

ANTITRUST, FRANCHISING, AND TRADE REGULATION SECTION

CALL TO ORDER, ATTENDEES, & MINUTES

On February 23, 2018, at about 12:20 PM, Chairperson Cale Johnson called the meeting to order. Besides Mr. Johnson, the meeting attendees were:

Briar Siljander, Vice Chairperson;

Howard Lederman, Secretary;

Cody Rocky, Council Member;

David Steinberg, Former Chairperson;

John Forrest, Council Member;

Brian Witus, Council Member.

Mark Burzych, Council Member.

Moe Shrikian, Council Member.

The conferees approved the January 18, 2018 section meeting minutes.

PUBLICATIONS REPORT

Since the Michigan Bar Journal has published all five section articles from last year, there is no new report.

CHAIRPERSON'S REPORT & DISCUSSION

Mr. Johnson highlighted that posting our section meeting minutes and upcoming events on SBM Connect is important. He also saw the need for a new logo for our SBM Connect page. Mr. Shrikian responded that the State Bar can create and implement this. He also suggested that we should use the same logo for our SBM Connect site and our LinkedIn site. Mr. Johnson has a new prospective council member ready to begin service next month. He further mentioned a need to change our section's mission statement.

UPCOMING SECTION EVENTS

Mr. Johnson focused on beginning to plan our section's events for the next quarter and the fall. At the March 3, 2018 Franchise Practitioners Group meeting, the attendees discussed possible franchising events and decided on a tentative June 1, 2018 date. At the section meeting, Mr. Shrikian and Mr. Steinberg said that they could not make that date. After some discussion, the conferees agreed that the earliest possible date would be in late June. Regarding summer events, Mr. Shrikian stated that based on his experience, June was the best summer month for events, July was the second best, and August was the worst. Compared to other possible months, more people vacation in July and August than in June and other months.

Mr. Shrikian will contact the International Franchising Association (IFA) for potential franchising event speakers. He suggested three possible speakers. Mr. Lederman will contact other franchising contacts for the same. Mr. Steinberg also suggested a speaker. Mr. Shrikian said that he had an antitrust idea to pursue.

Mr. Johnson and Mr. Rocky summarized our February 23, 2018 section meeting ideas on how to increase event attendance. Mr. Johnson suggested doing a larger event and some smaller events. For the smaller events, he suggested finding a section member as a speaker willing to talk about a recent case, event, hot topic, or other franchise law development. Mr. Steinberg agreed with that approach. Mr. Johnson mentioned that increasing attendance for the big event takes time. He also mentioned that the franchise practitioners group was a good place to begin implementing the new smaller event ideas.

Mr. Shrikian emphasized that publicizing all events to all section members was crucial. He suggested that events would get crossover attendance, meaning that antitrust events would get some franchising section members' attendance, and that franchising events would get some antitrust section members' attendance. Mr. Steinberg agreed. He said that having the State Bar

publicize our events is important. Mr. Johnson stated that we need to publicize event and meeting dates on the _____ calendar and decide on four dates a year for the smaller events. He also stated that publicizing all events on SBM Connect is essential. Mr. Steinberg emphasized that all-out marketing of our events is crucial. Mr. Lederman pointed out that quarterly events would mean less contact with section members than bi-monthly or similar events. Mr. Steinberg responded that section members and section council members were too busy to commit to a schedule beyond quarterly events. Mr. Lederman cited the need to have meetings to plan the quarterly events. The conferees also discussed the need for a marketing plan to publicize the events.

Mr. Rocky suggested that we plan the first event(s), publicize it or them, and emphasize to people that we will hold quarterly events from then on. Mr. Shrikian emphasized that our quarterly events should be on a consistent day of the week and month, like the third Friday of the designated month. He also suggested that council members and other active section members split into pairs, with each pair planning one event. Each pair of planners will plan one event, including setting its date, format, and subject.

Regarding the big event, Mr. Lederman and Mr. Shrikian suggested October as a good big event month. Mr. Steinberg pointed out that we need to avoid any conflict with the ABA's October Franchising Meeting. The conferees agreed on an October 2018 big event month.

The meeting attendees focused on our Section Survey. We received 40 section members' responses to our survey. At least 23 section members volunteered to help with section activities and events. Leila McClure and Jonathan Koudelka won the survey drawing for \$100 Amazon gift cards. Mr. Johnson will send a thank you letter to each survey respondent and post the above gift cards winners.

The meeting attendees turned to the individual survey subjects. The first subject was why more section members don't attend section events. Mr. Lederman that in number of respondents giving reasons, five reasons were almost even.

