bench-bar & boardroom conference

May 14-16, 2015 • Chateau on the Lake • Branson, Mo

Recharge. Rethink. Reconnect.

KC MBA
Kansas City Metropolitan Bar Association
MESSAGE FROM THE CHAIR

Welcome to the Kansas City Metropolitan Bar Association’s 42nd Annual Bench-Bar & Boardroom Conference. The theme of this year’s BBBC is “Recharge, Rethink, Reconnect,” and the focus will be on renewing and reinvigorating our practices, our careers, and our lives. The hard work and dedication of the planning and CLE committees has ensured this will be a conference not to be missed! This year’s conference will provide a full 12 hours (including 4 hours of ethics) of relevant CLEs, including two plenary sessions: the first featuring nationally-known speakers on the important issue of lawyer satisfaction, and the second a fascinating look at two of the most important criminal trials conducted in the Western District of Missouri. And for those of you that don’t attend the BBBC just for the CLE, there will be plenty of fun and engaging social and sporting opportunities (including refreshments), and very special music videos on Friday evening that will showcase the singing and dancing talents of our lawyers and judges. You will not want to miss that! The conference wouldn’t have come together without the hard work of our committees, and we thank all of them for their time and commitment. So, sign up soon so you can refresh, recharge, reconnect, rethink, renew and be rewarded!

HONORARY CHAIRS

Hon. Connie Alvey  
Hon. Stephen R. Bough  
Hon. Dan Crabtree  
Hon. Dennis Eckold  
Hon. Thomas Foster  
Hon. Kevin Harrell  
Hon. Greg Kays  
Hon. Jeffrey Keal  
Hon. Karen King Mitchell  
Hon. Thomas Newton  
Hon. Jim O’Hara  
Hon. Jalilah Otto  
Hon. Beth Phillips  
Hon. Mary Rhodes Russell  
Hon. Gary Witt
# AWARD WINNERS

## DEANS OF THE TRIAL BAR
This award is presented annually to individuals whose litigation skills and professional demeanor have resulted in consistent recognition by their peers as exemplary.

<table>
<thead>
<tr>
<th>Name</th>
<th>Firm</th>
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<tbody>
<tr>
<td>Robert A. Horn</td>
<td>Horn, Aylward, &amp; Bandy, LLC</td>
</tr>
<tr>
<td>John W. Kurtz</td>
<td>Hubbard &amp; Kurtz, LLP</td>
</tr>
<tr>
<td>Wm. Dirk Vandever</td>
<td>Popham Law Firm, P.C.</td>
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## BARONS OF THE BOARDROOM
This award is presented to honor individuals’ distinguished careers representing corporate/business clients.

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<th>Name</th>
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<tbody>
<tr>
<td>David V. Kenner</td>
<td>Levy Craig Law Firm</td>
</tr>
<tr>
<td>Sue K. Willman</td>
<td>Spencer Fane Britt &amp; Browne LLP</td>
</tr>
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## DISTINGUISHED COUNSELORS
This award recognizes individuals who demonstrate professional gallantry, peacemaking, harmony and friendship.

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<tr>
<th>Name</th>
<th>Firm</th>
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<tbody>
<tr>
<td>Hon. Charles E. Atwell</td>
<td>Foland, Wickens, Eisfelder, Roper, &amp; Hofer, PC</td>
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<tr>
<td>Teresa A. Woody</td>
<td>The Woody Law Firm PC</td>
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## THOMAS J. CONWAY AWARD
This award honors a younger trial lawyer who exemplifies two traits of the late Tom Conway—outstanding trial skills and the ability to be a fierce advocate, while simultaneously a good friend to opposing counsel.

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<tr>
<th>Name</th>
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<tr>
<td>Brett Votava</td>
<td>Bartimus Frickleton Robertson Goza PC</td>
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## YOUNG LAWYER OF THE YEAR
This award recognizes a lawyer under the age of 36 for significant community, civic, and professional work.

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<th>Name</th>
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<tr>
<td>Nicholas T. Hergott</td>
<td>Meyerkord, Russell, &amp; Hergott</td>
</tr>
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## HON. KELLY J. MOORHOUSE DEDICATION TO CHILDREN AWARD
This award acknowledges a contribution significant enough to warrant exceptional recognition both for the individual selected and for the ongoing legacy of Judge Moorhouse.

