



# In-House Practice in the Age of COVID-19

## 2021 Corporate Counsel Section Annual CLE

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**Thursday, May 6, 2021**  
**Rebroadcast**

**North Carolina: 6.00 MCLE Hours**

**Includes:**

**1.00 Substance Abuse/Mental Health**

**2.00 Technology Training**

**Planned by the NCBA Corporate Counsel Section**

This program discusses the impact of COVID-19 and provides updates in critical practice areas of particular interest to in-house attorneys, including employment, contracting, cybersecurity, privacy and legal enforcement. With the pandemic affecting every aspect of our personal and professional lives, learn and explore how to prioritize our own well-being during this challenging time. Don't miss out on this informative and valuable program!

# In-House Practice in the Age of COVID-19

Thursday, May 6, 2021

8:55 AM–4:10 PM

**8:55 Welcome and Introductions**

**9:00 Employment Issues in the COVID-19 Era**

**Panelists: James and Kenyon**

**Moderator: Twiddy**

Employers are facing a myriad of issues, whether operating on-site or working remotely, in light of COVID-19. Issues include complying with OSHA obligations to provide a safe work environment, conducting health checks in compliance with the Americans with Disabilities Act, considering accommodations for employees in high-risk categories or suffering from anxiety, dealing with employees who are parents of school-age children, and facing layoffs/furloughs and pay cuts, among other things. This panel provides practical advice on key issues and shares experiences regarding how various organizations have faced these challenges.

**10:03 Break**

**10:10 Cybersecurity Lessons for Corporate Counsel<sup>†</sup>**

**O'Rourke and Ralich**

Gain technical and legal insights to better enable corporate counsel to identify and address legal issues related to cybersecurity. This session explains key concepts of internet technology and cybercrime, discusses major areas of legal risk related to cybersecurity, and provides tips to help corporate counsel handle such issues effectively. In the process, we draw upon our own experiences helping organizations navigate cybersecurity legal issues in order to share practical lessons and insights.

**11:11 Break**

**11:20 Force Majeure and Other Contractual Issues Raised by COVID-19**

**Harrington and Neal**

This session focuses on the various contractual issues raised by COVID-19. Whether or not a contract has adequate protections or remedies to guard against COVID-19 ramifications depends upon how carefully it was drafted. Common contractual issues raised by COVID-19 include interpretations in the areas of force majeure,

timely delivery, notice and mitigation, termination/cancellation/rescheduling flexibility, warranty, and other key contractual terms which affect costs and dispute resolution.

**12:21 Lunch Break**

**12:50 Department of Justice Update**

**Smith**

Dive into a discussion regarding recent enforcement actions brought by the Antitrust Division of the Department of Justice, including civil and criminal proceedings and investigations in various industries, technology, food supply, healthcare, and telecom. The presenter considers the shift in administration priorities in the last year, and the Department's response to COVID-19.

**1:53 Break**

**2:00 Privacy Update: Welcome to the California Privacy Rights Act (CPRA)<sup>‡</sup>**

**Cordell and Cottrell**

This presentation discusses what the new California Privacy Rights Act means for the future of privacy. Through a practical discussion, this session also highlights the key differences between the CPRA and the CCPA and the impact on various industries.

**3:00 Break**

**3:10 Mental Health Spotlight: Prioritizing Our Mental Health During COVID-19<sup>†</sup>**

**Garson**

Everything we do is exponentially more difficult than it was in February 2020. Stressors include family, clients, work, technology, finances, isolation, medical issues, grief and reaction to stress. Then there is "racial stress," meaning the disproportionate impact of so many of these stressors on Black people and other people of color. In all settings, including in house, lawyers are often perfectionists who minimize or ignore the emotional toll as a matter of culture and habit.

**4:10 Adjourn**

<sup>†</sup> Indicates portion providing Substance Abuse/Mental Health credit

<sup>‡</sup> Indicates portion providing Technology Training credit

## **Speakers**

- Matthew A. Cordell, VF Corporation, Greensboro
- Clara R. Cottrell, BASF Corporation, Research Triangle Park
- Lynn S. Garson, BakerHostetler, Atlanta, GA
- Robert E. “Rob” Harrington, Robinson Bradshaw & Hinson PA, Charlotte
- Susan G. James, WakeMed Health & Hospitals, Raleigh
- Rosemary G. “Rose” Kenyon, Smith Anderson, Raleigh
- J. Brandon Neal, Novant Health, Charlotte
- Allen T. O’Rourke, Robinson Bradshaw & Hinson PA, Charlotte
- Shannon Ralich, Bandwidth Inc., Raleigh
- Brian J. Smith, K&L Gates LLP, Chicago, IL

## **Planners**

- Shannon Ralich, Bandwidth Inc., Raleigh
- Kathryn F. “Kathy” Twiddy, Mayne Pharma, Raleigh

## **Moderator**

- Kathryn F. “Kathy” Twiddy, Mayne Pharma, Raleigh

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