Fair Play or Out of Bounds?

The Use and Abuse of the First Amendment in Sports, Entertainment and Popular Culture

Friday, April 29, 2016 | 8:00 a.m. – 4:15 p.m.
InterContinental Hotel at the Plaza, Kansas City, Missouri
law.ku.edu/media-law-seminar

BONUS SESSION*  Lights! Action! Insurance!

Insuring Sports, Stars and Super Events
Thursday, April 28, 4–5:45 p.m.

*Free when attending the Friday program | (2 hours CE & 2 hours CLE)
Each year, the University of Kansas School of Law and the Kansas City Metropolitan Bar Association Media Law Committee host the Media and the Law Seminar in Kansas City, along with other local events, to facilitate and encourage dialogue about the latest legal issues and developments in media, law, and technology.

Program Overview

Lawyers know that having fun can be hard work. While sports, entertainment, and the Internet may be diversions that most folks use to unwind, they are rife with potential legal pitfalls for media entities, artists, and fans alike. The current state of pop culture—and the way we talk about it online—is quickly changing the legal landscape on important issues like defamation, privacy, and intellectual property. At this year’s conference, we will focus on the intersection of law and pop culture, discussing topics such as right of publicity issues related to NCAA athletes in video games and creative works, lessons to be learned from high-profile trials that feature celebrity plaintiffs, protecting free speech rights in the era of Internet lynch mobs and online harassment, and more.

CLE Credit  A total of 9 CLE credit hours, including one hour of ethics, has been approved by the Kansas CLE Commission, as well as in Missouri, New York and California. The seminar support staff will provide on-site assistance 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, Mo., until 5 p.m., March 28, 2016. After that date, room availability and rate cannot be guaranteed. Make reservations by calling 866-856-9717, or reserve your room online at www.kansascityic.com. To receive the special seminar rate of $189, mention that you will be attending the University of Kansas Media and the Law Seminar or use the group code M16 when registering online.

Location & Parking  InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Missouri. Hotel guest valet parking is $20 a day or self-park for $15 a day. Participants commuting to the seminar can park during the day at the InterContinental at no cost.

Sponsors

The Kansas City Metropolitan Bar Association Media Law Committee and University of Kansas School of Law

Contributors

AXIS Insurance; Fox Rothschild LLP; Holland & Knight LLP; Katten Muchin Rosenman LLP; KU School of Law Media, Law and Technology Program (In memory of Landon Rowland); Larry Worrall; Lathrop & Gage LLP; Levine Sullivan Koch & Schulz LLP; OneBeacon Technology Insurance; Satterlee Stephens Burke & Burke LLP; Vedder Price; and the Media, Privacy and Advertising Law Committee of the Tort, Trial and Insurance Practice Section of the ABA

Coordinated by

University of Kansas Professional & Continuing Education law.ku.edu/media-law-seminar
Thursday, April 28
4-5:45 p.m.  **BONUS SESSION**
*Lights! Action! Insurance! Insuring Sports, Stars and Super Events*
2 hours CE & 2 hours CLE
(A program jointly sponsored by the KC MBA and the Media, Privacy and Advertising Law Committee of the ABA/TIPS)
*Free when attending the Friday program
**Moderator:** Tom Curley, Partner, Levine Sullivan Koch & Schulz, LLP, Washington, DC
**Panelists:** Emily Caron, Vice President, Media Liability Claims, OneBeacon Technology Insurance, Overland Park, KS; Robert Frost, President, Frost Specialty, Inc., Nashville, TN; Bob Latham, Partner, Jackson Walker LLP, Dallas, TX; Judith E. Pottorff, Corporate Counsel, Kansas Athletics, Inc., Lawrence, KS

Friday, April 29
7:00 a.m.  **Registration & Continental Breakfast**
8:00 a.m.  **Welcome**
Emily Caron, Co-Chair, Media and the Law Committee, Vice President, Media Liability Claims, OneBeacon Technology Insurance, Overland Park, KS; Eric Weslander, Co-Chair, Media and the Law Committee, Attorney, Lathrop & Gage, Kansas City, MO

8:10 a.m.  **PANEL 1**
*In The Game: The Right of Publicity Takes on the First Amendment*
**Moderator:** Sandra Baron, Senior Fellow, Yale Law School's Information Society Project and Abrams Institute for Freedom of Expression, New York, NY
**Panelists:** Kevin W. Goering, Partner, Norwich Schad & Goering, New York, NY; Louis P. Petrich, Partner, Leopold, Petrich & Smith, Los Angeles, CA

9:00 a.m.  **Legal Ethics**
Bruce Johnson, Partner, Davis Wright Tremaine LLP, Seattle, WA; Lucian T. Pera, Partner, Adams and Reese LLP, Memphis, TN

9:10 a.m.  Q&A

9:30 a.m.  **PANEL 2**
*Copyright: The Future Ain’t What It Used to Be*
**Moderator:** Katherine Spelman, Partner, K&L Gates, Seattle, WA
**Panelists:** Dale Cendali, Partner, Kirkland & Ellis, New York, NY; Regan A. Smith, Associate General Counsel, U.S. Copyright Office, Washington, DC

10:20 a.m.  **Legal Ethics**

10:30 a.m.  **Q & A**

10:40 a.m.  Break
11:00 a.m.  **PANEL 3**
*Don’t Feed the Trolls: Balancing Victims’ Rights, Privacy, and the First Amendment in Responding to Internet Harassment*
**Moderator:** Roger Myers, Partner, Bryan Cave LLP, San Francisco, CA
**Panelists:** Mary Ann Franks, Professor of Law, University of Miami School of Law, Coral Gables, FL; Sarah Lacy, CEO, Panda Daily, San Francisco, CA; Andrew Losowsky, Project Lead, The Coral Project at Mozilla, New York, NY

11:50 a.m.  **Legal Ethics**
Noon  Q&A

12:10 p.m.  **Luncheon Address**
Don Fehr, Executive Director, National Hockey League Players’ Association, Toronto, ON

1:30 p.m.  **PANEL 4**
*Monday Morning Quarterback: Lessons from Recent High-Profile Trials*
**Moderator:** Steve Mandell, Partner, Mandell Menkes, Chicago, IL
**Panelists:** Steven M. Hayes, Attorney, Steven M. Hayes PC, New York, NY; William B. Kilroy, former juror/real estate investor, Frankfort, IL; Leita Walker, Partner, Faegre Baker Daniels, LLP, Minneapolis, MN

2:20 p.m.  **Legal Ethics**
2:30 p.m.  Q&A
2:40 p.m.  Break
3:00 p.m.  **PANEL 5**
*Free Speech vs. Safe Speech: What the Campus Unrest at the University of Missouri and Elsewhere Can Teach Us About the First Amendment*
**Moderator:** Daxton “Chip” Stewart, Associate Dean and Associate Professor, Texas Christian University, Fort Worth, TX
**Panelists:** Carl Kenney, pastor at Bethel Church, Adjunct Professor, Missouri School of Journalism, Columbia, MO; Earnest Perry, Associate Professor, Missouri School of Journalism, Columbia, MO; Catherine Sevcenko, Associate Director of Litigation, Foundation for Individuals Rights in Education, Washington, DC

3:50 p.m.  **Legal Ethics**
4:00 p.m.  Q&A
4:15 p.m.  Adjourn
4:30 p.m.  **Cocktail Reception**
InterContinental Rooftop Lounge
Sponsored by OneBeacon Technology Insurance; Larry Worrall

For more information or to register, find us at law.ku.edu/media-law-seminar
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