

Southwest Florida C-Suite Summit

An Important Seminar for
Every C-Suite Executive and Top-Level Manager

Tuesday, November 17, 2015

Sanibel Harbour Marriott Resort & Spa
Fort Myers, Florida



**At the Intersection of
the Courtroom and the Boardroom**

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2015 Southwest Florida C-Suite Summit

Tuesday, November 17, 2015

Agenda

10:15 a.m. Registration

10:45 a.m. Opening Remarks by Attorney Michael J. Corso

11:00 a.m. The Recipe for Business Longevity – Plan, Plan, Plan, Execute and Repeat

Attorneys **Guy Whitesman** (Chair, Business and Tax Department), **Eric Gurgold** (Chair, Estate Planning and Administration Department) and **Mark Niede** (Intellectual Property Group) will outline proven techniques and best practices to preserve, protect, and perpetuate your business. One size does not fit all. The panel will explore avenues to successful business perpetuation, liquidity events and the preservation of wealth.

12:00 p.m. Lunch

1:00 p.m. The Comeback Kid: Southwest Florida's Ongoing Economic Recovery

Attorneys **Denis Noah** (Chairman of the Horizon Council) and **Russell Schropp** (Horizon Council Task Force Chair) will provide a look at the state of Southwest Florida's economic recovery – from a lawyer's perspective!

1:45 p.m. First Breakout Session

2:45 p.m. Break

3:00 p.m. Second Breakout Session

4:00 p.m. Social Media Do's and Don'ts: How Social Media Can Impact Your Business

Presented by attorneys **Suzanne Boy** and **John Miller**. Social media is clearly here to stay, but many businesses are unsure of how to regulate employee use and address questionable employee action. Does your business have a well-crafted social media policy in place that protects your organization and your employees — or could you be headed for legal hot water? This entertaining presentation will educate attendees on common issues involving the use of social media by companies and employees both in and out of litigation, and offer tips to help protect the bottom line.

5:00 p.m. Concluding Remarks and Networking Cocktail Reception

Track 1 General Corporate

1:45 p.m. How to Win Your Lawsuit (Part I and II) presented by attorneys **John Agnew, Scott Beatty, Shannon Puopolo, Luis Rivera,** and **Douglas Szabo**. Panelists will provide practical tips for corporate executives who are confronted with business litigation issues. **Please feel free to submit any questions for the panelists in advance to Gail Lamarche at gail.lamache@henlaw.com.**

Part I, Pre-Litigation: Lawsuit Prevention and Control. The best way to win a lawsuit is to avoid one in the first place. During this session, our panel will discuss ways to decrease the risk of involvement in a business-related lawsuit. Panelists will share best practices for avoiding litigation, including business organization laws, operating agreements, employee manuals, third-party contracts, and enforceable non-compete and confidentiality agreements.

2:45 p.m. Part II - During Litigation: Strategies for Improving Outcomes. Lawsuits happen. Despite the best planning, sometimes a business will get involved in a business-related lawsuit. During this discussion, the panel will include litigation strategies and remedies to improve the outcome of a pending lawsuit.

Track 2 Human Resources

1:45 p.m. What Business Owners or Executives Should Know About Employment Laws presented by attorneys **John Potanovic** and **Robert Shearman**. Whether your company or agency has a dedicated HR staff or not, there are certain employment laws that a business owner or c-suite executive should understand. The myriad of employment laws are dizzying for even the most astute business person. Bob and John will feature some of the most important laws, the dynamics these laws can create in the workplace, with administrative agencies, and in the courts, and will offer practical guidance that their expertise and experience, a combined 50 years in practice, has enabled them to share with clients in resolving these issues for businesses and agencies of all sizes.

2:45 p.m. Awareness in the Workplace: Domestic Violence and Its Impact presented by attorneys **David Sims** and **Kayla Richmond**. Domestic Violence can be a difficult topic to discuss, but through knowledge and awareness it can be an issue resolved in your workplace. Every 9 seconds a woman in the United States is beaten. Along with a multitude of other disheartening statistics, domestic violence costs the business industry \$8.3 billion dollars annually. David and Kayla will present information employers should know to identify domestic violence issues, assist in preventing the impact of domestic violence in the workplace, and understand the legality of domestic violence in the Southwest Florida.

Track 3 Workers' Compensation and Immigration

1:45 p.m. Protecting Your Bottom Line by Maintaining the Upper Hand on Workers' Compensation Claims presented by attorneys **David Roos** and **Michael McCabe**. Who's the boss? You are. Take advantage of HR practices and policies that allow a business owner or executive to maintain control over claims costs (and future premium increases). Be aware of how the failure to implement – and enforce – these practices can lead to the waiver of certain Workers' Compensation defenses. Maintain control from the date of hire, through the date of accident, and beyond.

2:45 p.m. Immigration Concerns for Southwest Florida Businesses presented by attorney **Tulio Suarez**. Tulio will discuss how U.S. Immigration Law affects every business regardless of whether or not they currently hire foreign nationals. Topics will include: compliance with the E-Verify, Form I-9, Employee Identification and Employment Authorization requirements; options for the hiring of foreign nationals; and the current federal and state law requirements applicable to U.S. employers.

