

LPO SUMMIT

**BEST PRACTICES
FOR DEVELOPING
AND EXECUTING A
LEGAL OUTSOURCING
STRATEGY - CAPTIVE,
OFFSHORE, IN INDIA
AND BEYOND**



September 15-16, 2008 • Marriott East Side • New York, NY

FEATURING CASE STUDY PRESENTATIONS FROM CORPORATE PRACTITIONERS AND LAW FIRM LEADERS, INCLUDING:

- Accenture Legal
- Baker & McKenzie LLP
- Dickstein Shapiro LLP
- Dorsey & Whitney LLP
- Gibson, Dunn & Crutcher LLP
- Greenberg Traurig LLP
- IBM
- ImClone Systems Incorporated
- Kirkland & Ellis LLP
- Marsh & McLennan Companies, Inc.
- Mayer Brown LLP
- Nokia, Inc.
- Pillsbury Winthrop Shaw Pittman LLP
- princeOMC

Discover Real-World Strategies for Initiating and Effectively Managing Legal Outsourcing – Highlights Include:

- First hand client insights into the value proposition and business case for outsourcing legal work
- Current industry trends and how you should capitalize on the escalating opportunities around LPO
- Best practices for conducting due diligence on potential LPO third party service providers
- Understanding the ethical considerations when outsourcing legal services
- Structuring non-disclosure agreements to ensure your obligations for client confidentiality and privacy are met
- Preventing service performance issues to preserve the quality of work product
- Tried and tested strategies for controlling offshore operations remotely
- Examining legal outsourcing infrastructure and technology requirements

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Rave Reviews from our 2008 Inaugural Event:

“Very focused presentations, kept us glued to our seats throughout – job well done!”

– Manager, Legal Projects
INNODATA ISOGEN, INC.

“I have been to many of these and this one is one of the best!”

– Executive Vice President and General Counsel
CAJUN OPERATING COMPANY

“I had a wonderful experience, full of knowledge base in the backdrop of excellent expertise and mechanism”

– Head of Operations, M.K. GHOSH & Co.

Dear Colleague,

Following rave reviews and an overwhelming market response to our inaugural summit held in January, ACI is delighted to announce our next LPO Summit – designed to take you beyond the basics, to tried and tested best practices for developing and executing a legal outsourcing strategy.

As the interest surrounding LPO continues to escalate, don't risk your competitive advantage. Whether you're in-house counsel or with a law firm, if you're charged with evaluating the viability of an outsourcing initiative, this is the event for you. Why? Because **no other conference truly addresses the substantive concerns surrounding LPO – with first-hand insights from those with direct experience.** From selecting which services to outsource, effectively sourcing and selecting the right third-party provider, to structuring an outsourcing agreement which responds to the ethical and risk implications – you'll get all the answers you need here.

Attend the ACI LPO Summit to Improve Resource Allocation, Maximize Efficiencies and Reduce Legal Costs to Gain Competitive Advantage

Unlike lesser events, this agenda is based on in-depth primary market research, to fully address the key concerns and challenges in-house counsel and law firms face when evaluating the viability of legal outsourcing. This agenda is not driven by service providers; in fact, participation by service providers will be limited to the most established and respected organizations. Stay ahead of the latest industry developments and optimize your business practices using the insights shared by market leaders such as:

Accenture Legal | IBM | Baker & McKenzie LLP | Kirkland & Ellis LLP |
Gibson, Dunn & Crutcher, LLP | Greenberg Traurig LLP | Dickstein Shapiro LLP |
Pillsbury Winthrop Shaw Pittman LLP | CPA | Mayer Brown LLP | Nokia, Inc.
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For more information about this program or our global portfolio of events, please contact:

Wendy Tyler

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Executive Vice President, CPA

William B. Bierce
Sourcing Law Attorney, BIERCE & KENERSON, P.C.

Keith D. Weiss, Ph.D
Patent Agent
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Partner, DICKSTEIN SHAPIRO LLP

David Hayes
Partner, DORSEY & WHITNEY LLP

Albert Yuen
of Counsel, GIBSON, DUNN & CRUTCHER LLP

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Shareholder, Intellectual Property and Technology Group,
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Acting Secretary and Chief Compliance Officer
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Senior IPR Litigation Counsel, NOKIA, INC.

