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All programs will be held at Jones Day’s Washington Office.

*If you have any questions, please contact Anu Vermani at avermani@jonesday.com or 202-879-3987.*
Government spending is increasing at a staggering rate. Trillions of taxpayer dollars have been spent—and will be spent—on defense, health care, transportation, alternative energy, infrastructure, and other industries. Invariably, such spending will lead to accusations that some of the companies and individuals who received government funds are guilty of fraud, waste, and abuse. Politicians, law enforcement, plaintiffs’ lawyers, and the media can be quick to conclude that many of those who do business with the government are really just stealing from the public fisc.

The recently enacted American Recovery and Reinvestment Act incorporates a host of unique reporting requirements for companies working on projects financed with Recovery Act funds as well as protections for whistleblowers. The federal government has articulated a clear determination to rely on the aggressive activities of Inspectors General to police the expenditure of federal funds and to combat waste and abuse, and Congress has announced its intent to monitor the increased spending as well. Companies that receive federal funds or participate in federally funded projects are squarely in the cross hairs of these federal investigators.

For companies that receive federal funds, whether directly or indirectly, responding effectively to government investigations begins with careful planning. Rather than wait for the subpoena or lawsuit to arrive, proactive organizations will take the time now to understand the requirements and related enforcement mechanisms and to examine government priorities for clues regarding their own risks. This discussion will provide the latest update on the industries likely to be targeted by the government and the tools the government intends to employ in the investigations that are certain to come.

Responding to Government Investigations: Inspectors General, Whistleblowers, and the False Claims Act

WEDNESDAY, JUNE 10, 2009
8:00 a.m. – 10:00 a.m.
(CLE credit approval pending)

**Speakers**

**Chris Cook** (Washington) is a white-collar defense lawyer who frequently represents corporations in False Claims Act litigation. For the last 12 years, he has responded to a series of Inspector General and Department of Justice investigations, many involving federal health care programs. Before joining Jones Day, Chris was an Assistant United States Attorney in Chicago.

**Peter Garvin** (Washington) is the senior partner in the Firm’s Government Contracts practice. He has almost 30 years’ experience counseling clients on the unique requirements that apply to government contractors and grantees and defending clients that are the subject of federal audits, investigations, and whistleblower lawsuits.

**Bill O’Reilly** (Washington) defends corporations and individuals in government investigations, with a particular focus on congressional inquiries. From January 2006 to August 2008, he served as chief counsel and staff director for the U.S. House of Representatives’ Committee on Standards of Official Conduct (commonly referred to as the House Ethics Committee).

**Peter Romatowski** (Washington) has been practicing white-collar defense for more than 30 years. He has represented corporate and individual clients in matters that include allegations of false claims and procurement fraud. A former federal prosecutor in the Southern District of New York, Peter currently oversees the Firm’s SEC Enforcement practice.

Register at [www.jddata.com/dcexecutiveroundtable/home.html](http://www.jddata.com/dcexecutiveroundtable/home.html)
The continuing economic turmoil presents both formidable obstacles and significant opportunities for most companies. Capital-raising and M&A activities critical to sustaining and promoting growth are under severe stress but will inevitably rebound. This discussion will focus on current developments in both areas. Given the likelihood of fast-breaking and perhaps unpredictable developments between now and September, we will tailor the discussion to address the concerns that are most pressing at the end of this summer. We expect to cover key strategies for raising capital in turbulent markets, in addition to trends and market terms in the M&A arena.

Our discussion will feature a prominent speaker to be announced later this summer. Andrew Sherman and John Welch, both of whom are senior M&A/corporate partners resident in our Washington Office, will cochair this presentation.

Andrew Sherman (Washington) focuses his practice on issues affecting business growth for companies at all stages, including the development of strategies to leverage intellectual property and technology assets. He also counsels clients on such issues as franchising, licensing, joint ventures, strategic alliances, capital formation, distribution channels, technology development, and mergers and acquisitions. Andrew is the author of numerous books and articles on these and related topics.

John Welch (Washington) regularly counsels clients on a broad range of areas, including mergers and acquisitions, corporate governance, joint ventures, and financings. Having practiced in Washington, London, and Los Angeles, he has substantial experience across a wide array of industries, including defense and aerospace, telecommunications, energy, and financial services. John also has served as general counsel and as a business executive.
Section 337 of the Tariff Act of 1930, which prohibits unfair acts and competition in the importation of goods into the United States, is a powerful weapon in an IP owner's arsenal against infringers and one that parties named as respondents need to take seriously. Combining broad in rem jurisdiction with a statutorily mandated “rocket docket,” the International Trade Commission can exclude infringing products from the United States in as little as 12 months. This potent combination of power and speed has made the ITC the new forum of choice for high-stakes infringement actions. The ITC’s unique rules and remedies make it important for companies bringing these cases or those named as respondents to retain counsel with substantial experience in this forum.

The panel will provide a general understanding of Section 337 investigations, compare and contrast them with a typical district court infringement action, and discuss the unique remedies available to the Section 337 litigant. The panel will also discuss the effect of the Federal Circuit’s recent landmark decision in Kyocera Wireless Corp. v. International Trade Commission.

**Speakers**

**Eric Namrow** (Washington) has extensive experience appearing in Section 337 proceedings before the International Trade Commission and is the cochair of Jones Day’s ITC practice. Eric has represented complainants and respondents in ITC investigations, and he regularly counsels international companies regarding ITC process and procedure. Eric has lectured widely in the U.S., Europe, Asia, and the Middle East regarding Section 337 investigations in the ITC.

