



corporate counsel symposium

Tuesday, November 17, 2020

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THIRTY-FIRST ANNUAL CORPORATE COUNSEL SYMPOSIUM

Hosted by **Bill Stoeri**, Dorsey's Managing Partner

Program Schedule

9:45 am – 10:00 am CT Registration and pre-show virtual lobby

10:00 am – 11:00 am **The Top Issues Corporate Counsel Should Understand About the Coronavirus Pandemic Heading into 2021** (*General CLE Credit*)

The coronavirus pandemic has had a broad and novel impact on our work and lives for most of 2020. It's apparent we can expect more of the same as we move into 2021. Our panel will explore the critical questions that corporate counsel need to evaluate and understand in the coming months and will offer helpful insight, resources, and tips that attendees can put to use right away.

Peter Carter, Executive Vice President, Chief Legal Officer and Corporate Secretary, Delta Air Lines, Inc.

John L. Hick, Faculty Emergency Physician Hennepin County Medical Center (HCMC); Professor of Emergency Medicine, University of Minnesota Medical School

Elizabeth Truesdell Smith, Senior Vice President, General Counsel and Secretary to the Board, Allina Health

Theresa Bevilacqua, Partner, Dorsey & Whitney LLP (Moderator)

11:00 am – 11:10 am **Break (time may vary)**

11:10 am – 12:10 am **Antiracist Law Department (and Business): How Corporate Counsel Can Help Build a More Equitable World** (*Bias CLE Credit*)

The recent children's book **Antiracist Baby** is a #1 New York Times Bestseller that offers nine concise lessons to teach and empower all ages about how to uproot racism in ourselves and in our society. Taking a lead from the bold, playful language in the book, our panel will apply the nine lessons to examine how law departments, corporate lawyers, and the businesses they support can participate in the critical conversations and actions necessary to unravel systemic racism and injustice in our profession and in our broader world.

James L. Chosy, Senior Executive Vice President and General Counsel, U.S. Bancorp

Shayne O'Reilly, Associate General Counsel, IP Litigation, Facebook, Inc.

Denise Zamore, Senior Associate General Counsel, UnitedHealth Group

Shevon Rockett, Partner, Dorsey & Whitney LLP (Moderator)

12:10 pm – 12:20 pm **Break (time may vary)**

12:20 pm – 1:20pm **Keynote: Gut Churn, by Jad Abumrad**

Our featured keynote speaker is **Jad Abumrad**, the host and creator of **Radiolab**, a public radio program broadcast on 524 stations across the nation and downloaded more than 9 million times a month as a podcast. The thread of Jad's talk begins with a simple question: what does it mean to "innovate?" How does it feel to make something new in the world? (These are questions Jad was frequently asked after being awarded a MacArthur fellowship in 2011—and questions we've all been called to answer as we've weathered the pandemic and social impact of the last year). This address, on one level, is the personal story of how Jad invented a new aesthetic. On another, it is a clinic in the art of storytelling. On a third and more profound level, it is the result of a three-year investigation into the science, philosophy and art of uncertainty, which all began with the two words that are the title of this talk. *Gut churn*. What use do negative feelings have during the creative process? Do those feelings get in the way, or do they propel us forward? We are thrilled to welcome Jad and hear his unique insights on these ever-more relevant questions—for all of us in life and in the practice of law.

1:20 pm – 1:45 pm **Moderated Q&A and Closing**

Guest Panelist Biographies



Peter Carter
Delta Air Lines, Inc.
Executive Vice President, Chief
Legal Officer & Corporate
Secretary
Atlanta, Georgia

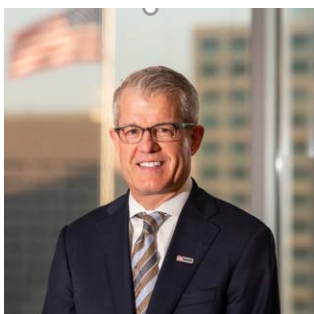
Peter Carter has served as Delta's Executive Vice President, Chief Legal Officer and Corporate Secretary since July 2015. As Chief Legal Officer, Peter oversees Delta's legal, compliance and government affairs groups worldwide and serves on the Delta Leadership Committee.

Peter has worked to protect Delta's freedom to operate by advocating against market distortive subsidies in the industry to ensure fair and open skies. He regularly engages with government stakeholders in the U.S., Mexico, Korea, U.K., China, and the E.U. on matters relating to competition policy, alliances, privacy and compliance.