Larry Schultis
Global Sourcing
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Attorney, ROBINS, KAPLAN, MILLER & CIRESI LLP

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Partner, SEYFARTH SHAW LLP

Bill Huber
Director, TPI

Daniel Reed
Chief Executive Officer, UNITEDLEX CORPORATION

Danny Ertel
Partner, VANTAGE PARTNERS

Michael Roman Geske
Chief Operating Officer, APHELION LEGAL SOLUTIONS

Who You Will Meet

- In-House Counsel with responsibility for outsourced legal work
- Law Firm Managing Partners, CFO and COO
- Private Practice Attorneys specializing in:
 - Intellectual Property
 - Patent Litigation
 - Legal Process Outsourcing
- VPs and Directors of Outsourcing

Register now: 888-224-2480 Fax: 877-927-1563 AmericanConference.com/LPO

Getting to Grips with Outsourcing your Legal Services Offshore: The A-Z of Negotiating, Enacting and Managing Outsourcing Relationships

Workshop registration will take place from 8:00-9:00. The workshop will run from 9:00-12:00.

If your in-house counsel or law firm is in the preliminary stages of evaluating the viability of offshore outsourcing, you should attend this soup-to-nuts educational session. The speakers will address the fundamentals of legal outsourcing to ensure you have a knowledge foundation and an understanding of the main elements prior to the start of the main conference. The workshop will feature a more intimate, interactive setting than the main conference, thus allowing you the opportunity to interact one-on-one with the presenters and your fellow participants, and contribute to the overall discussion. In a roundtable, the speakers will address the following issues:

- Evaluating the type of work that can or should be outsourced
 - Support practices versus front office/client facing services
- Examining the current sourcing methods and models used for legal outsourcing

- Onshore – captive
- Onshore –outsourcing
- Offshore – own captive
- Offshore - outsource
- Enacting an outsourcing initiative
 - Sourcing and selecting a provider/partner
 - Negotiating an outsourcing agreement that complies with your obligations for privacy and client confidentiality
 - Change management - achieving firm-wide buy in and a cohesive outsourcing strategy
- Establishing benchmarks and metrics to measure success or failure

Visit www.AmericanConference.com/LPO for details of the workshop leaders.

Lunch will be served from 12:00-1:00 for workshop attendees prior to the start of the conference

Main Conference

12:00 Conference Registration

1:00 Chairman's Opening Remarks

David Hayes

Partner, DORSEY & WHITNEY LLP

1:10 The State of the LPO Market: Current Trends, Viability and Adoption Rates

- Identifying the primary drivers behind legal outsourcing for:
 - In-house counsel
 - Law firms
- Examining recent trends in the type of services being outsourced
 - Practice or administrative support functions
 - Legal processes
 - Specialized legal services
- Quantifying the value proposition of legal outsourcing
 - Projected cost savings
 - Improved resource allocation
 - Revenue growth
 - Increased competitive advantage
- Evaluating the scope and length of outsourcing projects – does this equate to increased confidence in legal process outsourcing?

Jack Diggle

Consultant, PRINCEOMC

princeOMC is a management consultancy offering independent strategy and implementation support to law firms and investment banks on outsourcing and offshoring.

1:50 LPO Business Models: Determining which Makes Most Sense for your Business Needs and Goals

- Examining the associated costs, cost savings and tax advantages for:
 - Domestic captive
 - Offshore captive
 - Third party LPO service providers

- Considerations when leveraging a global labor pool
 - Hiring and managing remote workers
 - Controlling process, quality and training
- What are the typical transition processes and timelines?
- Evaluating the viability of a domestic captive center versus an offshore center
 - Lower costs available in the mid-west
 - Time zone advantage
 - Opportunity to employ local resources
- Determining whether India is an appropriateness offshore location for your business goals
 - Cost analysis
 - The availability of a qualified labor pool
 - The rate of attrition
- What other offshore locations are being utilized or should be considered?

Valerie Demont

Partner, BAKER & MCKENZIE, LLP

William B. Bierce

Sourcing Law Attorney, BIERCE & KENERSON, P.C.

