptcy law, reviewing key concepts that in-house counsel should know when dealing with vendors or customers in or on the verge of bankruptcy. Ms. Colwell began by highlighting the key legal advantages a company obtains by filing a bankruptcy petition, such as the automatic stay, the ability to transfer or sell property free and clear with court approval, and the ability to terminate or assign undesirable contracts or leases. Ms. Colwell then reviewed the types of bankruptcy proceedings – chapter 7, chapter 13 (and 12), and chapter 11 – and the differences between them.

After establishing the framework, Ms. Bolwell then turned to practical considerations for in-house counsel, such as exactly what steps to take when you receive a bankruptcy notice regarding one of your company's vendors or customers. The presentation identified key issues that are raised by the petition and the receipt of a bankruptcy notice, including continuing obligations with the debtor and potential reclamation rights. Lastly, Ms. Bolwell discussed the possibility of clawback and preference claims, and the best way for a creditor to preserve their ability to obtain payment. Ms. Bolwell provided suggestions to enable a creditor to protect against non-payment both before any bankruptcy filing (by having a regular and consistent invoicing schedule, for example) and after the bankruptcy filing without violating the automatic stay or running afoul of any bankruptcy laws.

## **Massachusetts Non-Compete Law**

**November 2, 2022**

On November 2, 2022, ACC Northeast partnered with Jackson Lewis to provide an in-depth, hour-long webinar on the lessons learned in the four years since the Massachusetts Noncompetition Agreement Act became law. Jackson Lewis attorneys Erik J. Winton and Stephen T. Paterniti began the presentation by giving an overview of the legislation, including what it covers and what it does not. The attorneys then reviewed how the legislation has been interpreted by the courts in the past four years and how the legislation compares to non-compete legislation in other states. The webinar concluded with key takeaways and practical tips for drafting employment agreements with employees in different jurisdictions.

## **Contracting in India: Effectively Executing Commercial Contracts**

**November 10, 2022**

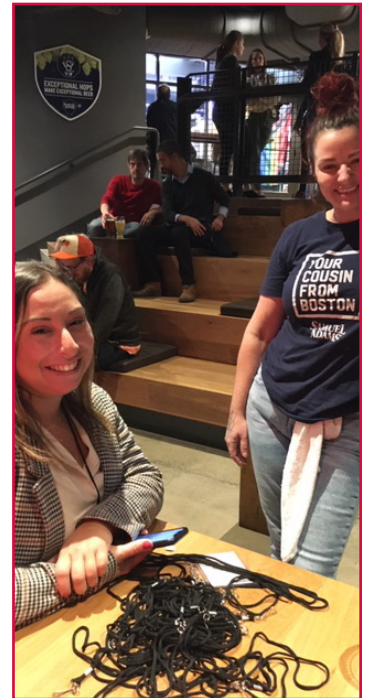
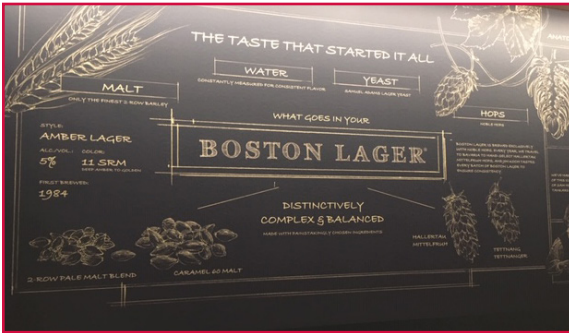
On November 10, 2022, Rukshad Davar, partner at Majmudar & Partners, in conjunction with ACC Northeast, presented an hour-long interactive webinar on commercial contracting in India. Mr. Davar began his presentation by outlining the general contracts principals in India's common law legal system, including the use of foreign law in Indian contracts. He then reviewed the use of restrictive covenants and the protection of confidential information. Mr. Davar summarized the benefits of binding arbitration and discussed the treatment of other common commercial contract clauses, including indemnification, damages, protection of intellectual property, and anti-bribery. He concluded the presentation by discussing employment law contracts and execution formalities. Mr. Davar then answered audience questions and gave additional contracting tips.

This is a must-listen for any in-house counsel with contracts in India!