Before joining Delta, Peter was a partner at the international law firm of Dorsey & Whitney LLP. He chaired the firm's Policy Committee and the Securities Litigation and Enforcement practice group. He is a Fellow of the American College of Trial Lawyers and has been recognized by numerous organizations and publications including being honored with a Burton Award for public interest, and being named one of the Best Lawyers in America for Bet-the-Company and Commercial Litigation, one of "America's Leading Business Lawyers" by Chambers USA, and Antitrust Lawyer of the year in 2013 by Best Lawyers in America.

Before joining Dorsey, Peter clerked for Judge James B. Loken at the U.S. Court of Appeals for the Eighth Circuit.

Peter serves as a member of the Boards of the Delta Air Lines Foundation, the Alliance Theater, the Chick Fil-A Foundation, The United Way of Greater Atlanta, and the Georgia Chamber of Commerce. He was also appointed by Gov. Nathan Deal to serve on the State of Georgia Judicial Selection Commission.



James L. Chosy
U.S. Bancorp
Senior Executive Vice President
and General Counsel
Minneapolis, Minnesota

Jim Chosy is Senior Executive Vice President and General Counsel of U.S. Bancorp, the parent company of U.S. Bank, the fifth largest commercial bank in the United States. Chosy is responsible for all aspects of the company's legal affairs.

Chosy rejoined U.S. Bancorp in 2013 from Piper Jaffray Companies, a middle-market investment bank and asset management firm. He had served as Managing Director, General Counsel and Secretary of Piper Jaffray since March 2001. Prior to joining Piper Jaffray in 2001, he was Associate General Counsel and Secretary of U.S. Bancorp. He first joined U.S. Bancorp (then First Bank System) in 1995, having begun his legal career with the law firm of Dorsey & Whitney in Minneapolis.

Chosy is a member of the board of directors of the Guthrie Theater and the Fund for Legal Aid, the board of counselors of Equal Justice Works, the general counsel advisory committee of the Bank Policy Institute, and the corporate advisory panel of the Federal Bar Association's special task force on diversity and inclusion. He is also a Life Fellow of the American Bar Foundation and a member of the Leadership Council on Legal Diversity. He has previously served as a member and chair of the board of directors of the Clearing House Association, the University of Minnesota Law School and the Children's Theater Company. In 2012, he received the University of Minnesota's Alumni Service Award, in 2019 the Lead by Example Award from the National Association of Women Lawyers, and in 2020 the In-House Counsel Lifetime Achievement Award from Minnesota Lawyer. He received his J.D. degree magna cum laude from the University of Minnesota in 1989, where he served as an editor of the Minnesota Law Review. He is also a 1986 graduate of the University of Wisconsin-Madison.



John L. Hick

Faculty Emergency Physician
Hennepin County Medical Center
(HCMC)
Professor of Emergency Medicine
University of Minnesota Medical
School

John L. Hick is a faculty emergency physician at Hennepin County Medical Center (HCMC) and a Professor of Emergency Medicine at the University of Minnesota Medical School. He serves as the Associate Medical Director for Hennepin County Emergency Medical Services and Medical Director for Emergency Preparedness at HCMC. He is also Assistant Medical Director and Vice Chair of the Clinical Council for LifeLink III.

He served the Minnesota Department of Health as the Medical Director for the Office of Emergency Preparedness from 2002-2014 and currently works part-time for US Health and Human Services (HHS/ASPR) as an Advisor to the Director of the Office of Emergency Management.

He is an expert on hospital preparedness and crisis medical care issues and has published over fifty peer-reviewed papers dealing with hospital preparedness for contaminated casualties, disaster standards of care, and surge capacity.

John also has a strong interest in rotor-wing and fixed wing medical care and worked in 1998 for the Royal Flying Doctors Service in rural Queensland, Australia performing fixed-wing retrievals across a large area of outback Australia from the Mt. Isa base. He returned to Australia for six months in 2012 to work as a retrieval physician for the New South Wales helicopter service performing rescue and inter-facility responses.

In his spare time, he practices disaster mitigation, response, and recovery at home with his two daughters ages 14 and 17.



Shayne O'Reilly

Associate General Counsel, IP
Litigation
Facebook, Inc.
Menlo Park California

Shayne O'Reilly is Associate General Counsel for IP Litigation at Facebook, Inc. where he manages domestic and international intellectual property litigation matters. Prior to joining Facebook, Shayne worked for Kilpatrick, Townsend & Stockton LLP where his practice focused on patent litigation, client counseling, technology transactions, due diligence investigations, and post grant review work. Outside of work, Shayne enjoys working with non-profit organizations and serves on the Board of The Ron Clark Academy and the Silicon Valley Urban Debate League. Shayne has received the Silicon Valley Business Journal 40 under 40 award, MCCA Rising Star award, and National Bar Association Diversity in Tech award. Shayne is a registered patent attorney. He earned his Bachelor of Science degree in Electrical Engineering from North Carolina A&T State University and his Juris Doctor from the UNC at Chapel Hill School of Law.



