

**SEPTEMBER 2024**

**ACC Litigation Network Monthly Newsletter**

**Message from the Network Chair – Rich Coel, Litigation Lead – Americas, Hitachi Rail STS**



I hope to see everyone attend the Litigation Network's programming at the Annual Meeting, and please stay tuned for our upcoming web series presented by Cozen O'Connor!

**Upcoming Events**

**September 19, 2024 – 12:00 EST - PART TWO – COZEN O'CONNOR MASTERCLASS SERIES ON SETTLEMENT AGREEMENTS.** How to Maximize Your Effectiveness in (Criminal/Civil/FCA) Settlements: Understanding Your Needs and Your Opponent's Expectations. [REGISTER HERE](#)

**September 24, 2024 - Legal Update – Supreme Court Insights:** This legal update will provide a comprehensive overview of these cases, offering a "season preview" of what to expect from the Court. Additionally, Tamar will delve into some of the impacts that the Chevron decision has already had on the broader legal landscape. [REGISTER HERE](#)

*Have an idea or request for a legal update topic? Email the program chair, Abby Adams, at [AAdams@nahb.org](mailto:AAdams@nahb.org).*

**ANNUAL MEETING EVENTS** – Join the Litigation Network at these Annual Meeting events in Nashville:

**Sunday, October 6, 2024 – Cozen O'Connor Annual Meeting Kick Off Social Event @ Lainey Wilson's Bell Bottoms Up – 8pm: Cocktails, 9pm: Reception Style Dinner.** Registration required. To be added to the invitee list, please [REGISTER HERE!!](#)

**Monday, 12:15 – 1:30pm – Litigation NetConnect** – Join the Litigation Network for lunch and networking – come prepared to share your best litigation war stories! This year's topic: Lit-punched – recall a time when your case was immediately derailed by a change in law, a judge's order or witness testimony. Prizes for the best stories and bragging rights for the year to come.

**Tuesday, October 8, 2024 – 9:00am – 10:00am - T10 - Modern Trends and New Challenges: An International Comparative Exercise of ADR in Today's Legal Climate** Presented by the Litigation and International Legal Affairs Networks Learning Path: Cross-border/Global, Litigation and Dispute Resolution

**Tuesday, October 8, 2024 – 2:45pm – 3:45pm – T41 - Think M&A Litigation Can't Happen to You? Think Again: What Every In-House Counsel Should Know** Presented by the Litigation and Corporate & Securities Networks Learning Path: Litigation and Dispute Resolution, Negotiations

**Spotlight on Cozen O'Connor – Michael Fernández - [mfernandez@cozen.com](mailto:mfernandez@cozen.com)**

Michael focuses on representing international and domestic clients in complex commercial litigation in state and federal courts, international arbitrations, and regulatory compliance matters. He is experienced in issues concerning complex jurisdictional issues and cross-border discovery matters. Fluent in Spanish and Portuguese, Michael has experience representing foreign and domestic companies and individuals in matters covering a broad range of industries, including cryptocurrency, commodities, construction and real estate, food and beverage, gaming, financial services, moving and storage, and oil and gas. He has also represented international clients in various investigations and proceedings before authorities in the United States.



Michael has litigated several cases through trial and has handled numerous appeals before the New York State Appellate Divisions and several federal courts. He also frequently represents and advises clients in cross-border disputes that raise complex questions of personal jurisdiction, choice of law, and similar issues.

Michael regularly represents parties to international commercial and investment treaty arbitrations conducted in Spanish and English under the major international rules including UNCITRAL, ICSID, ICC, and ICDR. In addition to representing clients in pending arbitrations, he has represented clients in connection with proceedings to compel arbitration and to obtain the recognition and enforcement of foreign arbitral awards. He has also served as an arbitrator in cases administered by the American Arbitration Association and the International Center for Dispute Resolution.

Michael earned his bachelor's degree from Yale University and his master's degree from Tufts University's Fletcher School of Law and Diplomacy. He earned his law degree from Columbia Law School, where he was the managing editor for the Journal of Transnational Law. While in law school, Michael interned with the Honorable Justice Ronaldo T. Acosta, New York Appellate Division, First Judicial Department, and the Honorable Justice Barbara Lagoa, Florida Third District of Appeal.