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<tr>
<th>Name</th>
<th>Firm</th>
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<tr>
<td>Ellen Jervis</td>
<td>Polsinelli PC</td>
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## ROBERT C. WELCH VOLUNTEER ATTORNEY PROJECT AWARDS
Announced at the Conference, the recipient(s) of this award made significant pro-bono contributions to the Volunteer Attorney Project.
SCHEDULE OF EVENTS

All CLE Sessions are accredited in MO and KS

THURSDAY, MAY 14

12:30–2:20 PM
Plenary Session: The Choices Happy Lawyers Make: How to Take Care of Your Practice, Your Clients, Yourself
Expert panelists will examine the behavioral patterns common to happy lawyers, how making a happy life in the law is possible, the connections between good lawyering, professionalism and satisfaction, and why psychological well-being is of utmost importance to the legal profession. Happy lawyers are more likely to participate in a civil, honest, fair, and ethical conduct exhibiting respect for the rule of law, the courts, clients, and other lawyers. Join us in this meaningful forum shining a light on the importance of maintaining the balance of serving your clients and yourself in our contemporary legal practice.

Speaker: Daniel Bowling, Duke Law School
Panelists: Jill Katz, Jill M. Katz LLC; Nancy Levit, UMKC School of Law; Douglas Linder, UMKC School of Law; Gregory Riggs, Novateur Partners LLC

2:30–3:20 PM
Concurrent CLE Sessions: Maximizing the Value of Focus Groups: An Important Resource
Examine when, why, and how to use focus groups—from the perspective of both plaintiffs and defendants—to improve your case, and do so on a budget.

Speakers: Jennifer Bacon, Polsinelli PC; David Brose, Langdon & Emison; Phyllis Norman, The Norman Law Firm, LLC; Adam Suroff, Polsinelli PC

HIPPA – Avoiding Risk in Utilizing Medical Records
Discover the extent of attorneys direct liability for HIPPA violations relating to the collection and utilization of medical records and how to fully comply with HIPAA including proper processes and forms for obtaining medical records, handling, and distribution of the records.

Speaker: Maureen Brady, McShane & Brady, LLC

Tips from Experts: Navigating the Pros and Cons of Arbitration
Engage in an expert discussion about arbitration agreements, arbitration rules and the Federal Arbitration Act, including a discussion of the tactical pros and cons of agreeing to or compelling arbitration.

Speakers: Hon. Victor Howard, MO Court of Appeals; Bob Thompson, Bryan Cave

3:40–4:30 PM
Concurrent CLE Sessions: Strategies for Improving Diversity on the Bench
Diversity and inclusion of minorities in the legal profession and in our courts is necessary. Engage in a review of the appointment process of judges and a discussion of strategies for identifying and promoting diverse judicial candidates.

Moderator: Hon. Alok Ahuja, Missouri Court of Appeals, Western District

The Value of Children, Especially at Tax Time
Learn when and where certain credits and deductions can be claimed by parents who are not married or living together. This session will focus on tax code provisions and specific problems about the application of these tax rules in the real world.

Speakers: Nicole Forsythe, Forsythe Law Office LLC; Sharon Shull, H&R Block

Building Your Law Firm for the Long Term: Climbing to, & Staying on Top With Grace and Panache
Panelists will discuss how to make your law firm a smashing success. Learn how to build business success and personal happiness by enhancing the quality and efficiency of service to your clients.

Speakers: Dana Tippin Cutler, James W. Tippin & Associates; Nancy Kenner, Kenner Nygaard DeMarea Kendall LLC; Mira Mdivani, Mdivani Corporate Immigration Law Firm

5:00–6:00 PM
Distinguished Deans, Barons, & Beer!
War stories & anecdotes from our top award winners

FRIDAY, MAY 15

6:00–7:30 PM
Welcome Reception

7:30–9:00 PM
Dinner on your own, or Chef’s Package*

9:30–11:30 PM
Happy Hours in the Library Bar

8:45–10:25 AM
Plenary Session: The Fascinating History and Ongoing Effects of Kansas City Organized Crime: A Look Back at the Argent and Tropicana Cases
In the late 1970s the Kansas City FBI suspected mob involvement in the casinos owned by the Argent Corporation and the Tropicana in Las Vegas. A grand jury indicted several Kansas City individuals with ties to organized crime on conspiracy to skim money from the Argent Properties and the Tropicana Casino after conducting two major investigations. Join legal historians and attorneys involved in the prosecution and defense as they discuss the history of organized crime in Kansas City, the specifics and long term effects of these monumental cases.