Julie Nelson

General Counsel Litigation, CITICORP, INC. (to be confirmed)

2:50 Networking and Refreshment Break

3:20 Case Studies: Why In-House Counsel Have, or Have Not, Bought into LPO

Making the business case is the first step for in-house counsel and law firms exploring the viability of legal outsourcing. While each organization will its own rationale and set of circumstances, there are common concerns surrounding LPO. What are the first steps to initiative an outsourcing strategy? How should it be structured and managed? What are the legal issues? How to choose a service provider? How do you measure success? In this panel discussion, speakers with first hand experience of LPO, some good, some bad, will share their perspectives and offer advice and best practices for ensuring LPO success. Issues to be addressed include what a law firm versus in-house counsel need to consider, and what information or metrics service providers should deliver to achieve potential client buy-in.

Moderator:

Keith D. Weiss, Ph.D.

Patent Agent

BRINKS, HOFER, GILSON & LIONE

Panelists:

Fauzia Zamen-Malik

Outsourcing Offering Counsel - Global Accenture Legal

ACCENTURE INSURANCE SERVICES

Gregory Mayes

Vice President, Interim General Counsel

Acting Secretary and Chief Compliance Officer

IMCLONE SYSTEMS INCORPORATED

Lucy Fato

Deputy General Counsel & Corporate Secretary

MARSH & MCLENNAN COMPANIES, INC.

David L. Cohen

Senior IPR Litigation Counsel

NOKIA, INC.

4:20 Determining the Hallmarks of a Successful Outsourcing Initiative - Selecting Services to Outsource

- Identifying the characteristics of services that have been outsourced thus far:
 - High demand
 - Scalable
 - Lower risk
- Evaluating the type of work that is most susceptible to outsourcing
 - Corporate
 - Intellectual property and patent litigation
 - Litigation and e-discovery
 - Research
 - Database technology
- Where have the greatest efficiencies and cost savings been realized?
- Determining what services to outsource first, and how to know when you're ready to expand that scope
 - Practice support services versus legal processes

Brian Gannon

Partner, SEYFARTH SHAW LLP

5:00 Chairman's Closing Remarks and End of Conference Day One

Day Two - Tuesday, September 16, 2008

9:00 Chairman's Recap of Day One

David Hayes

Partner, DORSEY & WHITNEY LLP

9:10 Questions to Ask and Key Expectations to Establish Before Selecting a LPO Service Provider

- When establishing an LPO relationship, buyers tend to focus on the answers to three key questions:
 - How much will it cost?
 - How well will the provider be able to deliver?
 - What's it going to be like to work with them?

Traditional due diligence and contracting will help buyers answer the first two questions, but what about the third? Beyond a vague sense for "cultural fit," how can companies formally assess relationship management and governance capability as part of the selection process? What questions need to be asked to ensure that you choose the right provider? How can companies use the RFP and selection process to put in place the kind of relationship necessary for effective implementation?

Chris Veator

Executive Vice President, CPA

Danny Ertel

Partner, VANTAGE PARTNERS

9:50 Papering the Transaction - Best Practices for Structuring and Negotiating your Outsourcing Agreement

- Structuring confidentiality and non-disclosure agreements to ensure your obligations for client confidentiality and privacy are met
- Beyond the master agreement – establishing service-level benchmarks
 - What type of service level agreements is appropriate?
 - What current benchmarks or provisions are being used in the market?
 - Establishing penalties for breach
 - Highlighting specific examples of service level agreements
- Defining IP rights
 - What is the industry standard?
 - How to weak for specific circumstances
- Audit rights – what should the contract demand or allow for?
- Drafting provisions that will ensure knowledge transfer and a timeframe for phasing it in
- Leveraging U.S.-India tax agreements when constructing your outsourcing contract
- What to do if a security breach occurs
 - When to notify clients
 - Restoring client confidence
 - Determining who bears fault – and steps to take thereafter
- Thinking ahead – incorporating wind down provisions
 - What happens when terminate the relationship – what is the process?
 - Different termination scenarios

Larry Schultis

Global Sourcing

PILLSBURY WINTHROP SHAW PITTMAN LLP

Greg Kirchhoefer

Senior Partner, Outsourcing and Technology Practice

KIRKLAND & ELLIS LLP

10:50 Networking and Refreshment Break

11:10 Achieving Firm Wide Buy-In: Incorporating Change Management to Successfully Develop and Execute Your Legal Outsourcing Strategy

