



Inaugural Conference - LIVE!

# DEFEND TRADE SECRETS ACT

## Following the White House's Call to Action February 24, 2017 • University of Denver

### Dear Colleague:

On October 25, 2016, the Obama White House issued a Call to Action (CTA) urging states to enact non-compete reform. One might suspect the CTA is dead in the water due to the election of Donald Trump, but that notion is far from clear. Although it was styled as "Call to Action," the truth is that a multitude of state and federal bills calling for reform have been proposed in recent years. In other words, the White House is simply observing a trend.

The CTA posits that non-compete agreements are overused, and that employers can protect their interests through a "host of other legal frameworks - including trade secrets protections." Coincidentally, Congress recently enacted the Defend Trade Secrets Act (DTSA). If states are going to urge employers to rely more heavily on trade secret protection in lieu of using non-competes, it is imperative that the DTSA gets off on the right foot.

The DTSA was enacted to promote national uniformity in trade secret law. But a review of case law reveals we have anything but uniformity. Therefore, in the nascent stages of the DTSA, we are assembling nationally prominent practitioners, the Federal Bureau of Investigation (FBI), and state and federal judges to discuss and analyze key aspects of the DTSA and best practices for non-compete and trade secret litigation.

Don't miss this opportunity to have your voice heard! As we gather, our goal is to influence the formation of national policy governing trade secret law. At the conclusion of the conference, a collection of our panelists will work to synthesize the discussions and ideas into a comprehensive report to be utilized as a resource for courts interpreting and applying the DTSA. In the years to come, we will continue with our educational and policymaking objectives.

Conference topics include:

- **Insights from the FBI:** Our Featured Speaker, Special Agent Gloria Harbold, will set the stage by addressing how businesses can recognize and report insider threats and theft of trade secrets.
- **DTSA Overview:** Learn about the nuts and bolts of the Act.
- **The Search for Uniformity and Understanding:** We'll identify areas in which state trade secret laws have varied, analyze the DTSA, and project a vision for uniformity going forward.
- **The Interplay of Trade Secret and Non-Compete Law:** We'll explore the ways trade secret and non-compete law complement each other and address issues such as the need for the inevitable disclosure doctrine.
- **Panel of Judges:** We will hear from Federal and state judges who will provide a perspective from the Bench.
- **Panel of In-House Counsel:** Hear from Counsel representing Abbott Laboratories, American Eagle Outfitters, and Garmin International.
- **Ethics:** We'll address ethical concerns regarding recruiting employees, protecting trade secrets under the DTSA, and utilizing non-competes.

I look forward to seeing you at the beautiful University of Denver campus in February to further discuss this important topic.



**Michael R. Greco, Esq., Program Chair**  
Fisher Phillips, Denver

P.S. Don't miss the opportunity to ski some beautiful Colorado slopes following the Conference—we should have some very nice snow for you in February!

### CONFERENCE LOCATION



**University of Denver  
Daniels College of Business**  
Fritz Knoebel School of Hospitality  
Management Conference and  
Event Center  
2044 E. Evans Avenue  
Denver, CO 80208

At the heart of the idyllic University of Denver campus, the Conference and Event Center provides an ideal conference setting. It combines the warm intimacy of Tuscan architecture and handsomely appointed spaces with the convenience of the latest technology.

### ACCOMMODATIONS



**Courtyard Denver  
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1475 S. Colorado Blvd.  
Denver, CO 80222  
303-757-8797  
Ask for the "CLE International DU"  
block to take advantage of specially  
discounted rates exclusively for  
Conference participants!

**REGISTER NOW!** [cle.com/DTSA](http://cle.com/DTSA) or (800) 873-7130

Schedule and Information **INSIDE**

## FRIDAY, FEBRUARY 24

7:30 Registration and Continental Breakfast

8:00 **Welcome and Introduction**  
Overview of the Day: The White House's Call to Action

**Michael R. Greco, Esq., Program Chair**  
Fisher Phillips, Denver, CO

8:15 **Featured Speaker**  
FBI Strategic Update: Common Trends

**Gloria Harbold, Special Agent, Strategic Partnership Coordinator**  
Federal Bureau of Investigation, Denver, CO

9:15 **DTSA Overview**  
Nuts and Bolts of the Defend Trade Secrets Act

**Jennifer Kenedy, Esq., Partner**  
Locke Lord, Chicago, IL

**Elizabeth "Liza" Favaro, Esq., Partner**  
Bowman and Brooke, Detroit, MI

10:15 Networking Break

10:30 **Panel of Judges**  
Federal and State

**The Honorable Christine M. Arguello, US District Court Judge**  
District of Colorado, Denver, CO

**The Honorable A. Bruce Jones, District Court Judge**  
State of Colorado 2nd Judicial District Court, Denver, CO

**The Honorable Nina Y. Wang, US Magistrate Judge**  
District of Colorado, Denver, CO

11:30 **The Search for Uniformity and Understanding**  
Reconciling Differences Among the States

**John F. Marsh, Esq., Partner**  
Hahn Loeser, Columbus, OH

**Kenneth J. Vanko, Esq., Member**  
Clingen Callow & McLean, Chicago, IL

12:30 Lunch Break (on your own)

1:45 **Panel of Corporate Counsel**  
Lessons from the In-House Experience

**Naomi S. Greenstone, Esq., Senior Counsel**  
**Employment Law Litigation**  
Abbott Laboratories, Santa Clara, CA

**Dave Kight, Esq., Assistant General Counsel, Employment**  
Garmin International, Olathe, KS

**Kimberly Lawrence, Esq., Deputy General Counsel and Chief Compliance Officer**  
American Eagle Outfitters, Pittsburgh, PA