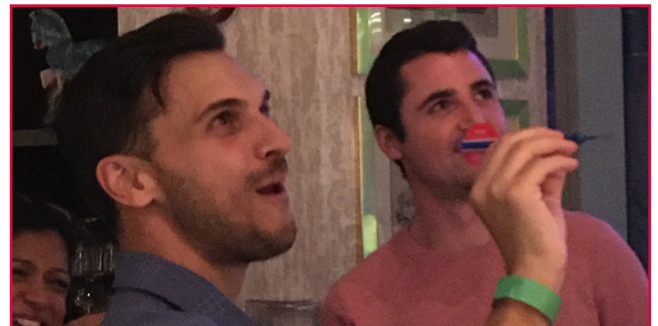


## Highlighted In-Person Events

### FTI Fun Networking Event at Sam Adams Brew House in Faneuil Hall



### Day Pitney Social at Boston's Flight Club



Burlington, Vermont  
Group Forming.

Would you like to meet other Vermonters?  
If so email [juliesduffy@gmail.com](mailto:juliesduffy@gmail.com) so that we can gather on a Zoom call to meet each other and discuss formalizing a plan to meet in person.

## BBA Program

September 22, 2022

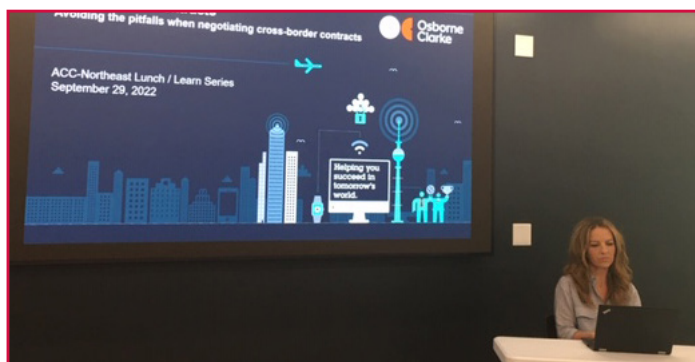
On September 22, 2022, the Membership Committee, in collaboration with the Boston Bar Association's In-House Forum hosted "We Can Work It Out: Establishing a Successful Law Firm and Client Relationship," at the BBA's headquarters in Boston. Stephanie Lambert, Chief Compliance Officer at NETSCOUT moderated the panel, which featured James Coughlin, Senior Legal Director at Dell Technologies, Paul Nightingale, Senior Vice President and General Counsel at HP Hood LLC, Jermaine Kidd, Counsel at Samsonite, and Yvonne Chan, Partner at Jones Day. Panelists highlighted the important role that the law firm/in-house counsel relationships plays in support of their respective businesses. Specifically, the panel discussed how to establish appropriate expectations to ensure accountability, share relevant business and industry knowledge for the benefit of the engagement, and make the most of the relationship.



## Lunch & Learn Cross-Border Contracts: Avoiding the Pitfalls When Negotiating Cross-Border Contracts

September 29, 2022

On September 29, 2022, ACC Northeast partnered with Osborne Clark to host an in-person Lunch and Learn on tips for handling cross-border contracts. Panelists and participants met at Butterfly Network's headquarters in Burlington, Massachusetts for a catered lunch, followed by an in-depth discussion of what to watch out for in international contracts, with a focus on UK and EU laws. Osborne Clark attorneys Steve Wilson, Rachel Ward, and Larissa Moessmer walked through standard sections of a commercial agreement, outlining where jurisdictions differ, and how to protect your company when negotiating with parties outside of the United States. Bottom line: just because a clause works in the US doesn't mean it will cut it in Europe!

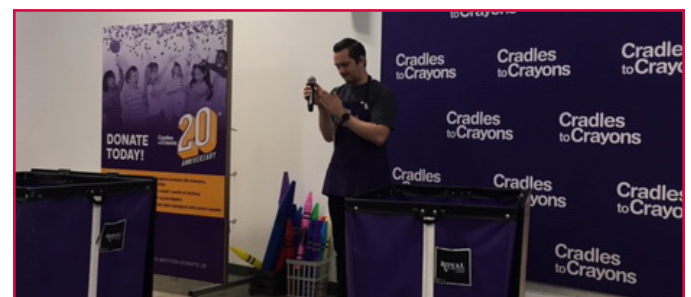
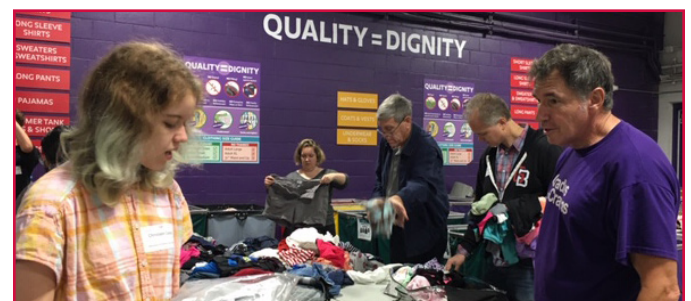


