

ANTITRUST, FRANCHISING, AND TRADE REGULATION SECTION

CALL TO ORDER, ATTENDEES, & MINUTES

On June 12, 2020, at about 12:07 PM, Chairperson Cody Rockey called the telephone meeting to order. Besides Mr. Rockey, the meeting attendees were:

Brian Witus, Vice Chairperson;

Howard Lederman, Secretary;

Mark Burzych, Treasurer;

Briar Siljander, Council Member;

David Steinberg, Council Member.

The attendees approved the May 1, 2020 meeting minutes with Mr. Rockey's edits. He will post the approved minutes.

CHAIRPERSON'S REPORT

Mr. Rockey asked Punch Bowl to refund our section's for the canceled April 30, 2020. He informed us that Punch Bowl's financial condition was precarious, and that Punch Bowl's lenders have taken control of its accounts. Mr. Rockey indicated it is unclear if we receive the refund, but indicated the amount is so small it likely does not justify taking any action at this time. He also mentioned the possibility of rescheduling of the event as opposed to seeking a refund. The meeting attendees discussed his proposal but decided to defer a decision depending on the coronavirus pandemic conditions in the fall.

FALL FORUM DISCUSSION

Mr. Rockey summarized our May 1, 2020 meeting decisions, including our decision to plan the Fall Forum as a virtual event and if coronavirus conditions improve, convert it to an in-person event. When he asked the State Bar regarding selection of and payment for virtual

technology, the State Bar responded that both were for each section to decide. The attendees then discussed competing virtual technology services. After checking with his firm, Mr. Rockey reported that his firm would let our section use his firm's Loop-up account. This technology would enable us to put a speaker on a screen and let Fall Forum attendees ask questions. Another attendee mentioned Cisco/Webex as an option. Mr. Rockey suggested testing the various technologies, and Mr. Lederman agreed. He also suggested setting testing dates. Mr. Witus suggested testing these technologies with speakers closer to the event. Mr. Witus stated that Zoom has worked well for his firm. Mr. Lederman reported that based on his experience, Zoom has worked well for gatherings of up to 75-80 people. Mr. Rockey suggested that we check into the various competing technologies a bit further. Mr. Lederman will get confirmation of Zoom features, like maximum number of meeting participants, event attendees' abilities to send questions to moderators and panel members, moderators' abilities to restrict questions to moderators or to open questions to all event attendees. We also need to check the competing technologies' abilities to let us run two separate meetings. Our Fall Forum will feature two separate event meetings: Antitrust and Franchising. Mr. Lederman suggested that we get a virtual technology with which most people are familiar. Mr. Rockey suggested that our section could buy a Zoom membership if needed. Mr. Witus agreed. He and Mr. Lederman mentioned Zoom tutorials on YouTube. Mr. Witus will talk with his partner on these.

Mr. Witus reported on his in-person meeting follow-up with Jaffe Raitt. The firm informed him that it did not permit visitors in their offices, especially large gatherings of visitors. Jaffe Raitt did not hint any change in this policy by our September 24, 2020 event date. After discussion of Mr. Witus' feedback, the meeting attendees concluded that any Fall Forum conversion from a virtual event to an in-person event is unlikely.

Mr. Rockey stated that he would contact the State Bar on e-blasts to publicize the Fall Forum. Given our above conclusions, the e-blasts will publicize the Fall Forum as a virtual event. Though unlikely, should the coronavirus pandemic situation improve greatly, the in-person option remains open.

Regarding Fall Forum antitrust speakers, Mr. Rockey has reached out to the Michigan Attorney General's office. He mentioned price gouging, hoarding, and other antitrust-related occurrences during the coronavirus pandemic crisis. If the Michigan Attorney General's office does not respond positively, he will reach out to the US Department of Justice. If neither the Michigan Attorney General's office nor the US Department of Justice responds positively, he will reach out to the panel participants that we discussed at our last meeting. When he and other section council members have lined up speakers or a panel, Mr. Rockey will so inform us.

Concerning Fall Forum franchising speakers, Mr. Witus has talked with Stuart Bordman and Ron Solis as speakers familiar with labor and employment issues related to franchising. He will also reach out to Jaffe Raitt employment and labor law attorneys familiar with these issues. Dean Heyl or his successor at the International Franchising Association remain as possible speakers or panel members. Mr. Burzych stated that he would reach out to Lizzie Mills as a speaker or panelist. A meeting attendee proposed Mr. Shrikian as a panelist. Mr. Lederman agreed. Mr. Witus and Mr. Lederman praised Mr. Shrikian's great experience in handling labor and employment issues related to franchising. Mr. Steinberg mentioned another in-house person as a possible speaker or panelist, but there seemed to be a consensus that we had a large enough group if everyone mentioned signed on.

Mr. Rockey recognized that we need to get a subject and tag line for Fall Forum publicity. He also recognized that we need to focus on the Fall Forum format specifics, including

speaker or panel times, question and answer times, and other such specifics. Mr. Witus will reach out to Mr. Solis and Mr. Shrikian for specific labor and employment subjects. Lastly, Mr. Rockey mentioned the need to reach out to other sections for cross-promotional purposes.

FRANCHISE PRACTITIONERS GROUP

The scheduled June 26, 2020 group meeting did not occur. The next meeting will be in mid-to-late August 2020.

SECTION OFFICERS AND COUNCIL MEMBERS

Chairperson: Cody D. Rockey.

Vice Chairperson: Brian Witus.

Secretary: Howard Yale Lederman.

Treasurer: Mark J. Burzych

TERM ENDING 2020:

1. John A. Forrest P33318, Okomos.
2. Robert Edgar Murkowski P73381, Detroit.
3. Gary M. Remer P57230, Bloomfield Hills.
4. Movses J. Shrikian P39710, Madison Heights.

TERM ENDING 2021:

1. David L. Steinberg P32247, Southfield.
2. Howard Yale Lederman P36840, Bloomfield Hills.
3. Bethany Elaine Karsten P78849, East Lansing.
4. Briar Shawn Siljander P76834, Highland.

TERM ENDING 2022:

1. Mark J. Burzych P43793, Okemos.
2. Cale A. Johnson P78032, Bloomfield Hills.
3. Cody D. Rockey P78653, Ann Arbor.
4. Brian Witus P53062, Birmingham.

OTHER COUNCIL MEMBERS

1. Immediate Past Chairperson: Briar Shawn Siljander P76834, Highland.

TREASURER'S REPORT

As of June 1, 2020, our section has 232 members, including 219 active attorney members, 24 other attorney members, 10 legal assistant and legal administrator members, 10 law student members, and 1 other person. As of the above date, our section treasury has \$27,430.93.

FUTURE SECTION COUNCIL MEETING SCHEDULE

July 17, 2020: Zoom.

August 21, 2020: Telephone.

September 24, 2020: Virtual.

November 6, 2020: Telephone.

December 2020: Holiday Event.

All meetings, except the September 24, 2020 meeting, will begin at 12:00 Noon.

Dated: July 16, 2020

/s/Howard Yale Lederman
Howard Yale Lederman
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