Elizabeth Truesdell Smith
Allina Health
Senior Vice President, General
Counsel & Secretary to the
Allina Health Board of Directors
Minneapolis, Minnesota

Elizabeth Truesdell Smith is senior vice president, general counsel and secretary to the Allina Health Board of Directors. Truesdell Smith has been practicing law for 22 years and has served as in-house counsel for Allina Health since December 2000. As general counsel, Truesdell Smith serves on the Executive Leadership Team and is the chief legal advisor to the health system and all of its operating units, subsidiaries, employees, boards and constituents. She also is the senior executive responsible for clinical and enterprise risk management, insurance and emergency preparedness.

Prior to her appointment as general counsel, she held the position of vice president of the Allina Health Law Department medical-legal team where she focused her leadership and practice on the oversight and management of professional liability matters, patient care related advice and counsel, medical staff and privileging matters, corporate and clinical regulatory matters, clinical risk management and litigation arising out of patient care delivery disputes. Before joining Allina Health, Truesdell Smith practiced as a trial lawyer for eight years with a focus on hospital and health law, medical professional liability and medical products liability litigation defense.

Truesdell Smith received her juris doctor from the University of Minnesota Law School in 1992 after earning a master's degree in public health with a health law and bioethics concentration from Boston University School of Public Health in 1989. She has served on institutional review boards responsible for overseeing human subjects research for over a decade. She has worked in biomedical laboratory research at Harvard Medical School and in biomedical ethics at Boston City Hospital, Boston University School of Public Health and the Center for Bioethics at the University of Minnesota. She currently serves on the YWCA Board of Directors.



Denise V. Zamore
Senior Associate General Counsel
UnitedHealthcare Inc.
Hartford, Connecticut

Denise Zamore is a Senior Associate General Counsel at UnitedHealthcare where she leads a team of attorneys and non-attorney professionals in the coordination and management of legal, compliance and regulatory matters related to all lines of health insurance business. Denise actively manages litigation related to antitrust, bankruptcy, behavioral health, claims, contract disputes, employment, ERISA, Medicare, Medicaid, and member privacy. In her role, Denise serves as trusted business partner and advisor to senior management and business units on critical and high profile risks and disputes. Denise also supervises aspects of due diligence related to corporate transactions, including post-closing obligation compliance. She collaborates with finance team on risk assessments, reserves and accruals, has led projects related to budget, legal spend and law firm diversity.

Denise is committed to diversity and in 2012 founded the very successful annual diverse 1L summer internship program in UnitedHealthcare's Connecticut and California offices. She previously served as Chair of UnitedHealthcare's Diversity & Inclusion Council and was selected by UHG Chief Legal Officer as a 2013 Leadership Council on Legal Diversity (LCLD) Fellow and 2017-18 UHG Emerging Leader.

Denise is an active member of her community and serves as a mentor to high school and college students. She serves as a board member of the Connecticut Bar Foundation, a foundation dedicated to promoting equal access to justice; and board member of the Hartford Promise Scholars program, a nonprofit organization focused on high school and college success for Hartford public school students. She has received numerous award and distinctions for her commitment to diversity and the practice of law.

Prior to joining UnitedHealthcare, Denise completed a two-year federal clerkship and practiced complex commercial litigation at large multinational law firms. She received her J.D. from Columbia Law School and her B.A. in government from Georgetown University.

Dorsey & Whitney Program Moderators



Theresa Bevilacqua
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As Chair of the Minneapolis Trial Group, Theresa is known for her creative problem solving and her ability to make the uncertainties of litigation predictable for her clients. She also has a proven track record for leading trial teams in any litigated forum and obtaining total defense verdicts in jury and bench trials.



Shevon D.B. Rockett
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Shevon's practice focuses primarily on the defense of pharmaceutical, medical device, and other companies in complex litigation matters. She has represented AstraZeneca, Boehringer Ingelheim, Dentsply Sirona, Intuitive Surgical, Inc., Pfizer, Takeda, TASER International, Inc., and other large corporate clients in local, regional and national products liability and commercial litigation, as well as in government investigations and consumer fraud cases.

