

**Fall 2024 Conference Full Day Conference at Fordham Law
September 20, 2024 (08:30 AM - 05:00 PM Eastern)
Fordham Law School**

4.5 areas of Professional Practice; 1 Ethics; 1 DEI = 6.5 credits

8:30 - 8:55 AM Breakfast

8:55 - 9:00 AM Welcome

9:00 - 10:00 AM [Shattering the “Non-litigious Stereotype” and Other Myths about Asian American Employees \(1.0 DEI Credit\)](#)

How many times have you been passed over for a promotion despite excellent performance reviews? Excluded from client-facing presentations or important meetings? Have you been unfairly criticized for lacking leadership skills or pigeon-holed as the technical worker bee? The “model minority” myth and overrepresentation of Asian Americans at entry and mid-levels among professional ranks mask the prevalence of workplace discrimination against Asian Americans. It is so misunderstood that many Asian Americans internalize both overt and more subtle, insidious racism they face. But as borne out in recent research by McKinsey, Bain, Ascend and Coqual, Asian Americans are among the least represented at the executive and senior management levels, feel the least inclusion out of all demographics at work, and 36% of Asian professionals have reported experiencing racism at work.

This panel puts a focused lens on workplace discrimination faced by Asian American employees. The panel will provide guidance on how to identify the often subtle forms of racial discrimination as experienced by many Asian Americans, and provide information on employees’ rights and practical tools to combat such discrimination. Join discussions with employment and civil rights attorneys to understand the broader implications of workplace discrimination as a reflection of societal perception of Asian Americans, use of social media as a great equalizer in fighting workplace discrimination and understand the deep, psychological impact of experiencing workplace discrimination.

Panelists

- Vaishnavi J., Founder of Vyanams Strategies
- Michelle Lee, President & General Counsel of Stand with Asian Americans
- David Mou, Mou Legal PLLC
- Brian Pang, COO & Head of Partnerships of Stand with Asian Americans
- Shannon Prince, Attorney at Quinn Emanuel

10:00 – 11:00 AM Employment Law Mediations For Plaintiffs’ Lawyers (1.0 Professional Practice Credit)

An experienced panel of employment law mediators guides practitioners through best practices for employment law mediations, from mediation preparation issues: mediator selection issues, drafting effective mediation statements and preparing clients and attorneys for mediation; and then through issues arising at the mediation itself: avoiding impasse, mediator’s proposals, inability to pay issues, Rule 68 vs. *Cheeks*, and more.

Panelists

- Darren P.B. Rumack, Rumack Dispute Resolution//The Klein and Cardali Law Group PLLC
- Holly Weiss, HWH Mediation LLC
- Danielle Shalov, NYED ADR Administrator

11:00 - 11:15 AM Break

11:15 AM - 12:15 PM “Show Us the Money”: Putting a Value on Damages (1.0 Professional Practice Credit)

Survey of remedies under NYLL, including Whistleblower law, Title VII, Title IX, ADEA, ADA, Rehabilitation Act, FLSA, NYCHRL and range of “garden variety” emotional distress damages. Even so-called 'garden variety' ED can be several hundred (200-400) thousand dollars and be upheld on appeal. Include law review article in materials: Nothing "Garden Variety" About it: Manifest Error and Gross Devaluation in the Assessment of Emotional Distress Damages." 70 Syracuse L. Rev. 689 (2020).

Panelists

- Rebecca Houlding, Friedman & Houlding
- Nina Pirotti, Garrison Law
- Zoe Salzman, Emery Celli Brinckerhoff Abady Ward & Maazel LLP

12:15- 1:15 LUNCH

1:15 - 2:15 PM: Federal Employment Case Law Developments (1.0 Professional Practice Credit)

Review of recent decisions from the U.S. Supreme Court, including *Muldrow v City of St. Louis* and *Loper Bright Enterprises v. Raymond* and key Second Circuit Court of Appeals rulings.

Panelists

- Stephen Bergstein, Bergstein & Ullrich

- Rita Sethi, Special Professor of Law at Maurice Deane School of Law at Hofstra University

2:15 – 3:45 PM: Workforce Mobility: Immigration Considerations During Mass Tech Layoffs In the Era of Noncompetes (1.5 Professional Practice Credit)

A presentation by lawyers specializing in employment, immigration, and intellectual property law addressing the intersectionality of IP technology protections and non-compete clauses in contracts and the impact on U.S. and foreign workers. IP protection in the technology industry is impacted when there is an economic downturn or layoffs due to financial fluctuations in the market. This sets a chain reaction of events where mass layoffs leave employees scrambling to find new employment while navigating non-competes, and foreign workers have limited time to secure employment before their visa lapses.

This panel will cover the common issues arising for lawyers protecting IP, the status of noncompetes and NDAs, and the impact on foreign workers.

Panelists

- Dana DiRaimondo, DiRaimondo & Schroeder LLP
- Milana Dostanitch, Lipsky Lowe LLP
- Kalpana Nagampalli, KI Legal

3:45 - 4:45 PM: Ethics Panel (on Case Referral Fees, Fee Sharing/ Co-Counsel Agreements, Representing Groups Joint Representation Retainers, Attorney Advertising) (1.0 Ethics Credit)

This panel will examine a variety of thorny issues related to employment law, including case referral fees, fee sharing/co-counsel agreements, representing groups, joint representation retainers, and attorney advertising.

Panelists

- Jeffrey Cunningham, McAngus Goudelock & Courie ILC
- Paul Knight, Sanford Heisler Sharp

4:45- 5:45 PM Social Hour