- Communicating the advantages of building offshore resources as a means to achieve overall resource allocation efficiency
- Securing appropriate management buy-in to aid in the successful adoption of legal outsourcing
- Overcoming employee feelings around a loss of control – strategies for getting users to adapt and embrace new ways of working
- Instilling acceptance of change within your in-house counsel or firm to overcome resistance to legal outsourcing

Bill Huber

Director, TPI

11:50 Ethical Considerations when Outsourcing Legal Services

- Examining the ethical issues regarding outsourcing legal work to India
 - Unauthorized practice of law
 - Duty to supervise
 - Attorney-client privilege
 - Confidentiality
 - Client conflicts of interest
 - Data and personnel security
 - Export control compliance (patent specific)
 - Document retention
 - Billing issues for private practitioners
- State Bar Association issued opinions regarding the outsourcing of legal services and the unauthorized practice of law
- Liability questions with respect to malpractice coverage

Keith D. Weiss, Ph.D.

Patent Agent

BRINKS, HOFER, GILSON & LIONE

Jon Grossman

Partner, DICKSTEIN SHAPIRO LLP

Michael Roman Geske

Chief Operating Officer, APHELION LEGAL SOLUTIONS

12:50 Networking Luncheon for Speakers and Attendees

2:00 Preserving Quality of Service and Work Product in LPO

- Developing a risk allocation framework to control or mitigate the risks surrounding LPO
- Controlling offshore operations remotely – incorporating strategies to overcome quality control challenges:
 - Cultural differences
 - Linguistic issues
 - Training
- Best practices for handling day-to-day operations
 - Instituting and maintaining proper communication channels for daily administration and quality controls
 - Resolving problems and extreme situations while avoiding business disruption
 - Tried and tested methods and metrics to evaluate and monitor quality, and to ensure accountability
- Establishing conflict resolution procedures
 - What you need to know about utilizing commercial dispute resolutions overseas to enforce commercial rights and litigation
- Business continuity planning and disaster recovery to protect customer and company information in your partner's hands

Sonia Baldia

Partner, Business & Technology Sourcing
MAYER BROWN LLP

2:40 Avoiding the Potential Pitfalls in Litigation where Work has been Outsourced

Ronald J. Schutz

Attorney

ROBINS, KAPLAN, MILLER & CIRESI LLP

3:20 Networking and Refreshment Break

3:40 Preventing Service Performance Issues Caused by Third Party Provider Employees

- Examining potential vendor personnel problems which could negatively impact outsourced services

- Unqualified hires
- Attrition
- Poor performance
- Lack of motivation
- Incorporating service performance into your outsourcing agreement to prevent vendor personnel issues
 - Requisite skill covenants
 - Skill set requirements
 - Screening requirements
 - Anti-turnover provisions
 - Incentive bonuses
 - Removal rights
 - Security levels
 - Indemnification requirements
- Incentivizing vendors to select and maintain an appropriate workforce to satisfy your organization's goals in outsourced services
 - Implementing discretionary work as a way to offer career development and prevent attrition

Albert Yuen

of Counsel

GIBSON, DUNN & CRUTCHER LLP

4:20 Case Studies in Legal Outsourcing: What Works, What does not, and Why

- Real world examples of why legal process outsourcing succeeds and fails
- The good, the bad and the ugly in the preparation of legal outsourcing initiatives - case study examples of the launch of LPO initiatives
- Practical explanations and advice on the types of solutions and technology being used within legal outsourcing
- Examining the basic mechanics and implications of linking two organizations that can be half way around the world

Carole Aciman

Shareholder, Intellectual Property and Technology Group
GREENBERG TRAURIG LLP

Arthur Kentros

Vice President, Global Business Development
IBM GLOBAL SERVICES

Daniel Reed

Chief Executive Officer, UNITEDLEX CORPORATION

5:20 Chairman's Closing Remarks, End of Conference

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September 15-16, 2008 • Marriott East Side • New York, NY

PRE-CONFERENCE WORKSHOP:

Getting to Grips with Outsourcing your Legal Services Offshore: The A-Z of Negotiating, Enacting and Managing Outsourcing Relationships

Monday September 15, 2008

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