10:45–11:35 AM
Concurrent CLE Sessions: The Impact on Missouri Human Rights Acts Charges Resulting from Farrow v. St. Francis Medical Center
The Missouri Supreme Court decision Farrow v. St. Francis Medical Center has far reaching effects that fundamentally alter how an employer handles claims under the Missouri Human Rights Act. Join experts in the field as they provide practical guidance for both plaintiff and defense counsel in navigating the new requirements.

Speakers: P. Benjamin Cox, Missouri Attorney General’s Office; Amy Fowler, Freeman & Fowler LLC; Eric Smith, Siro Smith Dickson PC
Starting a Firm? Waste Less Time, Spend Less Money, and Get More Done
The transition from working in a firm to lawyer to becoming a business owner of your own firm can be a struggle. Learn from mistakes and triumphs of those who have forged this path including “staffing,” marketing, organizing your files, and dealing with technology. Learn expert tips on being more efficient with less, spending less money, and getting more done (with a bonus iOLTA/Trust Account Fast Facts)!

Speaker: Nick Hergott and Matt Meyerkord, Meyerkord, Russell & Hergott

The Proposed 2015 Amendments to the Federal Rules of Civil Procedure: What Are the Changes and How Will They Affect You?
After five years of work, controversial amendments to the Federal Rules of Civil Procedure are scheduled to take effect on December 1, 2015. Most of the proposed amendments target proportionality, cooperation and transparency in the discovery practice. Others are designed to speed up the pretrial process and foster increased judicial management and implement a uniform standard for spoliation sanctions. Judge O’Hara and Professor Gensler will walk through the proposed changes and discuss their impact on current practice.

Moderator: Hon. James O’Hara, United States District Court - District of KS
Speaker: Prof. Steven Gensler, University of Oklahoma College of Law

11:40-12:25 PM
Lunch

11:45 AM
Golf*

12:30–1:20 PM
Concurrent CLE Sessions:
Attack, Defense, and Mobile Forensics - What Jennifer Lawrence can Teach Us About Security, e-Discovery and Secrets that Live on Your Client’s Phone
From Sony and Home Depot to Jennifer Lawrence and Kate Upton, the list of high profile data breach victims is rapidly on the rise. This presentation will demonstrate cutting-edge digital attacks, defense methods, and forensics, and will help you keep your data safe as well as demonstrate non-traditional digital evidence that may be available for use in your cases.

Speaker: John Benson, Stinson Leonard Street

Successfully Navigating Motions for Temporary Custody, TRO’s and Child Orders of Protection
An in-depth review of the law and rules surrounding temporary restraining orders, how to draft pleadings and tips on presenting evidence at a hearing.

Speakers: Jennifer Oswald Brown, Oswald Roam Rew & Fry LLC; Dana Outlaw, Dana Outlaw Law Firm

Revealing the Unwritten Rules: Tips from Missouri and Kansas State and Federal Law Clerks
This expert panel will provide practical advice for navigating the unwritten rules of each of the Courts they represent. Don’t miss this opportunity to get the inside track and discuss the most effective strategies attorneys can use in their practice before these courts.

Moderators: Hon. Brenda M. Cameron, 10th Judicial District of KS; Hon. J. Charles Droge, 10th Judicial District of KS
Panelists: Kate Millington, 16th Judicial Circuit; Donna Stanford, MO Court of Appeals WD; Casey Tourtillott, U.S. District Court WD; Steve Wolfe, U.S. District Court WD

1:30–2:20 PM
Concurrent CLE Sessions:
The Power of Twitter: How to Successfully Market your Practice
This marketing 101 course provides key information on the ins and outs of using Twitter in a variety of ways to generate business. You will walk away with actionable tips to grow your practice and have a better understanding of what the heck a #hashtag is!

