The Price of Success: How Publishing a Bestseller or Producing a Blockbuster Film Can Place You in the Litigation Crosshairs

Friday April 17, 2009
InterContinental Hotel at the Plaza
Kansas City, Missouri

Featuring:
- The Hon. Alex Kozinski, Chief Judge, U.S. Court of Appeals for the 9th Circuit
- Glenn McCoy, award-winning syndicated editorial cartoonist
- Chip Cronkite, documentarian
- Larry Worrall, founder of Media/Professional Insurance and First Media

Schedule Includes:
- All Things BORAT!
- Why Best-Selling Authors Are Litigation Magnets
- Copyright Infringement and Other IP Perils for Film Documentarians
- A Short History of Libel Insurance
- Has the Success of CDA Section 230 Imperiled Its Very Existence?

NEW! Bonus Program on April 16
- “Global Warming in the Mobile Ecosystem”
  Compliance and litigation issues related to mobile-phone marketing. Free one-hour CLE.

Sponsors: The Kansas City Metropolitan Bar Association Media Law Committee and University of Kansas School of Law
Contributors: Media/Professional Insurance, First Media Insurance Specialists, Inc., Universal Press Syndicate, ABA TIPS Media, Privacy and Defamation Law Committee, and K.C. Impact Fund
Coordinated by: University of Kansas Continuing Education

www.ContinuingEd.ku.edu (keyword: law)
Thursday, April 16

4–5 p.m. Bonus Program: Global Warming in the Mobile Ecosystem (free CLE)

Friday, April 17

7 a.m. Registration & Continental Breakfast

Perspectives on Reporter’s Privilege
(One-hour CLE credit is pending. This breakfast-hour discussion is open to all seminar attendees.)
Trends in protection for confidential sources will be discussed.

Moderator: Sam L. Colville, Holman Hansen & Colville, P.C., Overland Park, Kansas. (Program support provided by the MLRC Institute in conjunction with the McCormick Foundation.)

8:05 a.m. Welcome

Pat Groshong, Chair, Media & the Law Committee, Assistant Vice President, Media/Professional Insurance, Kansas City, Mo.

Seminar Moderator: Mike Kautsch, Professor, Media, Law & Policy, University of Kansas School of Law, Lawrence, Kan.

8:15 a.m. PANEL 1. Stories from the Literary Trenches: Why Best-Selling Authors Such As John Grisham and Dan Brown Are Litigation Magnets

Moderator: Mike DiSilvestro, Media/Professional Insurance, Kansas City, Mo.

Elizabeth A. McNamara, Partner, Davis Wright Tremaine LLP, New York, N.Y.

Robert D. Nelos, Partner, Hall Estill, Oklahoma City, Okla.

9:05 a.m. Q & A

9:15 a.m. PANEL 2. Imagine There’s a Lawsuit: Copyright Infringement and Other IP Perils for Film Documentarians

Moderator: Michael Donaldson, Partner, Donaldson & Calif, Beverly Hills, Calif.

Chip Cronkite, Documentarian

Karen Shatzkin, Partner, Shatzkin & Mayer P.C., New York, N.Y.

Chris Hegedus, Producer, Pennebaker Hegedus Films, Inc, New York, N.Y.

10:05 a.m. Q & A

10:15 a.m. Break

10:30 a.m. PANEL 3. The Communications Decency Act: Has the Overwhelming Success of Section 230 Immunity Imperiled Its Very Existence?

Moderator: Tom Kelley, Partner, Levine Sullivan Koch & Schulz LLP, Denver, Colo.

The Hon. Alex Kozinski, Chief Judge, U.S. Court of Appeals for the 9th Circuit, Pasadena, Calif.

Roger R. Myers, Partner, Holmes Roberts & Owen LLP, San Francisco, Calif.

Nancy Kim, Associate Professor of Law, California Western School of Law, San Diego, Calif.

11:20 a.m. Q & A

11:30 a.m. Luncheon Address: Glenn McCoy

1:00 p.m. PANEL 4. Spoiler Alert: 50 Years of Movie Lawyer Ethics

John Koski, General Counsel and Partner, Sonnenschein Nath & Rosenthal LLP, Chicago, Ill.

