

**IN-HOUSE COUNSEL COMMITTEE
REPORT PREPARED FOR THE OCTOBER 5, 2019 COUNCIL MEETING**

1. Next Scheduled Meeting of the Committee

Next scheduled meeting of the Committee: TBA:

2. Council Approval

There has been a proposal to offer two free in-house committee membership per company. The Committee supports this motion, as many committee members work in small legal departments at companies that may not be willing to pick up the tab (in the way that firms often do).

3. Membership

As membership has been inactive for some time, work progresses towards engaging membership in online discussions and developing willingness to more fully participate.

4. Accomplishments Toward Committee Objectives

Progress is slow, but steady. There have been several discussions through the message board regarding matters. It is hoped that these will serve as a basis for increased participation.

5. Meetings and Programs

A meeting is planned this fall; the committee continues to reach out to other in-house counsel organizations (specifically the Michigan Chapter of ACC) for opportunities to co-sponsor events and programming.

6. Publications

Pending the outcome of Council action on (2), the first electronic newsletter of the section is ready for electronic publication and distribution.

The September edition of the Business Law Journal also contained an In-House counsel column.

7. Legislative/Judicial/Administrative Developments

The Committee recommends that the Business Law Section take a position against HB 4874 (which was introduced to amend the Michigan Antitrust Reform Act).

After discussion within the committee (held via email) several questions were raised about the necessity for the law, including:

- The approximate percentage of employees defined as low-wage employees that are subject to noncompete agreements on an annual basis for the past five years in the State of Michigan;
- What other states have enacted such legislation and when; and
- Why \$15/hour when such amount is materially greater than the minimum wage in the State of Michigan.

Additionally, the Committee is concerned that sanctions are inappropriate where the standards for overbroad-ness are too vague to be practically and consistently applied.

8. Miscellaneous

[none]

/s/ Jordan B. Segal
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