Mr. Rockey mentioned publicity issues as a big reason. He and Mr. Shrikian emphasized that reminder emails are essential. Mr. Rockey stated that if people go to well attended events, they will be more likely to attend future events. Mr. Johnson mentioned that the October 2017 Franchising event was a good event, but attendance was only fair. Mr. Shrikian mentioned that he is a marketing expert, and that his office does email marketing. Mr. Lederman pointed out that unlike the other Franchising events, we did not receive any Jaffe Raitt marketing help. Mr. Shrikian suggested looking at IFA event publicity. Mr. Rockey suggested that our section should also send regular mail items, like brochures and postcards, to publicize events. Mr. Johnson recognized that we cannot email all section members, because there were too many. Mr. Lederman will contact the State Bar on this issue. Mr. Johnson emphasized that we need to post our events on SBM Connect. The attendees discussed how SBM Connect works.

The next survey subject was how section members want the section council and section officers to contact them. Most section members responded with email. A substantial member responded with LinkedIn & SBM Connect. Mr. Johnson recognized our need to fix our section's LinkedIn Website. Mr. Johnson has become the new website owner. The attendees agreed on the need for a committee to fix the LinkedIn site. Mr. Shrikian has a person in his office knowledgeable on this, Hungry Howie's Director of Franchise Sales.

The attendees turned to other survey subjects, such as what kinds of and how many annual educational and social events our sections members want. Mr. Shrikian suggested looking for subjects of interest to more than one section. Mr. Lederman cited an example of a well-

attended seminar from 4-5 years ago: Antitrust & Health Care. Mr. Shrikian suggested a seminar on the antitrust implications of franchise system councils. He noted California antitrust cases on price fixing on wages.

Mr. Johnson suggested that our section should have one big antitrust, one big franchising, and several smaller social events each year. Mr. Shrikian emphasized the need to have some separate foci on antitrust and franchising. He suggested combined educational and social activities or events--one franchising, one antitrust. Mr. Johnson agreed. He also suggested lunch meetings with a half hour educational component and a half hour social component. According to the Survey, section members favored lunch time events over happy hour, morning, and evening, events.

The attendees agreed on one big antitrust, one big franchising, and several smaller combined educational and social events each year. Mr. Johnson suggested holding the two big events at the same place and time, so that everyone could socialize together. The attendees will consider that suggestion at our next meeting. Mr. Johnson also stated that people are more likely to re-engage with a combined business-legal, educational-social small event. He suggested starting with small events. At our next meeting, we will focus on the small events, including subjects.

Mr. Johnson summarized his work stream-three streams idea. We have agreed to hold two annual big events, one antitrust, one franchising. The next step is to decide on event subjects, date(s), time(s), place(s). Mr. Johnson and Mr. Rockey will begin planning a big antitrust event. The Franchise Practitioners Group will begin planning a big franchising event.

Afterward, we need to plan the small events, like quarterly brown bag lunches or something similar. Then, we need to prepare a marketing plan for the small events. Mr. Johnson,

Mr. Shrikian, and Mr. Siljander will call the State Bar and obtain its Rules of Engagement on State Bar marketing involvement. They will also reactivate our section's LinkedIn site. They will do both by the next meeting. At the meeting following the next meeting, they will propose big event and small event marketing plans. The big events will probably occur in Fall 2018. Mr. Johnson suggested beginning to notify our section members of the big events by May or June 2018. The conferees also agreed to market the big events to their potentially interested law firm and in-house counsel clients and contacts.

The attendees suggested other marketing and publicity steps. These included publicizing the Franchise Practitioners Group more, publicizing the Antitrust Council Members and Officers working on antitrust events more, and calling section members with five-minute pitches and reminders on upcoming events. Mr. Shrikian suggested that after the calls, we add the section members contacted to our LinkedIn list.

Since our February 23, 2018 section meeting, on March 13, 2018, Mr. Johnson emailed the section council members and officers summarizing and amplifying the above section event ideas, focusing on planning smaller events for the May-June 2018 timeframe.

FRANCHISE PRACTITIONERS GROUP

Mr. Lederman announced that the group would meet on March 2, 2018. On that date, the group met. Based on our February 23, 2018 section meeting discussion outlined below, the attendees discussed how to implement a schedule of franchising events of four quarterly small franchising events and one annual big franchising event. We began with event marketing and publicity. We agreed that we need to publicize our events with three means: Emails, LinkedIn, SBM Connect.

