

USING & CONTROLLING THE MEDIA IN LITIGATION EFFECTIVELY COMMUNICATING THE INFORMATION THE PRESS RECEIVES

Monday, November 13, 2006 / 6:00 p.m. to 9:00 p.m.

In the current environment of heightened awareness and concern over corporate wrongdoing, compounded by great public interest in high profile litigation, journalists have descended upon these types of cases as news goldmines. Lawyers need to know not only how to master the adversarial and courtroom battleground, but also how to handle themselves with the media while being mindful of the legal ethics considerations which loom in this area.

Lawyers cannot afford to be unprepared to talk to journalists, especially when: the court of public opinion matters just as much as the ruling to the client; the fate of any case may be shaped by media coverage and the lawyers' abilities to communicate and control the information they receive; and the opposition may be far more skilled at handling the media.

Two law firm media relations specialists (one a former award-winning journalist, the other a lawyer) as well as a prominent attorney skilled in working with PR firms and high-visibility matters, will comprehensively address how to handle media attention relating to high-profile litigation. Topics will include: making public statements, T.V. appearances, handling unexpected journalist phone calls, tackling "off-the-record" conversations, requests for "leaks" of information and building long-lasting relationships with reporters without divulging confidential information.

This program is a must for lawyers in any practice area.

Program Co-Chairs

Spencer Z. Baretz
Hellerman Baretz Communications LLC

Joshua M. Peck
Senior Media Relations Manager
Duane Morris LLP

Faculty

Michael C. Lasky
Davis & Gilbert LLP

Agenda

6:00 - 6:30:

PR Overview & its Place in the Practice of Law Today

- General Description of PR / Media Relations Overview
- Use of PR in today's law practice and implications of PR success and failures
- Examples of PR in practice

6:30 - 7:00

"Defensive" PR in Practice

- Corporate scandal case study
- Managing reporter calls
- Handling requests for information
- Why "no comment" responses are not an option
- Messaging and message point delivery
- How PR fits within an overall litigation strategy

7:00 - 7:10 **Break**

7:10 - 7:30

"Offensive" PR in Practice

- Litigation case study
- Strategic preparation and messaging
- Requests for sources and additional reporting

7:30 - 7:45

Media Manipulation & Relationship Building

- "On-the-record" vs. "off-the-record" dos and don'ts
- Timing
- Strategic media relations tactics

7:45 - 8:00

Questions & Answers

8:00 - 8:10 **Break**

8:10 - 9:00

Ethical Considerations & Ways to Maintain Attorney-Client & Work Product Privileges When Public Relations Agencies Work in Legal Crisis Situations

Presented by Michael C. Lasky

8:10 - 8:20

Disciplinary Rules & Ethical Considerations

- Trial publicity
- Statements concerning judges

8:20 - 8:30

Direct Retention by Law Firm of Public Relations Agency

- Use of and form of engagement letter
- Limiting engagement to crisis matter and avoiding general media strategy
- Instructing P.R. professionals on attorney-client privilege

8:30 - 8:45

Steps to Preserve Privilege

- Limiting communications with non-lawyers
- Limiting exposure to other client materials
- Maintaining close relationship between agency and attorneys

8:45 - 9:00

Case Studies & Q&A

- In Re Grand Jury Subpoenas* (S.D.N.Y.)
- Calvin Klein Trademark Trust v. Wachner* (S.D.N.Y.)
- FTC v. GlaxoSmithKline* (D.C. Cir.)
- Questions & Answers

CLE Credit:

3 Credits Total: 2 Professional Practice/Practice Management & 1 Ethics

This program provides transitional credit for newly admitted attorneys.

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Live Program (includes materials):

\$205 Member \$315 Non-member

Walk in Registration (includes materials):

\$230 Member \$340 Non-member

Audiotapes (includes materials):

\$315 Member \$385 Non-member

CDs (includes materials):

\$335 Member \$405 Non-member

Videotapes (includes materials):

\$405 Member \$475 Non-member

DVDs (includes materials):

\$445 Member \$535 Non-member

Materials Only (no CLE credit):

\$105 Member \$135 Non-member

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Registration Information

Program Location:

All programs will be held at

New York City Bar

42 West 44th Street, New York, NY 10036

To Register: Call (212) 382-6663 or (212) 382-6662; fax (212) 869-4451; mail registration form to the City Bar Center for CLE, 42 West 44th Street, New York, NY 10036 or register online at www.nycbar.org.

Scholarships & Discounts: Financial scholarships are available; please call (212) 382-6663 for an application. All applications must be submitted 3 weeks prior to the program. 50% discounts off of member and non-member prices are available for government and public interest attorneys, students and academics. A 20% discount off of member and non-member prices are available for firms and corporations that register 4 or more people for a combination of programs or video replays.

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Advance registration is advised. An additional fee of \$25 will be charged for "walk-in" registrations--those received later than 3:00 p.m. one business day prior to the program.

Please allow 3-5 weeks for delivery of audiotapes, CDs, DVDs and course materials.

All information is subject to change. All programs and products are sponsored by the CLE Committee, Valerie L. Fitch, Chair.

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