1:50 p.m. Q & A

2:00 p.m. PANEL 5. A Short History of Libel Insurance: Who Is William Allen White, and Why Am I in Kansas City?

Moderator: Chad Milton, National Practice Leader, Media Liability, Marsh, Kansas City, Mo.

Larry Worrall, Founder of Media/Professional Insurance and First Media, Kansas City, Mo.

Jim Rittinger, Partner, Satterlee Stephens Burke & Burke LLP, New York, N.Y.

2:50 p.m. Q & A

3:00 p.m. Break

3:15 p.m. PANEL 6. All Things Borat!: Legal Learnings of America for Make Benefit Glorious Media Lawyers

Moderator: Lou Petrich, Partner, Leopold Petrich & Smith, Los Angeles, Calif.

Kate Bolger, Partner, Hogan & Hartson, New York, N.Y.

Banks Sewell, Partner, Lightfoot, Franklin White LLC, Birmingham, Ala.

Russell Smith, Partner, Smith Dehn, New York, N.Y.

Joan Hansen, Production Counsel for Borat!, Twentieth Century Fox and New Regency Productions, Los Angeles, Calif.

4:05 p.m. Q & A

4:15 p.m. Closing Remarks

4:20 p.m. Adjourn

4:30– 6:30 p.m. Beer & Wine Reception at the InterContinental Rooftop Lounge

Sponsored by ABA TIPS Media, Privacy & Defamation Law Committee: Sonnenschein Nath & Rosenthal LLP; Sedgwick, Detert, Moran & Arnold; Lathrop & Gage
NEW FOR 2009: A free one-hour CLE
“Global Warming in the Mobile Ecosystem”

The KCMBA Media Law Committee and the ABA TIPS Media, Privacy and Defamation Law Committee are presenting a free one-hour CLE on Thursday, April 16 from 4–5 p.m. This CLE will feature an expert panel that specializes in compliance and litigation issues related to mobile-phone marketing.

The rapid expansion and evolution of the mobile-marketing industry and its related legal issues make this CLE an important must-attend event for both Media and the Law Seminar registrants and in-house counsel from Kansas City-area companies. All are welcome to attend.

PROGRAM OVERVIEW

In the fall of 2006, the film Borat! burst onto the scene, grossing over $26 million in its opening weekend. Within weeks, litigants were lining up in an attempt to cash in on the film’s success. The film’s producers were repeatedly sued for defamation, copyright infringement, and invasion of privacy. While these cases were ultimately dismissed, the filmmakers were forced to spend time and money defending these cases. Borat! is just one example of how successful movies and books become magnets for litigation. How do writers and filmmakers—as well as their lawyers—avoid the legal pitfalls that often accompany success?

LUNCHEON SPEAKER: GLENN MCCOY

Glenn McCoy is a syndicated editorial cartoonist whose work has appeared in numerous publications, including The New York Times, USA Today and Newsweek. The National Cartoonist Society has twice named McCoy the Magazine Cartoonist of the Year, and he also has won the Editorial Cartoonist of the Year and Greeting Card Cartoonist of the Year awards. He is the first recipient to be honored in all three categories. McCoy has also designed and written for several animation studios, including Dreamworks SKG, Film Roman, and Walt Disney TV and Feature Animation.

CLE CREDIT

Seven CLE credit hours, including one-hour of ethics, have been approved by the Kansas CLE Commission. Seven hours of credit also are approved by Missouri, New York and California. CLE credit is pending in Illinois.

The seminar support staff will provide assistance on site to attendees who plan to apply for CLE credit from other jurisdictions.

LODGING

A block of rooms has been reserved at the InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Missouri until 5 p.m., March 16, 2009. After that date, room availability and rate cannot be guaranteed. Please make your reservations by calling 1-866-856-9717, or register online at www.intercontinental.com/kansascity. To receive the special seminar rate of $169, mention that you will be attending the University of Kansas Media and the Law Seminar. If you register online, you will need to use the group code ML9 to receive the special rate.

REGISTRATION & FEES

The registration fee includes panel instruction, materials, luncheon and refreshments.

