

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

Thursday, August 13, 2015
Teleconference Line opens at 5:30 PM; Meeting at 6:00 PM

Host: Susanna Brennan, Kelly Law Registry
3331 W. Big Beaver Road, Suite 310 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. Adam Rubin – Teleconference
 - b. Joellen Shortley – In person
 - c. Michael McCandlish – Teleconference
 - d. Mark Malven – Teleconference
 - B. Council Members Present:
 - a. Susanna C. Brennan – In Person
 - b. Michael Gallo – In Person
 - c. Christopher J. Mourad – In person
 - d. Steven D. Balagna – In person
 - e. Robert L. Rothman – In person
 - f. Keith A. Cheresko – In person
 - g. Nathan William Steed – Teleconference
 - h. Isaac T. Slutsky - Teleconference
 - i. Jeanne Marie Whalen - Teleconference
 - C. Council Members Excused:
 - a. Carla M. Perrotta
 - b. David R. Syrowik
 - c. William Henry Hartwell
 - D. Council Members Absent:
 - a. Clara Lauren Seymour
 - b. Donna K. Mallonee
 - c. Daniel John Henry
 - d. Dalpreet Singh Saluja
 - E. A quorum of Council members was confirmed, and the meeting was called to order at 6:05 p.m.
- II. **Meeting Minutes**
- a. Approval of the last Council meeting minutes (May 14, 2015) – Christopher Mourad, Secretary. A motion to approve the minutes was made by Susanna Brennan, seconded by Christopher Mourad, and approved by the Council.
- III. **Treasurer’s Report** – Donna Mallonee
- a. As of July 31, 2015, the Section’s fund balance was \$58,257.14
 - b. The 2014-2015 income and expenses for the fiscal year to date, as of January 31, 2015, aligns with budget expectations.
- IV. **2014-2015 Council/Section Meetings** – Proposed dates and locations:
- a. *Thursday, September 10, 2015*, Lunch at the *8th Annual Information Technology Law Seminar!*
- V. **Committee Reports**
- a. **Newsletters/Social Media/Web Site – Michael Gallo**
 - i. As of August 7, 2015, membership estimates are:
 - 1. Section Members – 587
 - 2. ListServe Email Addresses – 770
 - 3. LinkedIn Group Members – 226

- ii. The 2014-2015 Annual Report will be included in the next issue of the Michigan IT Lawyer, and was posted to the Section web site at <http://connect.michbar.org/itlaw/council>.
- b. **Nominating Committee** – Per Section bylaws, **a three person nominating committee must be named**, and may not include persons being nominated. The committee will recommend Officer and Council nominees for approval at the 2015 Annual Meeting. To date, the following have been identified:
- i. **Nominating Committee Members** – Michael Gallo, Robert Rothman and Jeanne Marie Whalen
 - ii. **Officers** (for a one year term of 2015-2016) - Chair/Susanna Brennan, Chair-Elect/Chris Mourad, Secretary/Donna Mallonee and Treasurer/Keith Cheresko
 - iii. **Council Members** (for a three year term of 2015-2018) – Chris Mourad (second term), Adam Rubin (first term), Joellen Shortley (first term) and Michael McCandlish (first term)
 - iv. **NOTE:** Will Hartwell will be stepping down from the IT Law Section Council as of September 2015. For those unaware, Mr. Hartwell relocated to New York, and has been unable to participate in the Section as was hoped. Thanks go to Mr. Hartwell for his participation and support to date!
- c. **Privacy Committee** – Bob Rothman and Keith Cheresko
- i. The Privacy Committee of the Information Technology Law Section met Thursday, June 25, and Michael Khoury led a discussion of ‘Privacy Issues in Merger and Acquisition Transactions’ at Jaffe Raitt Heuer & Weiss, American Center Building, 25th Floor, Suite 2500, 27777 Franklin Road, Southfield, MI 48034 (248-351-3000)
 - ii. Additional meetings are targeted for later this year.
- d. **8TH Annual Information Technology Law Seminar** – Michael Gallo and Steve Balagna
- i. A task level project plan for this year’s event is being followed and revised as additional tasks and timing revisions are identified.
 - ii. Three Sponsors were identified: Privacy Associates International LLC, BejinBieneman PLC and Dykema. Sponsor names or logos have been included on all seminar communications sent since May 2015. Payment of \$1,000 per sponsor will be requested at a date to be determined.
 - iii. Michael Gallo received written 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.
 - iv. Mark Malven, Ron Nixon, Charlie Bieneman and Keith Cheresko met several times over the past few months to discuss Seminar topics and presenters. Participants for ‘Technology Buyers Panel – What Do Buyers Really Care About’ are being finalized, but all other topics and speakers have been identified.
 - 1. Draft Agenda
 - a. 9:00 AM - Welcome from Moderator
 - A. *Mark G. Malven, Dykema*
 - b. 9:15 AM - Basics of IP Protection for Software
 - A. *Charles Bieneman, Bejin Bieneman PLC*
 - c. 10:05 AM - Open Source Software Licensing: Opportunities and Pitfalls
 - A. *Christopher J. Falkowski, Falkowski PLLC*
 - d. 10:55 AM - Networking Break
 - e. 11:10 AM - Technology Buyers Panel
 - A. *Vincent J. Wilk, GM Legal Staff; Donald M. Crawford*
 - f. Noon - Lunch and Section Meeting
 - g. 1:15 PM - X-Commerce: Understanding the Changing Landscape and Legal Issues in Payments
 - A. *Erin Fonte, Dykema*
 - h. 2:05 PM - Privacy Panel: Privacy and Data Protection is Not Just for Clients
 - A. *Moderator – Robert L. Rothman, Privacy Associates International*
 - B. *Panelists - Keith Cheresko, Privacy Associates International; Vincent I. Polley; Jeffrey A. Ingalsbe*
 - i. 2:55 PM - Networking Break
 - j. 3:10 PM - Technology and “Cyber” Insurance
 - A. *Lawrence Harb, IT Risk Managers, Inc.*
 - k. 4:00 PM - Networking Reception
 - v. Monthly, Michael Gallo sent a script of approximately 75 words to the State Bar of Michigan. The script identifies seminar registration information and the sponsors, and has been published in the

