

**State Bar of Michigan
Information Technology Law Section
Council Meeting Minutes - DRAFT**

May 14, 2015

Teleconference Line opens at 5:30 PM; Meeting at 6:00 PM

Host: Ronald S. Nixon, Kemp Klein Law Firm
201 W. Big Beaver Rd., Ste. 600, Troy, MI 48084

Teleconference Call-In Number **877-352-9775**, Conference Code **416 957 1129**

- I. **Call to Order** – Michael Gallo, Chair
- A. Section Members
 - a. Mark Malven – Ex-Officio Member – In Person
 - b. Ron Nixon – Ex-Officio Member – In Person
 - c. Joellen Shortley – In Person
 - d. Alexander Simpson – In Person
 - B. Council Members Present:
 - a. Christopher J. Mourad – In Person
 - b. Steven D. Balagna – In Person
 - c. Susanna C. Brennan – In Person
 - d. Keith A. Cheresko – In Person
 - e. Michael Gallo – In Person
 - f. Nathan William Steed - Teleconference
 - g. Robert L. Rothman – In Person
 - h. Jeanne Marie Whalen – In Person
 - C. Council Members Excused:
 - a. Donna K. Mallonee
 - b. Carla M. Perrotta
 - c. David R. Syrowik
 - D. Council Members Absent:
 - a. Clara Lauren Seymour
 - b. Isaac T. Slutsky
 - c. William Henry Hartwell
 - d. Daniel John Henry
 - e. Dalpreet Singh Saluja
 - E. A quorum of Council members was confirmed, and the meeting was called to order at 6:10 p.m.
- II. **Meeting Minutes**
- a. Approval of the last Council meeting minutes (February 12, 2015) – Christopher Mourad, Secretary. A motion to approve the minutes was made by Steven Balagna, seconded by Jeanne Marie Whalen, and approved by the Council.
- III. **Treasurer’s Report** – Donna Mallonee – Reported by Michael Gallo
- a. As of April 30, 2015, the Section’s fund balance was \$59,626.36
 - b. The 2014-2015 income for the fiscal year to date aligns with budget expectations, while expenses are significantly below the amount budgeted.
- IV. **2014-2015 Council/Section Meetings** – Proposed dates and locations:
- a. **Thursday, August 13, 2015**, 5:30/6:00 PM – Host: Susanna Brennan, Kelly Law Registry, brennsc@kellylawregistry.com, 248-952-0539, 3331 W. Big Beaver Road, Suite 310 Troy MI 48084
 - b. **Thursday, September 10, 2015**, during lunch at the *8th Annual Information Technology Law Seminar*
- V. **Committee Reports**
- a. **8TH Annual Information Technology Law Seminar** – Michael Gallo
 - i. A task level project plan for this year’s event was created, and is being revised as additional tasks and timing revisions are identified. The plan includes target dates for each task.

- ii. Seminar ‘save the date’ information was posted on State Bar’s website Calendar, as well as various IT Law Section sources, including LinkedIn, web pages, and an email to the Listserv
- iii. Mark Malven, Ron Nixon, Charlie Bieneman and Keith Cheresko met to discuss topics and presenters. Topics may include:
 - 1. *Privacy and Data Protection is Not Just for Clients*. Planned as a panel discussion, which may include Bob Rothman, Keith Cheresko and Vincent Polley
 - 2. *Technology Buyers Panel – What Do Buyers Really Care About*
 - 3. *Basics of Intellectual Property Protection for Software*
 - 4. *Open Source Software – What Every In-House Counsel Needs to Know*
 - 5. *The Payment Card Industry (PCI) and Other Electronic Payments Topics*
- iv. Attendee materials
 - 1. Need firm due date for speaker materials, to ensure binders are available by Seminar date
 - 2. Decision was made to proceed with spiral bound materials, which are less expensive and require less lead time (about two weeks).
 - 3. For reference: A three ring spiral binder from Staples will cost \$10-12 per binder, plus assembly cost. Lead time required is about four weeks. Mark Malven may be able to provide this service ‘at cost’ through Dykema, with a shorter required lead time.
- v. Michael Gallo requested and received permission from Chairs of the Business Law Section, Intellectual Property Law Section and Litigation Section to send eBlast and US Mail flyer to members of those Sections. The approvals were sent to the State Bar of Michigan, along with a request for information about the ‘SBM Standard Design Registration Flyer’ format. About two months were required to get 2015 approvals. Plan accordingly in 2016!
- vi. Sponsors – Information regarding past sponsors was compiled. After contact by Keith Cheresko, three firms tentatively agreed to be sponsors, each at the \$1,000 level. Sponsor ‘logo’ or graphic should be forwarded to Michael Gallo for inclusion in seminar materials. There will be no further solicitation or canvassing for sponsors, but if approached by other prospective sponsors, consideration will be given. Sponsors:
 - 1. Benjin Bieneman PLC
 - 2. Dykema
 - 3. Privacy Associates International LLC
- vii. Moderator – Michael Gallo asked the Speaker Committee to meet, discuss and recommend a Seminar Moderator. If the Committee does not reach a consensus in recommending a Moderator, the Chair will select one. Persons who have shown an interest in moderating the 2015 seminar include Mark Malven (February 2015) and Steven Balagna (May 2015).
- viii. Michigan Bar Journal – Recommendation is to get cost to place a quarter-page ad in the July and August issues. If a single issue is selected, preference is July. Steven Balagna to contact SBM to contact submission date and total estimated cost
 - 1. Ad must be submitted about six weeks prior to the 5th of the month.
 - 2. Estimated cost: About \$60 for SBM to prepare ad; \$505 to publish quarter-page ad in each issue
- ix. A one-page SBM Standard Design Registration Flyer will be created and submitted for use with the SBM eBlast and U.S. Mail flyer. Michael Gallo will assume this task.