- KCMA Lawyer ................................................................. $325
- Non-KCMA Lawyer (registration by March 20) ............ $350
- Non-KCMA Lawyer (registration after March 20) ...... $400
- Journalist Media ............................................................... $60
- Educator ....................................................................... $60
- Member of the public ...................................................... $110
- Full-time student .......................................................... $55
- Luncheon only (available after March 20; preference will be given to seminar registrants) ............ $50

Vegetarian option available. Please indicate on registration form.

LOCATION & PARKING

InterContinental Kansas City at the Plaza
401 Ward Parkway, Kansas City, Missouri

Hotel guest valet parking is $17 a day or self-park for $11 a day. Participants commuting to the seminar can park during the day at the InterContinental at no cost.

KANSAS CITY ATTRACTIONS

Thinking of enjoying the weekend in Kansas City after the seminar? Attractions include:
- Country Club Plaza — Across the street from the InterContinental Kansas City at the Plaza, the 15-block district is one of Kansas City’s popular retail, dining and entertainment destinations. Visit www.countryclubplaza.com.
- Additional information on Kansas City events, visit www.kansascity.com.

Privacy Policy

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Program Accessibility

We accommodate persons with disabilities. Please call 785-864-5823 or mark the space on the registration form, and a KU Continuing Education representative will contact you to discuss your needs. To ensure accommodation, please register at least two weeks before the start of the Media and the Law Seminar.

The University of Kansas is committed to providing programs and activities to all persons, regardless of race, religion, color, national origin, ancestry, sex, age, disability, and veteran status. In addition, university policies prohibit discrimination on the basis of sexual orientation, marital status, and parental status.

Refund and Cancellation Policy

A full refund of registration fees, less a $50 administrative fee, will be available if requested in writing and received by April 10, 2009. No refunds will be made after that date. A $30 fee also will be charged for returned checks. (Please note that if you fail to cancel by the deadline and do not attend, you are still responsible for payment.) KU Continuing Education reserves the right to cancel the Media and the Law Seminar and return all fees in the event of insufficient registration. The liability of the University of Kansas is limited to the registration fee. The University of Kansas will not be responsible for any losses incurred by registrants, including but not limited to airline cancellation charges or hotel deposits.
**REGISTER NOW!**

“Lively panels, great visual aids and video clips, and one of the best ethics panels I’ve seen. Thoroughly enjoyed the conference.”

*Leita Walker, Attorney, Minneapolis, Minn.*

“This is one of the most informative, enjoyable, and well-organized media law seminars. A must-attend educational opportunity for every media law professional.”

*Charles Tobin, Attorney, Washington, D.C.*

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### Fees

- **April 16—Pre-Conference CLE**
  - Free one-hour CLE “Global Warming in the Mobile Ecosystem” $0

- **April 17**
  - KCMA Lawyer $325
  - Non-KCMA Lawyer (registration by March 20, 2009) $350
  - Non-KCMA Lawyer (registration after March 20, 2009) $400
  - Journalist Media $60
  - Educator $60
  - Member of the public $110
  - Full-time student $55
  - Luncheon only (available after March 20, 2009; preference will be given to seminar registrants) $50

**Total due $_________**

- Luncheon Vegetarian Option $0

**Payment**

- Check enclosed. Make payable to the University of Kansas.
- Charge to: Credit card company Name on card (print)
  - Card # ________________   Exp. ____________________

**Preferred Means of Communication**

- Please continue to send KUCE information by (check all that apply): 
  - Mail  
  - E-mail  
  - Fax  
  - Please remove my name from the mailing list.

**Easy Ways to Register**

- Mail: Complete the registration form and mail with payment to: The University of Kansas Continuing Education Registrations 1515 St. Andrews Drive Lawrence, Kansas 66047-1625
- Phone: Toll-free 877-404-KUCE (5823) or 785-864-KUCE (5823)
- Fax: 785-864-4871
- TDD: 800-766-3777
- Web: www.ContinuingEd.ku.edu (keyword: law)

**Special Accommodation**

- If you need special accommodation, please mark the box above, and a member of the Continuing Education staff will contact you. AA096040/JCN090402