**David Maiorana** (Cleveland) represents clients in the area of intellectual property law, focusing primarily on patent infringement litigation and counseling. He has significant experience in Section 337 investigations before the International Trade Commission and is the cochair of Jones Day’s ITC practice. His experience includes all facets of patent infringement litigation, from pre-complaint investigation to appeals to the Court of Appeals for the Federal Circuit and the U.S. Supreme Court.

**Ryan McCrum** (Cleveland) practices in the area of intellectual property law, focusing primarily on patent infringement litigation and counseling. Ryan has extensive experience representing clients in U.S. district and appellate courts as well as before the International Trade Commission. Ryan’s experience includes alternative dispute resolution of intellectual property matters and preparation of legal opinions on freedom to practice, invalidity, and noninfringement.

**Ric MacChiaroli** (Washington) focuses on complex intellectual property litigation before the United States International Trade Commission and federal district courts, with an emphasis on patent-related Section 337 investigations. He has represented complainants and respondents in numerous Section 337 investigations and has experience in virtually all aspects of those proceedings, as well as the post-investigation enforcement of, and response to, ITC remedial orders.

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Federal energy policy is now squarely focused on renewable energy and climate change. This focus can be seen in President Obama’s proposed budget, which assumes that the federal government will collect more than $600 billion in “climate revenues” between 2012 and 2019 from a cap-and-trade greenhouse gas emission regime, and in congressional funding of substantial grants, loan guarantees, and tax incentives for renewable energy investments in the American Recovery and Reinvestment Act of 2009. In April, the Federal Energy Regulatory Commission established a new Office of Energy Policy and Innovation to address, in addition to issues of traditional concern to FERC, the policy implications of climate change, renewable resources, energy efficiency, and development of a “smart grid.”

Our panel will discuss recent congressional and regulatory initiatives affecting renewable energy projects and transactions, as well as factors that will boost or impede the growth of the renewable energy sector.

**Update on Renewable Energy and Climate Change Initiatives**

**TUESDAY, NOVEMBER 10, 2009**
10:00 a.m. – 12:00 noon
(CLE credit approval pending)

**Speakers**

**Kevin McIntyre** (Washington) works in energy law and has represented clients in a variety of energy-related areas, principally relating to federal and state regulation of the services, rates, and facilities of natural gas pipelines and electric utility companies. He also has experience in utility mergers, market-based rate proceedings, development of nonutility electric generating facilities, certification of exempt wholesale generators, and hydroelectric licensing and compliance matters. He has represented clients in numerous proceedings before regulatory bodies (primarily the Federal Energy Regulatory Commission) and appellate courts.

**Dickson Chin** (New York) represents clients in energy-related transactions in over-the-counter forward and derivatives transactions involving all types of commodities and related environmental products, including renewable energy certificates, carbon offsets, and emission allowances. He also advises clients on the development of wind, biogas, biomass, and solar projects.

**Charles Wehland** (Chicago) focuses his practice on environmental issues that affect energy and utility companies. These cases have involved greenhouse gas emissions from electric power plants, Clean Air Act permits, and responsibility for the cleanup of contaminated drinking water wells and river sediments. He also defends clients against criminal and civil government enforcement proceedings.

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The arrival of the new administration has brought significant changes to the tax laws and increases the likelihood of fundamental tax reform in the near future. Further, current economic conditions bring to the forefront tax issues that are fundamental to the survival of both large and small businesses, including debt restructuring, acquisition structures, and disposition methods. The tax costs associated with these and other events can have a significant impact on the financial success of your business. The discussion will focus primarily on acquisition and disposition techniques that can help reduce tax costs, the potential cancellation of indebtedness income in certain debt restructurings, and other business-related tax issues. In addition, due to the likelihood of the enactment of new tax laws by the end of 2009, we will review the latest changes in the tax laws and their effect on companies doing business in the United States. Our speakers, who are in regular contact with U.S. Treasury and IRS officials, will also give their views on possible tax-law changes that may impact your business.

**Navigating the Tax Laws Under Current Economic Conditions:**

What the New Administration Is Doing and What the Future May Hold for Businesses

**Speakers**

**Edward T. Kennedy** (New York) works on the cross-border aspects of federal and international taxation, with a principal focus on tax and business issues encountered by both U.S.-based multinational corporations and foreign entities making inbound investments in the United States, including stock, securities, partnerships, and real estate. Ed also has extensive experience representing private equity and venture capital funds as well as closely held businesses, from start-up to ultimate acquisition or public offering.

**Scott M. Levine** (Washington) advises clients on the tax aspects of corporate transactions, including international and domestic mergers and acquisitions, leveraged buyouts, spinoffs and other divestitures, restructurings, financings, and joint ventures. Scott also has significant experience representing small to mid-size companies in their efforts to raise capital, acquire new businesses, and expand into international markets. Scott was an adjunct professor at George Mason University School of Law, where he taught courses on corporate and international taxation. He has lectured at internal continuing professional education programs and participated as a panelist in programs covering a wide range of topics, from corporate tax to electronic commerce issues.

**Candace A. Ridgway** (Washington) focuses on corporate and general business tax law. Candy has extensive experience advising clients on the most tax-efficient structures for corporate transactions, including reorganizations and other transactions undertaken by corporations in bankruptcy. She is the author of three BNA Tax Management Portfolios, including one on corporate bankruptcy issues. In addition, she has authored a number of BNA Tax Management Memoranda and other articles on spinoffs, corporate reorganizations, and bankruptcy issues. As an adjunct professor at Georgetown University Law Center, she has taught “Tax Planning for Corporate Acquisitions and Dispositions” in the Master of Laws in Taxation program.

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