



# Employment Law Update

co-sponsored with the Labor & Employment Law Section  
of the Alabama State Bar

**CLE** CUMBERLAND  
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CONTINUING LEGAL EDUCATION

**November 14, 2014**  
**Hyatt Regency/The Wynfrey Hotel**  
**Birmingham, Alabama**  
6 CLE hours, including 1 hour of ethics

## WHAT YOUR PEERS HAVE SAID ABOUT THE PROGRAM:

"ABSOLUTELY GREAT TOPICS AND SPEAKERS. ONE OF THE BEST EVER."

"I ATTEND THIS PROGRAM EVERY YEAR AND ENJOY IT EACH YEAR."

"VERY INTERESTING AND USEFUL. REALLY ENJOYED THE MIX OF SPEAKERS."

# AGENDA

## **Mac B. Greaves, Co-chair**

Jones Walker, LLP

## **John D. Saxon, Co-chair**

John D. Saxon, PC

**8 a.m. Check-in and Continental Breakfast**

**8:30 a.m. Preparing for Employment Litigation: Avoiding Technology Traps and Sanctions**

- Requesting and Resisting Disclosure of Electronic Information
  - What the defense lawyer should ask for
  - The plaintiff's guide to preventing overreaching
- Discovery Disputes
  - Addressing e-discovery in Rule 26 planning meeting
  - Discovery motions and fee-shifting
- Using E-Discovery at Trial
  - Authentication
  - Experts

### **M. Jefferson Starling III**

Balch & Bingham  
Birmingham, Ala.

### **Heather N. Leonard**

Heather Leonard, PC  
Birmingham, Ala.

### **Charles E. Guerrier**

Haynes & Haynes P.C.  
Birmingham, Ala.

### **David Canupp**

Lanier Ford Shaver & Payne, PC  
Huntsville, Ala.

**10 a.m. Break**

**10:15 a.m. Protect Yourself and Your Clients by Understanding Digital Forensics**

### **Dr. Ragib Hasan, Ph.D**

Assistant Professor,  
UAB Dept. of Computer and Information Sciences  
Director, UAB Secure and Trustworthy Computing Lab  
Birmingham, Ala.

**11:15 a.m. A View from the Bench**

### **Honorable Sonja F. Bivins**

Magistrate Judge  
U.S. District Court for the Southern District of Alabama  
Mobile, Ala.

### **Honorable Madeline H. Haikala**

U.S. District Court  
Northern District of Alabama  
Birmingham, Ala.

### **Honorable R. David Proctor**

U.S. District Court  
Northern District of Alabama  
Birmingham, Ala.

### **Albert L. Vreeland - Moderator**

Lehr Middlebrooks & Vreeland, P.C.  
Birmingham, Ala.

**12:15 p.m. Lunch on your own**

**1:15 p.m. Social Media and Legal Ethics: Are You Experienced With Social Media? If Not, You Will be Dazed and Confused**

**Daniel Burnick**

Sirote & Permutt  
Birmingham, Ala.

**Honorable John E. Ott**

Chief U.S. Magistrate  
Northern District of Alabama  
Birmingham, Ala.

**2:15 p.m. Break**

**2:30 p.m. Hot Topics in a Flash: What You Don't Know Can Hurt You**

- **Latest Developments at the NLRB:** Expansion of protections for non-union employees, the Labor Board takes aim at joint employers
- **Recent Developments in Gender Discrimination:** Harassment, burden of proof, etc.
- **Marijuana and the Workplace/Conflicting Laws:** Medical marijuana and drug-free workplaces, marijuana and the ADA, marijuana and workers' compensation
- **Latest Developments Under the Affordable Care Act**
- **Workplace Violence:** Harassment, guns in the workplace, state tort claims
- **Latest Developments in Retaliation/Whistleblower Claims Under State and Federal Law/Public Employees in Alabama:** Retaliation and the First Amendment in light of the Edward Lane case
- **Immigration Update Under State and Federal Law:** Facilitating employer recruitment and retention of talented foreign nationals, the interplay between state and federal immigration requirements, recent enforcement activity

**Tamula R. Yelling**

Constangy Brooks & Smith, LLP  
Birmingham, Ala.

**Donna S. Cude**

John D. Saxon, P.C.  
Birmingham, Ala.

**M. Jefferson Starling III**

Balch & Bingham  
Birmingham, Ala.

**John B. Holmes III**

Maynard Cooper & Gale, PC  
Birmingham, Ala.

**Matthew W. Stiles**

Maynard Cooper & Gale, PC  
Birmingham, Ala.

**Michael L. Thompson**

Lehr Middlebrooks & Vreeland, PC  
Birmingham, Ala.

**4 p.m. Adjourn**

# PLANNING COMMITTEE

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Bradley Arant Boulton Cummings, LLP

## Upcoming Live Seminars

**Nov. 21** Trends in Commercial Real Estate 2014

**Dec. 4** Information Law and Digital Forensics

**Dec. 12** Workers' Compensation Law

**Dec. 17** Class Actions and Business Litigation

**Dec. 19** CLE by the Hour

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# REGISTRATION

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**Fax:** 205-726-2616

**Live Webcast:** [cumberland.inreachce.com](http://cumberland.inreachce.com)

**Mail:** Cumberland School of Law CLE, P.O. Box 293759  
Birmingham, AL 35229

## Employment Law Update

Friday, November 14, 2014

- ☐ \$319 **Early Registration** (includes code to download and print course materials 48 hours prior to the seminar)
- ☐ \$369 Add \$50 (includes hard copy of course materials; hard copies are available if ordered by November 10).
- ☐ \$339 Late Registration (after November 13 - includes course materials on a flash drive, no hard copy)
- ☐ \$50 I cannot attend. Please send me the course materials on a flash drive.

Mr./Ms. (please circle)

First name \_\_\_\_\_ Last name \_\_\_\_\_

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**CLE credit:** Approved for 6 hours of CLE credit, including 1 hour of ethics, in Alabama.

**Cancellations and refunds:** Prepaid registration fees will be refunded, upon request, up to 48 hours before the beginning of the seminar. Arrangements for substitutions may be made anytime prior to the seminar.

**Nonlawyers welcome:** Cumberland School of Law CLE programs are designed for practicing attorneys, but other professionals are welcome to attend.

**Address and Directions:** 1000 Riverchase Galleria Birmingham, Alabama, USA, 35244

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