Faculty



John D. Agnew represents businesses in a wide range of areas, including the defense of employee claims, enforcement of non-compete agreements, contract disputes, and business break-ups. He serves on the Board of Directors for the PACE Center for Girls of Lee County and is the immediate Past President of the Lee County Bar Association. John also serves on the 20th Judicial Circuit Professionalism Committee and Local Professionalism Panel. He can be reached at john.agnew@henlaw.com.



Scott A. Beatty concentrates his practice in the areas of civil and commercial trial litigation, including business torts, real estate litigation, construction and lien law litigation, contract disputes, collections, foreclosures and title insurance claims. He devotes time to the Boys Scouts of America and is active with High School Mock Trial programs. Scott can be reached at scott.beatty@henlaw.com.



Suzanne M. Boy concentrates her practice in employment law, and handles all aspects of employment-related litigation, claims, and client counseling. She regularly assists her clients with employee handbooks; supervisory training; and employee termination, leave, and disciplinary issues, and strives to help clients proactively and cost-effectively resolve workplace issues. Suzanne is President of SHRM SWFL and a Trustee for the Canterbury School. She also serves on the Greater Fort Myers Chamber of Commerce Women in Business Committee, and the Florida Bar's local Grievance Committee. Suzanne can be reached at Suzanne.boy@henlaw.com.



Michael J. Corso (moderator) concentrates his practice in the defense of non-medical professionals, including lawyers, accountants, architects, engineers and surveyors. He is Board Certified (by both The Florida Bar and the National Board of Trial Advocacy) in Civil Trial Law and Business Litigation. Mike serves on the firm's Executive Committee and is chair of the Tort and Insurance Litigation practice group. He can be reached at michael.corso@henlaw.com.



Eric S. Gurgold is Chair of firm's Estate Planning and Administration division and is Board Certified in Wills, Trusts & Estates by The Florida Bar. He assists clients in the preparation of wills, trusts, and family partnerships, and handles probate administration and litigation. Eric is a member of the Professional Advisors Network of the Harry Chapin Food Bank of Southwest Florida and the Planned Giving Committee for Habitat for Humanity Lee and Hendry Counties. He can be reached at eric.gurgold@henlaw.com.



Michael E. McCabe represents insurance carriers, third party administrators, and employers in the defense of workers' compensation claims. He also has an active appellate practice handling workers' compensation appeals. Michael represents businesses, contractors and individuals who have received Stop Work Orders from the Department of Financial Services, Division of Workers' Compensation's Bureau of Compliance. He can be reached at michael.mccabe@henlaw.com.



John M. Miller focuses his litigation practice in tort and insurance defense, municipal and governmental liability defense, and professional negligence defense. He serves on the Board of Directors for the Foundation for Lee County Public Schools, Child Care of Southwest Florida, and is the Young Lawyer Director on the Florida Defense Lawyers Association Board of Directors. John is also a member of the Florida Bar Board of Governors, Young Lawyers Division. He can be reached at john.miller@henlaw.com.



Mark A. Niede concentrates his practice on intellectual property and Internet matters, with specific emphasis on trademark selection, registration, enforcement and litigation, copyright, and trade secret protection. He also has extensive experience advising clients on domestic and international intellectual property issues, including new product launches, corporate rebranding projects, as well as acquisitions and licensing. Mark also writes on these matters for the Southwest Florida Business and IP Bulletin. He can be reached at mark.niede@henlaw.com.



Denis H. Noah is Chair of the firm's Real Estate division and focuses his practice in the areas of commercial real estate transactions, commercial and residential real estate development, real estate finance and the resolution of title problems and title insurance claims. He serves as Chairman of the Horizon Council and also serves on the Southwest Florida Economic Development Alliance Board of Directors. Denis can be reached at denis.noah@henlaw.com.



John F. Potanovic is Florida Bar Board Certified in Labor & Employment Law and serves as Chair of the Employment Law Practice Group. He represents employers in discrimination, retaliation, and harassment lawsuits, and also handles EEOC investigations and wage and hour matters. He provides legal counseling and training for employers on employment law topics. John serves on the Board of Directors for the City of Palms Basketball Classic and Fort Myers YMCA Advisory Board. He is also a member of the Rotary Club Fort Myers South. John can be reached at john.potanovic@henlaw.com.



Shannon M. Puopolo assists clients in matters of partnership disputes, title insurance claims, creditors' rights in bankruptcy, foreclosure, and collection proceedings. She serves as Vice President of the Board of Directors for the Guardian ad Litem Foundation - 20th Judicial Circuit and is President Emeritus of the Lee County Bar Association's Young Lawyers' Division. Shannon also enjoys being a student mentor for the Take Stock in Children Program through the Foundation for Lee County Public Schools. She can be reached at shannon.puopolo@henlaw.com.