## Cradles to Crayons

October 8, 2022

On Saturday October 8, 2022, ACC Northeast partnered with Armstrong Teasdale to do some Community Service at Cradles to Crayons. Families volunteered for two hours and sifted through heaps of donated clothing in order for outfit packs/essential items to be gifted to children living in low-income or homeless situations across Massachusetts.

Everyone that participated enjoyed the comradery that brought together attorneys from Armstrong's Boston office and members of the chapter as they gave up a Saturday morning to give back.



## **Encourage & Engage: Fostering In-house Mentors and Mentees**

**October 19, 2022**  
**Sponsored by PTC**

This past October, ACC NE's Practice and Career Management Committee partnered with PTC to present "Encourage & Engage: Fostering In-house Mentors and Mentees". Karen Valentine, former CLO and General Counsel of Constellation Pharmaceuticals, now founder of KHV Advisor, LLC, moderated the conversation. The panel consisted of Bruce Leicer, Legal Advisor & Strategic Consultant, Adjunct Professor of Law at UNH; Ruchi Sisodia Shah, Director & Senior Counsel at Boston Scientific; Carol Maxime, Senior Counsel at American Tower; and Darren Braham, SVP, General Counsel at Locust Walk.

The panelists discussed the benefits of the mentor/mentee relationship and how best to develop those relationship. Despite their varied backgrounds, each panelist agreed on the importance of having mentors providing examples of the positive impact mentors have had on their individual careers.

Key takeaways included:

- Everyone needs mentors irrespective of where you are in your career
- Anyone can be a mentor or mentee; you don't have to hold a certain title or be a certain age
- Being a mentor is equally as important as having a mentor. You can learn a lot from mentees
- It is important to have several mentors you trust to help with different problems or situations
- You do not need a formal program to begin a mentor/mentee relationship. It can start with a simple conversation and develop through friends, family, work, professional associations, etc.
- Do not be shy in developing the relationship – people want to help

The lively discussion ended with each panelist sharing the best advice they received from a mentor. Carol may have received the most straightforward and widely applicable advice with "Keep it simple stupid!"



## Pro Bono and Civic Engagement Committee starts bi-monthly discussion group

On September 20, 2022, we kicked off with our first Pro Bono Discussion Group as a forum for dialogue and sharing across the membership of ideas and questions on the development and enhancement of in-house pro bono programs. The conversation started with participants from the ACC NE Pro Bono Committee and Corporate Pro Bono (CPBO), but the other participants quickly joined in and the half hour session flew by! Topics covered included volunteer engagement and malpractice insurance, and we also discussed the availability of various pro bono opportunities. CPBO shared a resource guide which is linked to the Pro Bono/Civic Engagement portion of the ACC NE website. We met again on Nov 15<sup>th</sup> and will plan to offer another session in January. Look out for an invite and plan to join us!



Women's C<sup>3</sup> Initiative  
**Coffee Chat**  
Create  
Communicate  
Congregate

Come be a part of the C<sup>3</sup> Initiative where members get together virtually 3 pm on the 3rd day of the week and the 3rd Wednesday of the month

Each session will feature a monthly topic which will be shared in advance

To sign up please email Julie Duffy at [northeast-administrator@accglobal.com](mailto:northeast-administrator@accglobal.com)



Follow us on  
social media at:

 @ACCNortheast

 ACC-Northeast

## Upcoming Events

### Mark Your Calendar and Plan to Attend:

ACC Northeast offers a variety of programs, webinars and events designed for our members' unique interests. Keep your eye on the Chapter Events calendar on the [website](#) and be sure to participate in a few or ALL of the Chapter Programs happening in 2022.

**December 13**  
Pickleball Party

**December 14**  
Lunch & Learn

**December 15**  
Pierce Atwood Maine Webinar

[www.acc.com/chapters-networks/chapters/northeast/events](http://www.acc.com/chapters-networks/chapters/northeast/events)

SAVE THE DATE - March 24<sup>th</sup>  
**CLINIC IN BOX**

Watch your inbox for the invitation in January!

