

# 2014 Gathering of the Bench & Bar at Colorado Law

October 1-3, 2014  
Boulder, Colorado



**COLORADO**LAW  
UNIVERSITY OF COLORADO **BOULDER**

# Wednesday, October 1, 2014

**Lunch on your own/Registration at the Wolf Law Building** 11:30 - 1:00PM

**Welcoming Remarks & Introductions** 1:00 - 1:30PM

*Colorado Law, Wiltemyer Courtroom*

**The Honorable Maria Berkenkotter**, Chief Judge, 20th Judicial District, Colorado

**The Honorable Marcia S. Krieger**, Chief Judge, United States District Court, Colorado

**Phil Weiser**, Dean, Colorado Law

**The State of the Economy** 1:30 - 2:30PM

*Colorado Law, Wiltemyer Courtroom*

**Jason Furman**, Chairman, President's Council of Economic Advisers, United States

**Break** 2:30 - 2:45PM

**Legal Professionalism: How to Adapt to and Prepare Lawyers for a Changing World** 2:45 - 4:00PM

*Colorado Law, Wiltemyer Courtroom*

Moderator: **Caren Ulrich Stacy**, Founder, OnRamp Fellowship & Legal Talent Lab

**Fiona E. Arnold**, Former General Counsel, Vail Resorts

**Deborah Cantrell**, Associate Professor of Law and Director of Clinical Programs, Colorado Law

**Michael Dillon**, Senior Vice President, General Counsel and Corporate Secretary, Adobe Systems Incorporated

**Brian L. Duffy**, Shareholder and Co-President, Greenberg Traurig, LLP

**Trevor Faure**, Global General Counsel & Partner, Ernst & Young Global

**Break** 4:00 - 5:00PM

**4th Annual Stevens Lecture** 5:00 - 6:30PM

*University of Colorado, Macky Auditorium*

**The Honorable Antonin Scalia**, Associate Justice, Supreme Court of the United States

**Sitting of the United States Court of Appeals, Tenth Circuit** 9:00AM - 12:00PM

*University of Colorado Law School, Wiltemyer Courtroom*

The panel of the Tenth Circuit Court of Appeals held at the University of Colorado Law School is not part of the Bench and Bar Conference. It is open to the public and free of charge.

Wednesday, October 1, 2014



Byron R. White Center  
COLORADO **LAW**

UNIVERSITY OF COLORADO **BOULDER**

4TH ANNUAL STEVENS LECTURE  
United States Supreme Court  
Justice Antonin Scalia



To RSVP for the **Stevens Lecture only**, please go to  
<http://lawweb.colorado.edu/apps/eventRegistration/>

Thursday, October 2, 2014

**Welcome**

**8:00 - 9:15AM**

*St. Julien Hotel, Boulder, CO*

**Entrepreneurial Leadership in Government**

**9:15 - 10:15AM**

*St. Julien Hotel, Boulder, CO*

Moderator: **Phil Weiser**, Dean, Colorado Law

**Raymond L. Gifford**, Partner, Wilkinson Barker Knauer, LLP

**Cary Kennedy**, Deputy Mayor & CFO, City and County of Denver

**D. Scott Martinez**, Denver City Attorney, City and County of Denver

**Meg Porfido**, Former Chief of Staff & GC, Office of the Governor, Roy Romer

**Break**

**10:15 - 10:30AM**

**Whither the Jury?: Confronting the Pressures and**

**Opportunities for Jury Trials in the Modern Age**

**10:30 - 12:00PM**

*St. Julien Hotel, Boulder CO*

Moderator: **The Honorable Rebecca Love Kourlis**, Executive Director, Institute for the Advancement of the American Legal System; Former Justice, Colorado Supreme Court

**Virginia L. Grady**, Federal Public Defender, Office of the Federal Public Defender, Colorado and Wyoming

**The Honorable David B. Sentelle**, Senior Circuit Judge, United States Court of Appeals, D.C. Circuit

**Stephen D. Susman**, Partner, Susman Godfrey L.L.P.

**Scott Moss**, Professor, Colorado Law

**Lunch on your own**

**12:00 - 1:00PM**

**Breakout Sessions**

**1:00 - 2:00PM**

*St. Julien Hotel, Boulder, CO*

**Breakout 1: "The Terror Courts: Rough Justice at Guantanamo Bay"**

**Jess Bravin**, Author; Supreme Court Correspondent, The Wall Street Journal

**Breakout 2: Medical Legal Partnerships**

**Dayna Matthew**, Professor of Law, Colorado Law

**Breakout 3: Tenth Circuit Update**

**Kevin Traskos**, Assistant U.S. Attorney and Chief of the Civil Division, United States Attorney's Office, District of Colorado

