



Section of Administrative Law & Regulatory Practice

SPRING MEETING
at the Boar's Head Inn
Charlottesville, Virginia
Friday – Sunday, April 8 – 10, 2011

Including
CLE Programs and Reception
at the University of Virginia Law School
Friday April 8, 2011

Section Chair: Jonathan J. Rusch

Meeting Chair: Christine C. Franklin

Co-Sponsored by the
University of Virginia School of Law



FRIDAY, APRIL 8, 2011

All events will take place at the University of Virginia School of Law.

7:30 a.m. – 5:00 p.m.

Registration

8:30 a.m. – 9:15 a.m.

Careers in Administrative Law Breakfast

Join Chair Jonathan Rusch and distinguished Section Members for a discussion of the many career paths open to law students in regulatory and administrative law.

9:15 a.m. – 10:45 a.m.

Job Information Fair

Representatives from federal and state agencies and law firms will give an overview of career paths and opportunities. One-on-one networking sessions will conclude this informative event for law students. Open to all law student members of the Section of Administrative Law & Regulatory Practice by invitation (contact 202-662-1690).

11:00 a.m. – 1:00 p.m. CLE Session

Ex Vino Veritas: Navigating the Regulatory Labyrinth Post *Granholm*

What has become of interstate wine sales five years after the *Granholm* decision? Why are wine prices higher and selection lower in some states? What is the status and consequences of pending federal legislation that would eliminate Commerce Clause challenges to discriminatory state alcohol laws? We invite you to join a distinguished panel of regulators, industry leaders and academics who will discuss market, legal and regulatory realities of the wine industry. The discussion will focus on monopoly protection laws, state enforced gallonage caps, social networking and beyond.

Panelists:

- Tracy Genesen, Partner, Kirkland & Ellis, San Francisco, California [Moderator]
- K. Christopher Branch, Partner KC Branch Law Firm, San Luis Obispo, California
- Curtis Coleburn, Chief Operating Officer, Virginia Department of Alcoholic Beverage Control, Richmond, Virginia
- Steve Gross, Director of State Relations, Wine Institute, San Francisco, California
- Professor Joshua Wright, Professor of Law and Economics, George Mason School of Law, Arlington, Virginia

11:00 a.m. – 1:00 p.m. CLE Session

Ethical Obligations of Government Lawyers

When does a government lawyer have a conflict? What happens when the government's litigating agency has a position different from the represented agency? What does the agency lawyer do when an agency employee makes an allegation, with factual support, that a senior agency manager has violated the agency's Standards of Conduct? Who is the client? These and other issues are discussed by a panel on "Ethical Obligations of Government Lawyers."

Panelists:

- Myles E. Eastwood, private practitioner, former Assistant United States Attorney, Atlanta, Georgia [Moderator]
- Professor George M. Cohen, University of Virginia Law School, Charlottesville, VA
- Leslie A.T. Haley, Senior Assistant Ethics Counsel, Virginia State Bar, Richmond, Virginia

1:00 p.m. – 2:00 p.m.

Networking Lunch

Join colleagues for a quick lunch and networking break (included at no additional charge with CLE program registration).

2:00 p.m. – 3:30 p.m. CLE Session

What Will the Regulation of Investment Advisers and Broker-Dealers Look Like after Dodd-Frank?

With Dodd-Frank set to revamp the way that broker-dealers and investment advisers are regulated, the investment banking community, private equity firms and hedge funds are waiting with anticipation as the SEC sets out its plans for the future. But even now, there remain many basic unanswered questions and different points of view. We invite you to join a distinguished panel of regulators and industry participants as we explore how the SEC plans to harmonize broker-dealer and investment adviser regulation, and discuss what the future holds for investment advisers as they are confronted with new regulations that change the way they report and are examined by regulators, including whether a new dedicated self-regulatory organization is really the answer to regulation.

Panelists:

- Lisa Mondschein, Special Counsel, Covington & Burling, New York, NY [Moderator]

- Professor Roberta Karmel, Centennial Professor of Law and Co-Director of the Dennis J. Block Center for the Study of International Business Law, Brooklyn Law School, New York, NY
- Paul Mahoney, Dean, David and Mary Harrison Distinguished Professor of Law, and Arnold H. Leon Professor of Law, University of Virginia School of Law, Charlottesville, VA
- Knut Rostad, regulatory and compliance officer, Rembert, Pendleton, Jackson, Falls Church, VA; registered investment adviser in Virginia, and founder and chairman of The Committee for the Fiduciary Standard
- Representatives from SEC and FINRA (Invited)