**Michael will be presenting on the Litigation Network's panel "Modern Trends and New Challenges: An International Comparative Exercise of ADR in Today's Legal Climate."**

**Litigation Network Member Spotlight – Beverly Garner, Associate General Counsel, Bunge**

For the past 23 years, Beverly has managed Bunge’s claims and litigation matters. Her cases involve antitrust claims, commercial disputes, personal injuries, fraud, and environmental enforcement actions. She has led several major internal investigations and coordinated responses to governmental investigations including the Commodity Futures Trading Commission and the Environmental Protection Agency. She has also served as a leader in industry-wide litigation involving biotech issues.

In addition, Beverly regularly advises facility personnel concerning industry association rules, contract enforcement, and other day to day issues. Beverly was previously a partner at the St. Louis offices of Polsinelli. Prior to joining Polsinelli, Beverly was an Associate at Coburn & Croft, now known as Thompson Coburn. Beverly was also a judicial law clerk for the Honorable Elwood Thomas, Missouri Supreme Court.

Beverly earned her B.A., English, from Central Methodist College in 1988, summa cum laude. In 1991, she earned her J.D. from Washington University School of Law. Beverly serves on Bunge’s contributions committee, which supports organizations and initiatives related to education and food security in the St. Louis community and throughout the US. She also leads Bunge’s North America Regional Crisis Team.



Currently, Beverly serves on the Board of Directors for the Ronald McDonald House Charities of St. Louis. As a Board member, she has served on the Capital Campaign Committee for the construction of a new House which opened in 2024, the Executive Committee, the Development Committee, and the Golf/Dinner Auction Committee. She also coordinates Bunge’s support of RMHC’s annual Tab Top Pandemonium and other volunteer opportunities to support RMHC.

In addition to the RMHC Board, Beverly is a member of the Board of Directors of the Association of Corporate Counsel and currently serves President. She has held the positions of Treasurer, Secretary, President Elect, and Chair of the Membership Committee. As a member of the Professional Development committee, she coordinates an annual half-day continuing legal education program in partnership with the Olin School of Business at Washington University.

Beverly and her husband, Mark, frequently visit their children, who reside in New York City and Washington DC. Beverly also enjoys hiking, bicycling, playing pickleball, and serving as the official photographer on Mark’s fly-fishing trips. When not outdoors, Beverly can be found in the kitchen trying new plant-based recipes or in the dining room quilting.

**Beverly will be presenting on the Litigation Network’s panel “Think M&A Litigation Can’t Happen to You? Think Again: What Every In-House Counsel Should Know” at the ACC Annual Meeting in Nashville!**

**Litigation Laughs**



<b>2024 ACC Litigation Network Leadership</b>		
Chair	Rich Coel Litigation Leads - Americas Hitachi Rail STS (412) 266-9389 <a href="mailto:Richard.Coel@hitachirail.com">Richard.Coel@hitachirail.com</a>	
Vice-Chair	Ivan Hannel General /Counsel Zoe Holding Company (602) 710-7573 <a href="mailto:ihannel@zoeholdingco.com">ihannel@zoeholdingco.com</a>	
Program Chairs	Abby Adams VP, General Counsel National Association of Home Builders (212)266-8345 <a href="mailto:aadams@nahb.org">aadams@nahb.org</a>	
Annual Meeting Chairs	Abby Adams VP, General Counsel National Association of Home Builders (212)266-8345 <a href="mailto:aadams@nahb.org">aadams@nahb.org</a>	Jennifer Denny Senior Litigation Counsel Cardinal Financial Company, LP (636) 565-0716 <a href="mailto:jennifer.denny@cardinalfinancial.com">jennifer.denny@cardinalfinancial.com</a>
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Special Projects	S. Michael Lee COO & CLO Engaging.ai <a href="mailto:Smichael.lee@engaging.ai">Smichael.lee@engaging.ai</a>	
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