



709 - Expanding Your Influence: Not Your Fathers (or Mothers) GC Role

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Catherine McEvelly
Assistant General Counsel
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David McEvoy
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Michele Whitham
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Faculty Biographies

Ellen Chiniara

Ellen Chiniara serves as general counsel and assistant secretary and is responsible for managing legal matters for Inverness Medical Innovations, Inc. in South Waltham, Massachusetts. Ms. Chiniara joined Inverness as general counsel of the professional diagnostics strategic business unit and became general counsel of the company.

Previously she was associate general counsel of Neurology of Serono, Inc., a biopharmaceutical company. Before that she served as general counsel to a healthcare venture capital fund and a healthcare management services organization, where she also was chief operating officer of its clinical trial site management division. Ms. Chiniara was also assistant general counsel at Value Health, a specialty managed healthcare company. Ms. Chiniara began her career as a corporate attorney in Boston with Hale and Dorr (now Wilmer Cutler Pickering Hale and Dorr LLP) where she gained extensive experience in venture capital, mergers and acquisitions, and high-growth companies. She has actively participated in PhRMA, BIO and has addressed industry groups regarding venture financing, HIPAA and bio-pharma joint ventures.

Ms. Chiniara holds a B.A., magna cum laude from Bryn Mawr College and a J.D. from Stanford University.

Catherine McEvilly

Catherine McEvilly is assistant general counsel-corporate at Honda North America Inc. (HNA), in Torrance, California. When she joined Honda, the company faced dozens of lawsuits, including class actions from Honda dealers who claimed they were damaged as a result of wrongdoing by a number of former executives who pled guilty or were found guilty of federal crimes. As that litigation resolved, Ms. McEvilly moved into a management position, where she managed the other corporate attorneys and their staff, in addition to handling a variety of legal work. Later she became assistant general counsel and her current responsibilities include supervision of the HNA law department. Throughout her years at Honda, Ms. McEvilly has handled corporate matters ranging from dealer relations, antitrust issues, and employment matters to compliance and corporate governance issues. She has also handled numerous litigation cases.

Prior to working at HNA, Ms. McEvilly worked as a public defender with the Los Angeles County Public Defender's Office for several years and then was in private practice at several mid-sized Los Angeles law firms handling complex business litigation issues.

Ms. McEvilly graduated from UCLA with a B.A. and received her J.D. from Loyola Law School.

David McEvoy

David McEvoy is vice president and general counsel of ATG in Cambridge, Massachusetts. ATG is the market leading developer and distributor of eCommerce software.

Prior to joining ATG, Mr. McEvoy was a partner and group general counsel of Gores Technology Group, a Los Angeles based private equity firm. At Gores, Mr. McEvoy served as a member of the mergers and acquisitions group and as general counsel of the Gores' technology-oriented portfolio companies, including Anker BV, Aprisma Management Technologies, Wire One Communications, and Broderbund. Before that Mr. McEvoy served as senior vice president and general counsel of VeriFone Inc., a San Jose, California based developer of point of sale hardware and software. Mr. McEvoy also served as senior vice president and general counsel of Mattel Interactive in Los Angeles and as vice president and assistant general counsel of The Learning Company, an educational software company based in Cambridge, Massachusetts. Mr. McEvoy also practiced law in Boston at Powers & Hall and at Hutchins & Wheeler.

Mr. McEvoy holds B.A. from Vassar College, a Master's from Ohio University, and a J.D. from Boston University.

Michele Whitham

Michele A. Whitham, co-managing partner of Foley Hoag LLP in Boston and a partner in its litigation and labor and employment departments, defends employers in complex, high-risk litigations, including: wage and hour class actions; non-competition enforcement actions; employee computer theft and recovery of electronically stolen intellectual property; fraud and abuse cases; executive wrongful termination and severance claims; and the full range of employee EEO, ERISA, tort and contract claims. Ms. Whitham's advice practice includes anticipating and crafting cutting-edge policies and procedures (e.g., appropriate systems use, domestic partner benefits); designing and implementing workplace safety, security and background checking protocols; responding to threats of workplace violence; and designing and implementing statistical workplace monitoring programs.

Ms. Whitham was a recipient of the Boston Chamber of commerce's pinnacle award for achievement in the professions and was the subject of a U.S. Department of Justice film profiling a case in which she assisted the United States in securing the first conviction since the Civil War of an employer acting in violation of the anti-slavery amendment to the United States Constitution.

Ms. Whitham holds her graduate degrees and J.D., Order of the Coif from Cornell University.



The Yellow Brick Road

- No matter the size, geographical location, scope of work or reporting relationships – the road to success for an in-house GC is to create and expand value and influence

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The GC's Role

- It has evolved
- Legal's impact on P&L
 - Make the Legal Department a profit center
 - Protect bottom line
- Think strategically
 - Create processes
 - Responsiveness
 - Document retention
 - Be proactive
- "It's all about trust"
- Authority (company policies) and beyond – influence without authority

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Build Business Expertise

- Spend time with your client
- Understand and get embedded in the business
- How well do you know “what’s going on?”
- Be willing to move beyond your comfort zone
- Anticipate
- Do not be afraid to become a decision maker or be risk averse

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Hiring and Building Internal Legal Teams

- Criteria – hard and soft skills
- Team building
- Communication

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Outside Counsel

- Large increases in billing rates from big firms means searching for alternative outside counsel
 - Creates opportunity for mid-size and smaller firms
- GC needs to manage outside counsel very closely – create processes, such as weekly calls or request invoices on a defined basis

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Growing with the Business

- Challenges of growth and integration
- A large and diverse company could have many diverse businesses
 - Necessary to support all of these companies to varying degrees
 - Flexible and creative
 - Willingness to self challenge

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It's a Global World

- Global operations
 - International counsel
- Challenges
 - Cultural issues
 - Legal issues

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How to Market and Communicate with Executives and Clients

- Do good work
- Be available and accessible
- Provide proactive training
- Know of potential changes in law or future issues that could impact company
- Become recognized as a problem solver

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Reference Guide

- Substantive
- People and management skills