Kayla Richmond handles family law matters, including divorce, child custody, child support, paternity, and domestic violence injunctions. She is the Chapter Representative and Secretary for the Lee County Association of Women Lawyers, Secretary for the Lee County Bar Association's Young Lawyers Division, and is a member of the Association of Family Law Professionals. Kayla is also a mentor for the Take Stock in Children Program and serves on the Harry Chapin Food Bank Hunger Walk Committee. She can be reached at kayla.richmond@henlaw.com.



Luis E. Rivera has broad experience in business litigation, bankruptcy, creditors' rights and insolvency counseling. In addition to his law practice, Luis serves as a U.S. Bankruptcy Trustee for the Middle District of Florida. As a trustee, Luis is routinely involved in the liquidation of business enterprises, including the recovery and sale of assets; the investigation, development, and prosecution of litigation to recover funds for creditors; and the reconciliation and payment of claims held by creditors. He can be reached at luis.rivera@henlaw.com.



David Hamilton Roos serves as Chair of the firm's Workers' Compensation division. He represents insurance carriers, third party administrators, and employers in the defense of workers' compensation claims. He serves as Chairman of the Workers' Compensation Section of the Florida Defense Lawyers Association (FDLA). David can be reached at david.roos@henlaw.com.



Russell P. Schropp is Managing Attorney of Henderson Franklin. He concentrates his practice in land use, zoning, and environmental law and represents his clients before local, regional, state and federal agencies. Russ serves as Chair of the Business Issues Task Force of the Horizon Council, the business advisory council to the Lee County Commission. He also serves as Chair of the City of Fort Myers Nuisance Abatement Board, and founding Chair of the Land Use and Governmental Law Section of the Lee County Bar Association. Russ can be reached at russell.schropp@henlaw.com.



Robert C. Shearman is Florida Bar Board Certified in Civil Trial Law and concentrates his practice in the defense of tort, civil rights, employment and real estate claims. He is also a Florida Supreme Court Certified Civil Mediator. Bob represents numerous public and private entities with respect to constitutional claims, wrongful termination, discrimination, and harassment matters. Bob is an alumnus of Leadership Lee County and serves on the United Way Board of Directors and Allocation Committee. He can be reached at robert.shearman@henlaw.com.



L. David Sims is a Florida Bar Board Certified Marital and Family Lawyer, a Certified Family Mediator and Chair of the firm's Divorce, Marital and Family Law practice group. He represents clients in all areas of family law, including adoption, divorce, paternity, and prenuptial and postnuptial agreements. David is a member of the Association of Family Law Professionals and serves on the Board of Directors for Fort Myers Christian School and for the National Alliance of Mental Illness of Lee County. He can be reached at david.sims@henlaw.com.



Tulio G. Suarez is a Florida Bar Board Certified Immigration and Nationality lawyer providing expert strategies to assist immigrants, professionals, foreign investors, and businesses in all areas of immigration, including foreign investment, international adoption, family and employment based immigrant and non-immigrant visas, removal (deportation), asylum, citizenship, and hiring of foreign nationals. He serves on the Board of Directors for the United Way of Lee and Hendry Counties and for Catholic Charities, Diocese of Venice. Tulio can be reached at tulio.suarez@henlaw.com.



Douglas Szabo focuses his practice in complex commercial/business litigation matters, as well as appellate cases involving business transactions. With more than 27 years of experience in both federal and state court, he has handled a wide array of matters, including partnership and shareholder disputes, complex contractual disputes, real estate matters, and creditors rights in bankruptcy matters. Doug currently serves on the Children's Advocacy Center Board of Directors and the Early Learning Coalition of Southwest Florida Finance Committee. He can be reached at douglas.szabo@henlaw.com.



Guy E. Whitesman concentrates his practice in mergers and acquisitions, business, tax and wealth preservation planning and health care law. He is Board Certified in Tax Law and Chair of the firm's M&A, Business, Tax and Intellectual Property practice groups. Guy is a Trustee and Chair of the Southwest Florida Community Foundation, is a director of Community Cooperative, Inc., and a director of the Jewish Federation of Lee and Charlotte Counties. He also serves as a Trustee of the University of Florida Law Center Association, Inc. Guy is a past Chair of the Tax Section and the Tax Certification Committee of The Florida Bar. He can be reached at guy.whitesman@henlaw.com.

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REGISTRATION FORM

There is a \$25 registration fee per person. Includes plated lunch selection

Chicken Mediterranean Pasta Primavera (Vegetarian Option)

Registration is by mail or online at henlaw.com

Contact Gail Lamarche at 239.344.1186 or gail.lamarche@henlaw.com if you have any questions.

Due to limited seating, please RSVP by November 12

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Please select your choice of two breakout sessions (one from each column):

First Breakout Session

- Track 1: 1:45 p.m.** General Corporate
- Track 2: 1:45 p.m.** Human Resources
- Track 3: 1:45 p.m.** Workers' Compensation

Second Breakout Session

- Track 1: 2:45 p.m.** General Corporate
- Track 2: 2:45 p.m.** Domestic Violence
- Track 3: 2:45 p.m.** Immigration