Speakers: Aimee Gromovsky, Gromovsky Law, L.L.C.; Stina Hergott, b.Legal Marketing

Marriage Equality: Where Are We Now?
An update on the law, both nationally and locally, and a discussion of the ongoing challenges faced by same-sex couples and their families.

Speakers: Kay Madden, Slough Connealy Irwin & Madden, LLC; Gillian Wilcox, ACLU of MO

The White Collar Criminal Case: From Investigation to Trial
Panelists will discuss how to respond to an investigation, ethical issues for in-house counsel if both employees and the corporation are targets and how to negotiate with the U.S. Attorneys Office in an effort to resolve the case pre-indictment.

Speakers: Brian Gaddy, Gaddy Weis LLC; Joe Hiersteiner, Seigfreid Bingham, PC; Gene Porter, US Attorney’s Office, Western District of MO

2:30–3:20 PM
DUI: Understanding (and Observing) the Limits
This interactive presentation will provide an update on DUI law with a focus on field sobriety testing. With the help of live alcohol demonstrations, you will learn about driving behavior exhibited by impaired drivers; the DUI detection process, standardized field sobriety testing administrative and scoring protocols, and more.

Speakers: Jeff Eastman, Keleher & Eastman; Carl Ward, WARD & Associates

1:00–4:00 PM
Bowling*

3:00–4:00 PM
Wine Tasting*

6:30 PM
Cocktail Reception

7:30 PM
Awards Dinner Presented by Davis, Bethune & Jones, LLC.

SATERDAY, MAY 16

8:45–10:25 AM
Plenary Session: Ethical Dilemmas Presented by Social Media (Eggs & Ethics)
Interactive discussion about social media and the ethical dilemmas that arise from your client’s use of social media, as well as social media issues surrounding witnesses and jurors.

Speakers: Christine Blegen, Blegen Law Firm, LLC; Dan Blegen, Rouse Hendricks German May PC

*Preregistration is required
OPTIONAL BBBC ACTIVITIES

RUSS’S REFRESHMENTS
Event Chair Russ Jones hosts a get-together for those arriving Wednesday night, from 8pm-10pm.

BOWLING
Enjoy an afternoon of fun and networking at the Woodland Lanes Bowling Alley. Complimentary transportation, bowling and beer are all included in the cost!

OLD WORLD VS. NEW WORLD WINE TASTING
Presented by Brown Derby Wine Center and Marketplace
The KCMBA Conference is pleased to announce the return of the wine experts from the Brown Derby Wine Center and Marketplace in Springfield, Missouri. This year the Brown Derby staff has planned an hour tasting of wine from around the world. This event has been designed to provide seasoned wine tasters and first time curiosity seekers a chance to enjoy full-bodied rich reds, crisp whites, and many specialty wines in a casual setting. Whether you are interested in picking up some food and wine pairing pointers for your next summer BBQ, or simply indulging in veritable cornucopia of worldly wine with your peers, this event is for you. Some of the wines that will be tasted include: Maison Leroy Burgundy, The Chuck Wagner (Caymus) family’s Carne Humana, Mount Eden Vineyards, and many more!

GOLF AT POINTE ROYALE GOLF COURSE
Located along the banks of Lake Taneycomo, the Pointe Royale Golf Course is a recently renovated par-70 course known for its abundant wildlife and natural beauty. While mature trees and frequent water hazards provide interest for the experienced golfer, the course is extremely friendly for golfers of all levels. The tournament will be played in a four-person team scramble format. Teams will compete to win awards for closest to the pin, longest drive, longest putt, the President’s Cup and the coveted Firm Cup.

VIDEO
Don’t miss an opportunity to participate in this year’s featured entertainment! Go to KCMBA.org for more information.

CHEF’S PACKAGE
The Chateau Grille has a very special Chef’s Table, which promises an evening unmatched in culinary skill and cuisine as the chef provides his insights on ingredients, preparation, spices, flavorings, and wine pairings. You will be served a five course gourmet meal prepared as you enjoy wines that have been paired with the meal. At the conclusion of this event everyone will receive a special gift in remembrance of their experience at the Chateau on the Lake. (Limited to the first 20 registrants).