2:45 Networking Break

3:00 **Ethics**  
Recruiting Employees

**Bob Yonowitz, Esq., Partner**  
Fisher Phillips, Irvine, CA

4:00 **The Interplay of Trade Secret and Non-Compete Law**  
Heeding the White House's Call to Action

**Russell Beck, Esq., Partner**  
Beck Reed Riden, Boston, MA

**Gary M. Kramer, Esq., Partner**  
Gary Kramer Law, Colorado Springs, CO

5:00 Evaluations and Adjourn

Earn up to 7 Hours MCLE Credit Including One Hour of Ethics

REGISTER NOW! [cle.com/DTSA](http://cle.com/DTSA) or (800) 873-7130

**PROGRAM CHAIR**

**Michael R. Greco, Esq.** is a partner in the Denver office of Fisher Phillips, a national labor and employment law firm. As a member of his firm's Employee Defection and Trade Secrets Practice Group, Mr. Greco litigates and provides counseling nationwide to employers concerning issues arising from the movement of employees between competitor firms. Issues include: covenants not to compete, non-solicitation and non-disclosure agreements, unfair competition, employee raiding, trade secrets, duty of loyalty, and federal and state trade secrets and unfair competition statutes. He has prosecuted and defended hundreds of employee defection and trade secret matters, obtaining and defeating injunctive relief in almost all 50 states and their federal courts, in addition to dozens of arbitration actions before the Financial Industry Regulatory Authority (FINRA). Additionally, Mr. Greco assists clients in developing and implementing coordinated local and/or national programs to protect their competitive assets against employee defection, and to minimize risks when hiring employees from competitors.

**FACULTY**

**The Honorable Christine M. Arguello  
US District Court Judge**

District of Colorado, Denver, CO

**Russell Beck, Esq., Partner**

Beck Reed Riden, Boston, MA

**Elizabeth "Liza" Favaro, Esq., Partner**

Bowman and Brooke, Detroit, MI

**Naomi S. Greenstone, Esq., Senior Counsel  
Employment Law Litigation**

Abbott Laboratories, Santa Clara, CA

**The Honorable A. Bruce Jones  
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State of Colorado 2nd Judicial District Court  
Denver, CO

**Jennifer Kenedy, Esq., Partner**

Locke Lord, Chicago, IL

**Dave Kight, Esq.**

**Assistant General Counsel, Employment**

Garmin International, Olathe, KS

**Gary M. Kramer, Esq., Partner**

Gary Kramer Law, Colorado Springs, CO

**Kimberly Lawrence, Esq.  
Deputy General Counsel and  
Chief Compliance Officer**

American Eagle Outfitters, Pittsburgh, PA

**John F. Marsh, Esq., Partner**

Hahn Loeser, Columbus, OH

**Kenneth J. Vanko, Esq., Member**

Clingen Callow & McLean, Chicago, IL

**The Honorable Nina Y. Wang  
US Magistrate Judge**

District of Colorado, Denver, CO

**Bob Yonowitz, Esq., Partner**

Fisher Phillips, Irvine, CA

**KEYNOTE PRESENTER**

**Gloria Harbold, Special Agent  
Strategic Partnership Coordinator**

Federal Bureau of Investigation, Denver, CO

CLE International and Michael R. Greco would like to extend our appreciation to Russell Beck and John F. Marsh for their assistance in developing this program.

**4 EASY WAYS  
TO REGISTER**

**1** [cle.com/DTSA](http://cle.com/DTSA)

**2** **FAX**  
(303) 321-6320

**3** **PHONE**  
(800) 873-7130

**4** **MAIL**  
7995 East Prentice Avenue  
Suite 200  
Greenwood Village, CO 80111

**YES!** Please register the following:

Name \_\_\_\_\_

Email \_\_\_\_\_

Name \_\_\_\_\_

Email \_\_\_\_\_

Name \_\_\_\_\_

Email \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

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**Cancellation**

Full tuition refunds (less a \$75 administrative charge) will be given only if notice of cancellation is received by 5:00 pm MST on the Monday prior to the Conference. Substitutions may be made at any time.

Course Materials provided in electronic format only.

**Tuition - includes Course Materials!**

- \$595 per person
- \$545 each for two or more
- \$545 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
- \$495 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

**Home Study - available after the Conference**

- Audio transcript and course materials
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February 24, 2017 • University of Denver

**All-New One-Day Conference - LIVE!**



**Earn up to 7 Hours MCLE Credit  
Including One Hour of Ethics**

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# DEFEND TRADE SECRETS ACT

The Interplay of Trade Secret & Non-Compete Law  
February 24, 2017 • University of Denver

## Featured Presentation

### FBI Strategic Update: Common Trends



**Gloria Harbold, Special Agent, Strategic Partnership Coordinator**  
Federal Bureau of Investigation, Denver, CO

Special Agent (SA) Gloria Harbold entered the FBI in 1991. Throughout over 25 years with the FBI, she has primarily focused on National Security matters with an emphasis on Counterintelligence. SA Harbold transferred to the Denver Division in August 2012 where she was assigned as the Strategic Partnership Coordinator (SPC) for the Denver Field Office. The goal of the FBI's SPC program is to build relationships with American companies across all business sectors to enhance their understanding of the threat posed to their programs and personnel by foreign intelligence services and foreign competitors. This dialogue increases the quality and quantity of counterintelligence-related information shared with the FBI by companies, resulting in the disruption of foreign intelligence activities and foreign adversaries targeting our US companies.

## Featuring Experts From

- Abbott Laboratories
- American Eagle Outfitters
- Federal Bureau of Investigation
- Garmin International
- State of Colorado 2nd Judicial District Court
- US District Court, District of Colorado
- ... and more!

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