Michigan Bar Journal as a 'Section Brief' in June and July. The next brief will appear in the August issue. There is no cost for this service.

- vi. A one-page SBM Standard Design Registration Flyer was created and submitted for the SBM eBlast, which was sent May, June and July 2015. The final eBlast is targeted for August 21, 2015. Cost for each monthly eBlast is \$225.
- vii. A half page ad in the Michigan Bar Journal was designed and first published in the July issue. The second and final ad will appear in the August issue. Cost for each monthly ad is \$660.
- viii. A seminar overview and link to registration options is available by accessing <http://connect.michbar.org/itlaw/home>, and under 'Calendar', selecting 'Annual Meeting & IT Law Seminar'. This URL was selected because the page is available to all persons, does not require logon to the SBM website, and does not require IT Law Section membership.
- ix. A 'paper' seminar registration form will be sent through U.S. Mail, approximately August 14, 2015, to the Business Law, Intellectual Property Law, Litigation and IT Law sections (approximately 6,600 people).
- x. Contacted SBM (Sue Oudesma) and requested that SBM eBlast for August 21, 2015 be revised with speaker information – Michael Gallo

xi. To Be Done:

- 1. **Generate seminar interest and registrations – All Section members!**
- 2. **Design and forward survey to SBM (Anne Vrooman, avrooman@mail.michgar.org) – Michael Gallo and Mark Malven**
- 3. **Collect and forward seminar (biographies and handouts) materials to SBM (Heather K. Anderson, handerson@mail.michbar.org). Remind SBM to proceed with tape or spiral bound materials, which requires three week lead time (Thursday, August 20, 2015 – Michael Gallo and Mark Malven**
- 4. **Prepare agendas for Annual Section and Council meetings – Michael Gallo and Susanna Brennan**
- 5. **Submit request for Ohio CLE (Continuing Legal Education) credit – Chris Mourad and Steve Balagna**
- 6. **Finalize event arrangements – Michael Gallo and Mark Malven**
 - a. **Breakfast and Lunch menus**
 - b. **Registration table and chair**
 - c. **Three sponsor tables, near foot traffic area**
 - d. **Speaker's table, up to four microphones and stands, four chairs, podium, display screen**
 - e. **One PowerPoint slide with seminar name and sponsor logos**
 - f. **Does an IT Law Section banner/sign exist for display at the speaker's table?**

e. Reminders!

- 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

f. New Business

- i. TBD

VI. **Meeting Adjourn** – Meeting adjourned at 6:51 pm