3:45 p.m. – 5:15 p.m. **CLE Session**
Can One Person Make a Real Difference in Administrative Law?: A Tribute to Dean Richard Merrill

Yes, says a distinguished panel celebrating the leadership and scholarship of Dean Richard Merrill, former Chief Counsel of FDA and longtime thought leader in the field of product safety. Cancer in food ingredients? Safety of medical device products? Rational control on bureaucratic adventures? From the National Academy to the FDA to the halls of Congress, Dick Merrill is known and respected for his exceptional insights into modern administrative solutions for persistent regulatory problems. Many of the Merrill-trained administrative law practitioners and teachers gained insights from his wise and humble counsel and today we look at food safety and judicial review of administrative discretion through the insightful articles and books that Dick Merrill produced during decades as a counselor, teacher and eminent advisor. Please join us as we reflect on the ways in which Dick Merrill helped to shape the modern regulatory safety landscape.

Panelists:

- James T. O'Reilly, Professor, University of Cincinnati Law School, Cincinnati, OH [Moderator]
- Jerry Mashaw, Sterling Professor of Law, Yale Law School, New Haven, CT
- Stuart Pape, Partner, Patton Boggs, Washington, DC
- Richard Pierce, Jr., Lyle T. Alverson Professor of Law, George Washington University School of Law, Washington, DC
- Michael R. Taylor Deputy Commissioner, Food and Drug Administration (FDA), Washington, DC

5:30 – 6:30 p.m. **Reception Hosted by the University of Virginia School of Law**

6:30 p.m. – 10:00 p.m.
Dinner on your own in Charlottesville Restaurants

SATURDAY, APRIL 9, 2011

7:30 a.m. – 9:30 a.m.

Breakfast & Publications Committee Meeting
 Boar's Head Inn

9:30 am – 12:00 noon

Council Meeting
 Boar's Head Inn

12:00 noon – 7:00 p.m.

Free for Activities in Charlottesville

7:00 p.m. – 10:00 p.m.

Section Cocktails & Dinner
 Boar's Head Inn

SUNDAY, APRIL 10, 2011

7:00 a.m. – 8:00 a.m.

Breakfast
 Boar's Head Inn

8:00 a.m. – 12:00 noon

Council Meeting
 Meeting Concludes

Hotel Information

The Boar's Head Inn
 200 Ednam Drive
 Charlottesville, VA 22903-4606
 434-296-2181
 434-972-6024 (Fax)
<http://www.boarsheadinn.com/>

The Boar's Head Inn, a Historic Hotels of America member, is situated in the Blue Ridge Mountains of Virginia. The hotel has 170 guest rooms, a spa and fitness center, world-class tennis and golf, and gourmet dining. The Old Mill Room was recently awarded its 24th consecutive AAA 4 Diamond Award. Dinner reservations are recommended (business casual/no jeans for dinner, 434-296-2181).

Play a round of championship golf at the Birdwood Course (book your tee times at 434-293-4653- mention that you are staying at the Boar's Head Inn so you can book short notice or same day tee times). Hone your tennis game at the Boar's Head Sports Club featuring 26 state-of-the-art courts. Enjoy an afternoon at the Boar's Head spa (434-972-2253) where treatments pamper body and soul.

Room Reservations

A block of rooms has been reserved at the rate of \$255 per night for Thursday, April 7, Friday, April 8, and Saturday, April 9. **The Room Reservation Deadline is THURSDAY, MARCH 17, 2011.** Please call the hotel now to make your reservations at 1-800-476-1988 and request the "ABA Section of Administrative Law and Regulatory Practice Section Administrative Law Section Spring Conference".

Transportation

Parking is free at the hotel and driving is the most accessible way to reach the property. If you will be flying into Charlottesville Airport, you may wish to contact the Inn about their arranged shuttle service (limited availability) – call 1-434-296-2181 for more information and to reserve a transfer. Rental cars are available at the Charlottesville Airport. The Richmond Airport provides another fly-and-drive option.

Enjoying Charlottesville

Charlottesville, home to Thomas Jefferson's Monticello and the University of Virginia, is especially beautiful and welcoming as Spring blooms. Whether you choose to wander historic sites, enjoy the surrounding countryside, or take time for sports, you are sure to enjoy your visit.

For history and architectural buffs, wander through the University Campus and Lawns and visit Monticello, Monroe's Ash Lawn, or Madison's nearby Montpelier. For those wanting a more leisurely time, tour the local wineries. For sports enthusiasts, schedule a hot air balloon ride or try fly fishing.