**Break**

**2:00 - 2:10PM**

Thursday, October 2, 2014

**Breakout Sessions**

**2:10 - 3:10PM**

*St. Julien Hotel, Boulder, CO*

**Breakout 1: "The Terror Courts: Rough Justice at Guantanamo Bay"**

**Jess Bravin**, Author; Supreme Court Correspondent, *The Wall Street Journal*

**Breakout 2: Medical Legal Partnerships**

**Dayna Matthew**, Professor of Law, *Colorado Law*

**Breakout 3: Tenth Circuit Update**

**Kevin Traskos**, Assistant U.S. Attorney and Chief of the Civil Division,  
*United States Attorney's Office, District of Colorado*

**Break**

**3:10 - 3:20PM**

**The Fourth Estate and the Least Dangerous Branch:**

**Covering the Courts in the Internet Era**

**3:20 - 4:30PM**

*St. Julien Hotel, Boulder, CO*

Moderator: **Rachel Estabrook**, Reporter/Producer, *Colorado Public Radio*

**Jess Bravin**, Supreme Court Correspondent, *The Wall Street Journal*

**Dahlia Lithwick**, Senior Editor and Supreme Court Correspondent, *Slate*;  
Contributing Editor, *Newsweek*

**Eugene Volokh**, Gary T. Schwartz Professor of Law, *UCLA School of Law*

**John F. Walsh**, U.S. Attorney, *United States Attorney's Office, District of Colorado*

**The Faculty of Federal Advocates Cocktail Reception**

**4:30- 6:00PM**

*St. Julien Hotel, Boulder, CO*

# Friday, October 3, 2014

## Welcome

8:00 - 9:00AM

*St. Julien Hotel, Boulder, CO*

## Supreme Court Update

9:00 - 10:00AM

*St. Julien Hotel, Boulder, CO*

**Erwin Chemerinsky**, Dean, University of California, Irvine Law School

## Break

10:00 - 10:15AM

## Law and Politics: The Role of Judges in

### Regulating Elections

10:15 - 11:15AM

*St. Julien Hotel, Boulder, CO*

Moderator: **The Honorable Timothy M. Tymkovich**, Circuit Judge, United States Court of Appeals, Tenth Circuit

**John D. Griffin**, Associate Professor of Political Science, University of Colorado Boulder; Director, LeRoy Keller Center for the Study of the First Amendment

**The Honorable Gale A. Norton**, President, Norton Regulatory Strategies; Former Secretary, U.S. Department of the Interior

**Adam Winkler**, Professor of Law, UCLA School of Law

**Dave Freudenthal**, Senior Counsel, Crowell & Moring LLP; Former Governor, Wyoming

## Break

11:15 - 11:30AM

## Best in Class Approaches for E-Discovery &

### Lunch at the St. Julien

11:30 - 12:45PM

*St. Julien Hotel, Boulder, CO*

Moderator: **Jonathan M. Redgrave**, Partner, Redgrave LLP

**R. Stanton Dodge**, Executive Vice President, General Counsel and Secretary, DISH Network L.L.C.

**Allison Stanton**, Director of E-Discovery, United States Department of Justice, Civil Division

**The Honorable Craig B. Shaffer**, Magistrate Judge, United States District Court, Colorado

**Sean R. Gallagher**, Shareholder, Polsinelli PC

## Break

12:45 - 1:00PM

## Professionalism and A Growth Mindset

1:00 - 2:00PM

*St. Julien Hotel, Boulder, CO*

Moderator: **Amy Griffin**, Student Legal Writing Coordinator, Colorado Law

**The Honorable Monica M. Márquez**, Justice, Colorado Supreme Court

**A. Tyrone Glover**, Deputy State Public Defender, Colorado

**Sarah M. Clark**, Attorney and Policy Advisor, Brownstein Hyatt Farber Schreck, LLP



Friday, October 3, 2014

**Break**

**2:00 - 2:15PM**

**Technological Change, Ethics, and the Law**

**2:15 - 3:15PM**

*St. Julien Hotel, Boulder, CO*

Moderator: **Mary V. Sooter**, Partner, *Faegre Baker Daniels LLP*

**The Honorable David M. Ebel**, Senior Circuit Judge, *United States Court of Appeals, Tenth Circuit*

**Kristelia García**, Associate Professor of Law, *Colorado Law*

**Neal K. Katyal**, Paul and Patricia Saunders Professor, *Georgetown University Law Center*; Former Solicitor General, *United States*

**Break**

**3:15 - 3:30PM**

**The Future of Privacy Law and Policy in the  
Era of Sensors and Big Data**

**3:30 - 4:30PM**

*St. Julien Hotel, Boulder, CO*

Moderator: **Paul Ohm**, Associate Professor of Law, *Colorado Law*

**David Campbell**, Chief Security Officer, *Sendgrid*

**Terrell McSweeney**, Commissioner, *Federal Trade Commission*

**Harry Surden**, Associate Professor of Law, *Colorado Law*

**Ashlie Beringer**, Vice President and Deputy General Counsel, *Facebook*