Mr. Siljander mentioned that Mr. Rockey, Mr. Shrikian, and he had talked with the

State Bar. Mr. Siljander reported that State Bar can design a section logo & put it on our LinkedIn site. He added that the State Bar would call back with estimated costs. Mr. Siljander also reported that the State Bar has sent him a Section Event Checklist template. He and the section members working with him will review and finalize the template. Afterward, he will forward the template to us. Mr. Siljander suggested two-person teams to implement events. He also suggested flyers for the next event be available at each event.

Mr. Forrest mentioned the Franchise Business Network. Until about a year ago, he had been receiving emails from them. He will investigate whether the group is still active. If so, he will ask to get on its email list to help publicize events. Mr. Lederman suggested emailing and talking with our group's IFA members, like Mr. Steinberg, Mr. McLeod, Mr. Witus, Mr. Bordman, and others about reaching IFA members, lawyers and non-lawyers, so that we can publicize our events to them. He will follow up on this.

Mr. Forrest suggested that for events of interest to non-lawyers, we should prepare a digital flyer for section and group members' clients, contacts. His firm's, Butzel Long's, marketing department can prepare this digital flyer. Mr. Lederman suggested asking if the State Bar can prepare a digital flyer. He will ask Mr. Steinberg and Mr. McLeod to check with Jaffe Raitt's marketing department on preparing a digital flyer for non-lawyers. Since the meeting, Mr. Lederman has emailed several group members on event marketing and publicity assistance. He has also emailed the State Bar on these subjects. The State Bar has responded with an event form. After reviewing it, Mr. Lederman will continue his contact.

Based on the attendees' collective information, the State Bar will get us LinkedIn information, SBM Connect event information, prepare-blasts, prepare paper flyers, and maybe prepare digital flyers.

Regarding the small quarterly lunch events, Mr. Lederman suggested Thursdays or Fridays for events. After some discussion, the conferees agreed to hold the first such event on Friday, June 1, 2018, 12:00 Noon. Mr. Lederman will contact the State Bar on Save the Date E-Blasts.

Based on the survey information, Mr. Lederman will email Mr. Johnson on getting volunteers to help us with our events. Since the meeting, Mr. Lederman has done so.

Concerning event speakers, the conferees agreed on national speakers for big events and regional or local speakers for small events. The conferees will contact other group members, the IFA, and the ABA Forum on Franchising for suggested speakers.

Mr. Shrikian suggested that Mr. Johnson summarize the overall survey results. Mr. Lederman responded that the January 18, 2018 Section Meeting Minutes included a summary. Mr. Lederman suggested contacting the above volunteers to involve them in our above events. Mr. Johnson replied that he would do so generally. Since the meeting, Mr. Lederman has emailed Mr. Johnson on the protocol for contacting these volunteers for specific activities and events.

SOCIAL EVENTS

The attendees discussed a few proposed social events. Mr. Lederman suggested a section outing to see the Utica Unicorns minor league baseball team. Another attendee suggested a section outing to see a Detroit Tigers game. Mr. Rockey suggested an MGM outing with lunch at Tap's. Mr. Johnson suggested an outing at his firm. We will continue to discuss these alternatives and any other ideas at our next meeting.

SECTION COUNCIL MEMBERSHIP INFORMATION

Our section's council members are:

TERM EXPIRING 2018:

1. Hassana Daouk
2. Brian Witus
3. Cody Rockey

TERM EXPIRING 2019:

1. Mark J. Burzych
2. Paul Fransway
3. Robert E. Murkowski

TERM EXPIRING 2020:

1. John Forrest
2. Gary Remer
3. Moe Shrikian

OTHER SECTION COUNCIL MEMBERS

1. Immediate Past Chairperson: David Steinberg.
Ex-Officio Publications Editor: Vacant **Note:** With the State Bar Connect introduction and implementation, this position has ceased to exist.

SECTION OFFICERS INFORMATION

President: Cale Johnson
Vice President: Briar Siljander
Secretary: Howard Lederman
Treasurer: Alexander Blum

FUTURE SECTION COUNCIL MEETING SCHEDULE

March 23, 2018 Meeting: Telephone

May 4, 2018 Meeting: Telephone

June 8, 2018 Meeting: In-Person

July 20, 2018: Telephone

August 24, 2018: In-Person

September 28, 2018: Uncertain (Annual State Bar Meeting)

November 9, 2018: In-Person

December 2018: Holiday Event.

TREASURER'S REPORT

On about February 28, 2018, we received the Treasurer's Report. According to the report, our section treasury has \$29,862.92. Also, we have 256 members, including 209 paying members, one law student, and 46 non-paying members.

NEXT MEETING

The next meeting will be a telephone meeting. Mr. Johnson will email call-in instructions.

Dated: March 19, 2018

/s/Howard Yale Lederman, Section Secretary
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