You can investigate all your options at the [Boar's Head Inn's local attractions information page](#). The resort's web site has an [Interactive Area map](#) with links for directions and information. The Inn's Concierge or Front Desk Staff also can assist you in making plans.

Charlottesville insiders especially recommend the following restaurants for Friday evening's "on your own" dining (all of which have their own websites for you to peruse):

- [C&O Restaurant](#)
- [Orzo](#)
- [Hamiltons Restaurant](#)
- [Copacabana Brazilian International Cuisine](#)
- [Fossett's at Keswick Hall](#)
- [The Ivy Inn](#)
- [L'etoile](#)

For more casual dining, consider:

- [Savour Restaurant \(434-295-2220\)](#)
- [Bonefish Grill](#)
- [Siips Wine & Champagne Bar & Bistro](#)

Meeting Registration

Register online or complete the form on the next page. Advance Registration is available until April 5, 2011, and is required for teleconference participation. Credit cards or a check are required for on-site in-person registration. Receipt copies are emailed when the registration is processed. Questions? 202-662-1528 or 202-662-1582.

Cancellation

Attendance can be cancelled without charge until April 1, 2011 with written notice to anne.kiefer@americanbar.org. No refunds are possible after that date. Substitution of participants is encouraged after that date. Email notice of substitution to anne.kiefer@americanbar.org.

Continuing Legal Education Credit

2 hours of Ethics CLE credit and 3.5 hours of General CLE credit has been requested, but cannot be guaranteed. Participants will need to sign in onsite and confirmation paperwork will be distributed. Please note: DE, IN, KS, OH, and PA are not eligible for CLE credit if participating via teleconference. Check with the state in which you are licensed to verify requirements.

Council Meetings

All Section Members are invited to attend the Council Meetings and the Publications Committee Meeting at no charge. Please let us know if you plan to attend so we will have sufficient space and materials.

Sponsors

We thank the University of Virginia School of Law for hosting the conference programs on Friday, and sponsoring the Reception.

REGISTRATION FORM
ABA Section of Administrative Law and Regulatory Practice
Annual Spring Conference April 8 – 10, 2011
Boar's Head Inn, Charlottesville, VA

Name: _____
 ABA Member I.D. _____ ABA Administrative Law Section Member? Yes ___ No ___
 Email: _____ Phone: _____
 Organization: _____
 Address: _____
 City, State, Zip: _____

Any Special Needs? Please contact Anne Kiefer 202.662.1690 anne.kiefer@americanbar.org

***NOTE: The following states are not eligible for CLE credit if participating via teleconference: DE, IN, KS, OH, PA**

Select	Registration Type	Rates
<input type="checkbox"/> Teleconference <input type="checkbox"/> In-Person	Ex Vino Veritas: Navigating the Regulatory Labyrinth Post <i>Granholm</i>	\$95
<input type="checkbox"/> Teleconference <input type="checkbox"/> In-Person	Ethical Obligations of Government Lawyers	\$95
<input type="checkbox"/> Teleconference <input type="checkbox"/> In-Person	What Will the Regulation of Investment Advisers and Broker-Dealers Look Like After Dodd-Frank?	\$75
<input type="checkbox"/> Teleconference <input type="checkbox"/> In-Person	Can One Person Make a Real Difference in Administrative Law?: A Tribute to Dean Richard Merrill	\$75
	Networking Lunch for CLE Program Participants	Included with CLE program registration
	Law Student Registration for Careers Program and Job Information Fair: <input type="checkbox"/> UVA Law Student <input type="checkbox"/> Law Student Section Member	Contact 202-662-1690 to register
	April 8 Reception Hosted by University of Virginia Law School	Included with CLE program registration
	April 9 Council Meeting	Complimentary
	April 10 Council Meeting	Complimentary
	April 9 Reception and Dinner	\$100 Section Members \$125 Non-Section Members
	Total Registration Fees Paid	

METHOD OF PAYMENT Payment by check or credit card is required at time of registration. Registrations may be canceled without charge until April 1, 2011.

Check (payable to "American Bar Association") VISA MasterCard AMEX

Card Number: _____ Exp. Date: _____

Signature: _____ Name on card: _____

Would you like to be a Member of the Section of Administrative Law & Regulatory Practice? Check here ___ to have the \$60 Annual Dues added to this invoice (must already be an ABA member).

ABA, Administrative Law Section, 740 15th St, NW, Washington, DC 20005
 202-660-1690, Fax: 202-662-1529 email: anne.kiefer@americanbar.org