

Employment Litigation: Ethical Considerations for In-House Counsel

Hanover Marriott, Whippany, NJ
September 15, 2017

Event Sponsor: Association of Corporate Counsel New Jersey

Jemi Goulian Lucey and **Maja M. Obradovic**, members of the firm's Litigation Department and Employment Law Practice Group, will present a program on "Employment Litigation: Ethical Considerations for In-House Counsel" at the ACC New Jersey chapter's 15th Annual All-Day CLE Conference. Eboneé Hamilton Lewis, Senior Employment Counsel at BD, will also participate as a panelist for the presentation. The conference will be held on Friday, September 15, 2017 from 7:30am – 6:30pm at the Hanover Marriott in Whippany.

In-house counsel face complicated—and often troublesome—ethical considerations when dealing with employment claims and employment litigation. Who is the "client?" Does the "client" change depending upon developments in the litigation? What constitutes a privileged conversation, and how can the privilege be lost? Who is in the "Litigation Control Group?"

This program will explore recurring ethical concerns that impact in-house counsel, including specific issues arising in the employment litigation and pre-litigation context related to:

- Conducting in-house investigations and when to refer an investigation to outside counsel
- In-house fact-finding when employees are represented by counsel
- Concurrently representing a company and one of its managers or officers
- Implementing and enforcing litigation hold notices
- Paper and electronic discovery
- Inadvertent disclosure of privileged documents
- Use of social media and employee privacy concerns

Attorneys

Jemi Goulian Lucey

Maja M. Obradovic

Seminars & Events (Cont.)

The firm's employment attorneys provide representation in state and federal courts, before administrative agencies including the Equal Employment Opportunity Commission (EEOC) and the New Jersey Division on Civil Rights (DCR), and in arbitration proceedings. Our employment litigation experience encompasses the defense of a wide variety of claims, including those related to discrimination, sexual and other types of harassment, unlawful retaliation, whistleblower, wrongful discharge, contract issues, workplace torts, and wage and hour disputes. Our attorneys also handle disputes involving issues under employment and employment-related agreements, including the enforceability of restrictive covenants, and non-competition and non-solicitation provisions.

Additional information on this year's ACCNJ conference at: <http://www.acc.com/chapters/newjersey/index.cfm?eventID=20454>