Shevon plays an integral role in case strategy and fact development, and has managed active dockets involving single suits, collections of individual lawsuits, class actions, and Multidistrict Litigations. She also has experience organizing and supervising large-scale document production and review projects. Shevon develops trial strategy, and has successfully drafted and argued dispositive, in limine, and Daubert/Frye motions. She also has significant experience preparing expert witnesses and company employees from various backgrounds and areas of expertise for depositions and trial. In addition, Shevon conducts litigation risk assessments, establishes and manages e-discovery processes, implements compliance programs, and conducts trainings for in-house counsel and staff.

Shevon also is a member of the labor and employment group and assists with all aspects of employment litigation, including class action or representative actions involving violations of the ADA, including cases involving website accessibility, as well as single-plaintiff discrimination, harassment, and retaliation claims, disputes over trade secrets and noncompetition agreements, and other contractual matters. In every case, Shevon and her team conduct a thorough and in-depth evaluation early on, to present her clients with the full range of possible strategy options.

Shevon maintains an active pro bono practice that has included section 1983 prisoner civil rights litigation, divorce representation, and the successful obtainment of permanent residence status for immigrants through the Violence Against Women Act. She has also represented homeowners in premises liability matters, and successfully appealed the denial of an assistive technology petition for a disabled client. Shevon has been on the First Judicial District of Pennsylvania's Pro Bono Roll of Honor each year since 2009.



William R. Stoeri
Dorsey & Whitney LLP
Managing Partner
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Bill practiced law at Dorsey for over 30 years before taking its helm. During that time, he served as litigation counsel to some of the world's most successful and innovative organizations. He credits those clients with teaching him valuable lessons about service and leadership, lessons he keeps at the forefront as he leads Dorsey-- our clients are our top concern, teamwork and cooperation are essential to success, and an organization's people must be valued and provided with opportunities to succeed.

Bill is committed to continuing Dorsey's robust investment in diversity and inclusion and has supported the implementation of policies that further that cause, such as the firm's "Diversity Hours" policy which allows associates to count work and training that promotes diversity toward their billable hours requirements.

Innovation is also a top priority for Bill. As a member of the firm's Management Committee, he supported the addition of an Innovation and Knowledge Management Department, and as Managing Partner, he has appointed the firm's first Innovation Partner to lead the firm's efforts in developing better and faster ways to serve our clients and provide exceptional value.

Bill finds that one of the most rewarding parts of serving as Dorsey's Managing Partner is learning about our clients' businesses from the people who help run them. If you are one of those people, or have questions about Dorsey, he would welcome your call.

The Top Issues Corporate Counsel Should Understand About the Coronavirus Pandemic Heading into 2021

Panelists:

Peter Carter, Executive Vice President, Chief Legal Officer and Corporate Secretary, Delta Air Lines, Inc.

John L. Hick, Faculty Emergency Physician Hennepin County Medical Center (HCMC); Professor of Emergency Medicine, University of Minnesota Medical School

Elizabeth Truesdell Smith, Senior Vice President, General Counsel and Secretary to the Board, Allina Health

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Materials

PowerPoint Presentation

Resources

Dorsey Health Law Blog: *2020's a Bust, but HIPAA Enforcement Is on a Roll!*, Elizabeth Greiter and Alissa Smith (October 15, 2020)

<https://dorseyhealthlaw.com/2020s-a-bust-but-hipaa-enforcement-is-on-a-roll/>

Dorsey Health Law Blog: *CMS Issues Interim Final Rule to Enforce COVID-19 Reporting Requirements*, Jamie McCarty and Ross C. D'emanuele (September 11, 2020)

<https://dorseyhealthlaw.com/cms-issues-interim-final-rule-to-enforce-covid-19-reporting-requirements/>

Dorsey & Whitney LLP eUpdate: *Contact Tracing: Privacy Implications and Practical Considerations*, Robert Cattanach and Nur Ibrahim (August 3, 2020)

<https://www.dorsey.com/newsresources/publications/client-alerts/2020/08/contact-tracing>

Materials are Available on www.dorsey.com at

<https://www.dorsey.com/newsresources/events/event/2020/11/corporate-counsel-symposium-2020-materials>

The Top Issues Corporate Counsel Should Understand About the Coronavirus Pandemic Heading into 2021

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The Legal Department's Role in Navigating Scientific and Health Concerns

- **Testing, Tracing, and PPE**
 - Processes and Protocols
 - Legal team leadership and involvement
- **Enterprise Risk Management Role**
 - Risk tolerance
 - Information and decision-making changes

