

## Events

### Current Issues in Commercial Law and Litigation

#### Related Attorneys

Susan Barrett Harty

James A. Wilson

#### Related Services

Antitrust and Trade Regulation

Bankruptcy, Restructuring and Distressed Situations

Environmental

False Claims Act and Qui Tam

Labor and Employment

Litigation

11.12.2009

Vorys' **Columbus** and **Cincinnati** offices will be linked via video-conference for live presentations in each city.

#### Our attorneys will be presenting:

**Glenn V. Whitaker** — *False Claims Act, qui tam, and whistleblower litigation*

A company that does business with the federal government must be aware that any of its own employees—or even an employee of its subcontractor or vendor—is capable of “blowing the whistle” under the federal False Claims Act. Recently, Congress amended the FCA to expand the scope of liability dramatically. Every FCA lawsuit prompts a government investigation into the whistleblower’s allegations. As a result, a government contractor that suspects a whistleblower or FCA lawsuit must take immediate measures in every case to protect its interests.

**Reginald W. Jackson** — *Doing Business With The Debtor-in-Possession: Providing Post-Petition Credit, Vendor Agreements as Executory Contracts and Setoff Rights*

Choices and challenges face a vendor/supplier when the vendee/customer files for Chapter 11 relief. What are the implications of providing post-petition credit to the debtor-in-possession? Are prepetition vendor agreements executory contracts; and if so, what are the rights, responsibilities and risks associated with operating under such agreements in the bankruptcy context? Understand why it is important to include the right to set off in supply contracts and what are the limitation to enforcement of such rights in bankruptcy.

**Susan Barrett Harty** — *Emerging Chemical Regulations and Their Impact*

Explore the basic framework of recent chemical regulations such as the EU’s REACH Directive, China’s “REACH” as well as proposed legislation such as the proposed revisions to TSCA, California’s Green Chemistry

legislation and California's DTSC's "straw proposal," and Massachusetts's Safer Alternatives Act, as well as the legal implications of such legislation beyond what is necessary for compliance.

**Robert N. Webner** — *The Attorney-Client Privilege and Work Product Doctrines in the Corporate Legal Context*

We will review the basics of the privilege and work product doctrine, address unique issues presented when the client is a corporation, and then address particular scenarios, such as internal corporate investigations, communications with employees who may be targets of an external investigation, and interactions with the federal government and insurance companies.

**James A. Wilson** — *Antitrust in the Obama Administration: What Is Different?*

This presentation will explore how antitrust enforcement in the Obama administration is different than in the Bush administration, with a specific focus on the Obama administration's enforcement priorities and the risks facing industries in light of those priorities. We will also provide an update on the key developments in international competition law.

*\*Continuing legal education credit application for Ohio and Kentucky pending.*