b. Newsletters/Social Media/Web Site – Michael Gallo

- i. As of May 11, 2015, membership estimates are:
 - 1. Section Members – 550
 - 2. ListServe Email Addresses – 791
 - a. A ‘true up’ between actual members and ListServe address is still desired, but has yet to be requested of the ListServe provider.
 - b. The new Section web site includes ListServe functionality, and may be a possible replacement for the current ListServe service.
 - 3. LinkedIn Group Members – 221

c. Privacy Committee – Bob Rothman and Keith Cheresko – The Privacy Committee of the Information Technology Law Section will meet Thursday, June 25, 4:00 p.m. to 5:30 p.m., to discuss the topic of ‘Privacy Issues in Merger and Acquisition Transactions’.

- i. Location - Jaffe Raitt Heuer & Weiss, American Center Building, 25th Floor, Suite 2500, 27777 Franklin Road, Southfield, MI 48034 (248-351-3000)
- ii. Teleconference - 877-352-9775; Conference Code 416 957 1129

- d. **Nominating Committee** - It is never too early for nominations for next year's Treasurer and Council members! The goal will be to nominate four Council members for 2015-2018. One term is three years, and Council members are eligible for up to three consecutive terms.
 - i. Three Council members have a term that expires September 30, 2015, but this is the first of **two** possible consecutive three terms (for a total of up to six consecutive years) for each: Steven D. Balagna, Christopher J. Mourad and Dalpreet Singh Saluja
 - ii. Nine Council members have a term that expires September 30, 2016.

 - e. Reminders!
 - i. **First Annual Entrepreneurial Law Institute** - Cosponsored by the Business Law, Information Technology Law, and Intellectual Property Law Sections of the State Bar of Michigan. May 28-29, 2015 – Detroit. For more information: www.icle.org/eli. Jeff Kirkey of ICLE managing the event. Lawyers, accountants, investors, and related business entrepreneurs are invited.
 - ii. **Michigan Pro Bono Patent Project** - The State Bar of Michigan has a new program that matches patent attorneys willing to provide pro bono patent prosecution services with low-income inventors. For more information regarding the *Michigan Pro Bono Patent Project*: <http://connect.michbar.org/iplaw/patent>. Section members may be interested in participating. Kim Paulson, IT Law Ex-Officio Member is involved with this effort.

 - f. New Business
 - i. **Section Briefs** - To contribute to the Michigan Bar Journal 'Section Briefs', the IT Law Section can submit (by the 5th of that month) a notice of up to 75 words regarding significant developments in the law, noteworthy events, section publications or achievements, or any other information of interest. Please forward 'Section Briefs' recommendations to michael@gallo.us.com
 - ii. **Annual Report** - State Bar bylaws require the Section to submit an annual report by May 31. The 2014/2015 report was drafted by Michael Gallo. A draft will be sent to Council members by May 17, with a request to reply with recommended changes within one week of receipt of the draft. Michael Gallo will send a draft of the 2014/2015 Annual Report to the Council. Feedback is requested prior to submission to the SBM on May 28, 2015
 - iii. **Bar Leadership Forum** - Each year, the SBM sponsors an 'invitation only' *Bar Leadership Forum*, and extends an invitation to each Section's Chair and Chair-Elect. This event provides an opportunity to meet with peer Section and Bar leaders, attend presentations, and bring ideas and information back for Section and Council consideration. An 'early bird' Forum registration of \$155 per attendee, if not covered by SBM scholarship, will be submitted as a Section expense. This year, the IT Law Section will be represented by Michael Gallo and Susanna Brennan. **NOTE:** One incentive for becoming a Section Officer is being invited to attend the Bar Leadership Forum.
- VI. **Meeting Adjourn** - Susanna Brennan made a motion to adjourn, which was seconded by Steven Balagna and approved by the Council. Meeting ended at 7:25 pm.