**Pickleball Party**  
December 13  
with Beveridge & Diamond

**Lunch/Learn**  
*Effectively Using AI in Document Review*  
December 14  
with Disco

## ACC-Northeast New Job Board

On January 10, 2022, we added a new section on our website, entitled [Northeast Chapter Job Board](#). This is a free service for ACC Northeast member companies where in-house attorney job listings can be posted and viewed by all chapter members. Our goal with this page is to help connect chapter members and companies, to help both find jobs or to recruit/hire. Each job posting will appear on the website for two months, and also be emailed to each chapter member via the Northeast Community Forum.

Postings may not explicitly or implicitly discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance,

sexual orientation, family responsibilities, matriculation, political affiliation, disability, source of income, or place of residence or business, or any other factor prohibited by applicable law.

Job postings coordinated by legal recruiters cannot be listed on this page and instead must be promoted through the ACC In-house Jobline (<https://jobline.acc.com/>). Also, if you are interested in reaching a broader demographic, we suggest you contact ACC headquarters for those opportunities.

To post a job opening on this page\*, to report a posting that contains discriminatory language, or if you have a successful outcome (finding a job or

finding a new employee) by using this service, please contact us at [joanne.ray@accglobal.com](mailto:joanne.ray@accglobal.com)

\*Please be sure that the following information is provided for each posting:

- JOB TITLE
- COMPANY NAME
- LOCATION
- JOB DESCRIPTION
- "APPLY AT" LINK OR CONTACT NAME AND EMAIL

## Look out for a new episode in early 2023

### Around the In-House

## A Bi-monthly Podcast brought to you by the P & CM Committee-NOW on iTunes

This podcast series features corporate counsel at various stages of their careers from a variety of industries and backgrounds, discussing practice and career matters, along with tips for success. Topics may include team building and time management, efficiency and technology tips, career development, along with a few surprises. Alex Aferiat, Senior Legal Counsel at BCG and Ruchi Shah, Senior Counsel at Boston Scientific are the hosts of this series. Season 2's most recent interview was with Cory Lamz, General Counsel at Autodesk. If you missed any of the previous interviews you can listen to them on:

Apple iTunes

Google Podcasts

Spotify

If you would like to participate or have ideas for topics, please contact Sharon Kamowitz at [sharon@kamowitz.com](mailto:sharon@kamowitz.com).

The graphic features the ACC Northeast logo at the top. Below it, the text 'AROUND THE IN-HOUSE PODCAST SEASON 2' is displayed in large, bold, white letters, with a pair of headphones behind the text. At the bottom, there are three circular headshots of the hosts: Ruchi Sisodia Shah, Alex Aferiat, and Cory Lamz. Below each headshot is their name and title.

Host	Title	Company
Ruchi Sisodia Shah	Senior Counsel, Co-host	Boston Scientific
Alex Aferiat	Managing Legal Counsel, Host	BCG
Cory Lamz	Corporate Counsel	Autodesk

## Look out for Membership Survey in January

TELL US WHAT YOU THINK....We will be sending a survey out in early January to gain some feedback from our members. Please take the time to fill it out as we want to hear what types of initiatives and programming you would like to see in 2023.

## ACC Northeast Board of Directors

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Vice President &  
Chief Compliance Officer  
NETSCOUT Systems, Inc.

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Senior Managing Legal Counsel  
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Managing Legal Counsel  
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#### Ruchi Sisodia Shah

Senior Counsel  
Boston Scientific

#### Larry Weiss

CLO  
Butterfly Network, Inc

#### Kelly Whetstone

Deputy General Counsel  
ACA Group

#### Patrick Wu

Senior Corporate Counsel – Compliance  
NETSCOUT

### Executive Director

#### Julie Duffy

\*we welcome our newest Board Members

## ACC Northeast salutes our “retiring” Board Members.

The following people are recognized for having generously given their time over many years contributing to the Chapters' growth and success. They've volunteered as Committee Chairs and Board Officers, and were always there to lend a hand, share their knowledge, shape ideas, and provide guidance to move our mission forward. ACC-Northeast is well positioned for the future, all because of their vision and leadership. Thank you ALL!

Karen Valentine

Robin Walker

Marisa Murtagh

*We wish all of our Members a  
Festive Holiday and Happy New Year*