MENU:
Amuse Bouche: Fig Tappendade, Sourdough Crostini, Maytag Bleu Cheese, Fennel-Pollen Infused Honey
Salad: Warm Brie En Croute Salad Baby Greens, Peppered Strawberries, Candied Walnuts and Raspberry Mint Vinaigrette
Intermezzo: Wild Berry Sorbet
Entree: Bacon Wrapped Filet Mignon, Lobster Whipped Potatoes, Poached Mushrooms & Asparagus and Port Wine Demi-Glace
Dessert: Chocolate Hazelnut Crème Brûlée, Macerated Berries & Crème Chantilly
Wine: The following selections will be offered to the guests to enjoy during the dining experience; Waterbrook Chardonnay; Seven Falls Cabernet Sauvignon; Seven Falls Merlot
**REGISTRATION**

**42ND ANNUAL BENCH-BAR & BOARDROOM CONFERENCE**

**MAY 14-16, 2015 • CHATEAU ON THE LAKE • BRANSON, MO**

Registration cost includes 12 hours (including four hours of ethics) of CLE sessions, meals, networking events, Awards Dinner, happy hours, entertainment, electronic access to all materials, and free wifi throughout the hotel and conference area. *(Registration does not include hotel accommodations or Thursday night dinner.)*

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<thead>
<tr>
<th></th>
<th>Early bird rate through April 10</th>
<th>After April 10</th>
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<tr>
<td>General</td>
<td>$385</td>
<td>$450</td>
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<tr>
<td>Judges &amp; Government Agency Personnel</td>
<td>$240</td>
<td>$280</td>
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<tr>
<td>First Time Attendees</td>
<td>$240</td>
<td>$280</td>
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<tr>
<td>Students</td>
<td>$150</td>
<td>n/a</td>
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<tr>
<td>Speakers ($35 Discount)</td>
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<tr>
<td>General</td>
<td>$350</td>
<td>n/a</td>
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<tr>
<td>Judges &amp; Government Agency Personnel</td>
<td>$205</td>
<td>n/a</td>
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<tr>
<td>Award Winners ($85 Discount)</td>
<td>$300</td>
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**OTHER ORGANIZED ACTIVITIES:**

**Thursday**
- Chef’s Dinner Package: 7:30 p.m. Special five course gourmet meal in the chef’s kitchen with wine pairing *(Limited to the first 20 registrants)* [ ] $90
- Golf at Pointe Royale: 12 p.m., four-person team scramble, shotgun start *(Lunch and beer from the beer cart included)* [ ] $80
- Wine Tasting: 3 p.m. [ ] $35
- Bowling: 1-4 p.m. *(Shuttle, bowling, and adult refreshments included)* [ ] $25

**ADDITIONAL OPTIONS:**
- Printed material *(Attendees will receive CLE materials via email and materials will be available online)* [ ] $60

**GUEST REGISTRATION (NON-ATTORNEYS):**

**THURSDAY**
- Welcome Reception & Evening Happy Hour (50) [ ]

**FRIDAY**
- Breakfast ($30) [ ]
- Lunch ($40) [ ]
- Awards Dinner ($85) *(Includes Cocktail Hour, 3-Course Plated Dinner, Wine & Entertainment)* [ ]

**SATURDAY**
- Breakfast ($30) [ ]

**GUEST NAME:**

**GUEST TOTAL:** $_____

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**HOTEL ROOMS ARE LIMITED AT THE CHATEAU ON THE LAKE — RESERVE YOUR ROOM AT WWW.KCMBA.ORG**

Please print or type all information and return with your payment to:

KCMBA - 2300 Main St., Ste. 100, Kansas City, MO 64108 or fax to 816-474-0103

Participant Name ____________________________
Firm _________________________________________
Address _______________________________________
City ____________________________ State ____ Zip ______
Cell Phone ____________________________
Email _______________________________________

**TOTAL PAYMENT:** $_____

[ ] American Express  [ ] Discover  [ ] Master Card  [ ] VISA
- [ ] Check No.__________ (Checks payable to KCMBA)

Card No. ____________________________ Exp. Date ______
Cardholder’s Name ____________________________
Cardholder’s Signature ____________________________

Special Accommodations: If you have special requirements, please contact KCMBA prior to the event. Cancellation Policy: Before May 5 refund less $75 administrative fee, after May 5 NO REFUNDS. All registrations for the Other Organized Activities are non-refundable.