The Legal Department's Role in Navigating Scientific and Health Concerns

- **Vaccine Acceptance and Distribution**
 - Acceptance rate and challenges in achieving it
 - Logistics and supply chain issues
 - Corporate and legal role in vaccine acceptance and distribution

Moving Forward with Continued, Significant Impacts to Existing Business Models

- **Policies, Practices, and Procedures for Moving Forward**
 - Changing the mindset of your organization
 - Faster decision making
 - Shifting the business' focus and prioritization
 - Customer/employee health and safety
 - Embracing unlikely partnerships
 - Studying and borrowing from unrelated industries
 - Forging new alliances and partnerships

Top Concerns for Employees

- **Health and Safety are Paramount**
 - Tension point of getting back to work and surge in case numbers nationwide
 - General counsel perspective and role
 - Medical community perspective and role
 - The Corporate Lawyer as a Fiduciary During a Public Health Crisis
 - How is this role different and addressed within the legal team
 - At the executive team level
 - At the board of directors level

Top Concerns for Employees

- **Job Security, Privacy, and Personal Security**
 - How legal teams are helping to convey the business realities and successes
 - How legal teams are addressing privacy concerns of employees related to testing protocols, positivize COVID tests, and vaccination
 - How healthcare providers are addressing personal health and safety concerns related to both COVID and civil unrest

Staying Current in a Constantly Changing Legal and Regulatory Landscape

- **The Panel's Top 3 Tips**
 - CIDRAP News – current and comprehensive news source published by the Center for Infectious Disease Research and Policy
<https://www.cidrap.umn.edu/news-perspective>
 - Create an internal waiver group to monitor all the changes
 - Rely on your outside partners

CLE Code for Attendees in States that Require a Code

(Tip: The CLE code is different than the event code assigned by states)

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How to Best Support the Health and Wellbeing of Employees, Colleagues and Customers

- **Communication is key**
 - Technology deployment, adoption, and proficiency throughout your organization
 - Dealing with Zoom and COVID fatigue
 - Survey pros and cons
- **Increased focus on healthcare benefits**
 - Encouraging employees to utilize existing offerings
 - Adopting and adapting to the virtual system
- **Proactively advocating for your employees**
 - Counsel's role within the business
 - Counsel's role at the local, state and federal level

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Parting Thoughts and Thanks

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Antiracist Law Department (and Business): How Corporate Counsel Can Help Build a More Equitable World

James Chosy, Senior Executive Vice President and General Counsel, U.S. Bancorp

Shayne O'Reilly, Associate General Counsel, IP Litigation, Facebook, Inc.

Denise Zamore, Senior Associate General Counsel, UnitedHealth Group

Shevon Rockett, Partner, Dorsey & Whitney LLP (Moderator)

Materials

PowerPoint Presentation

Reading & Resources Referenced During the Presentation

- [How to Be an Antiracist](#) and [Antiracist Baby](#) by Ibram X. Kendi
- [Implicit Association Test \(IAT\)](#): Project Implicit is a non-profit organization and international collaboration between Harvard researchers who are interested in implicit social cognition – thoughts and feelings outside of conscious awareness and control. The goal of the organization is to educate the public about hidden biases and to provide a “virtual laboratory” for identifying them. At this [link](#) you can take an association test related to over a dozen different types of biases, including race, religion, sexual orientation, and disability.
- [“No, I’m not the court reporter: Tips for Tackling Implicit Bias”](#) by Shayon Smith and Shevon Rockett, New York Law Journal
- [White Privilege: Unpacking the Invisible Knapsack](#). This essay is excerpted from “White Privilege and Male Privilege: A Personal Account of Coming To See Correspondences through Work in Women’s Studies” by Peggy McIntosh. It’s was published in 1988, but it still one of the best explanations of privilege on basic terms without the emotion of current events.
- [Bias Interrupters Survey Report: You Can’t Change What You Can’t See](#) Created by the Minority Corporate Counsel Association (MCCA), this first-of-its-kind survey showing that systemic bias across the legal profession presents significant barriers to gender and racial equity. The study examines implicit gender and racial bias in legal workplaces and offers new solutions and tools for interrupting bias across the legal profession.

Materials are Available on www.dorsey.com at

<https://www.dorsey.com/newsresources/events/event/2020/11/corporate-counsel-symposium-2020-materials>

Articles, Toolkits & Other Resources

- [A Workplace Divided: Understanding the Climate for LGBTQ Workers Nationwide](#) (Human Rights Campaign Foundation)
- [An Expert's Advice On How To Address Diversity In The Workplace](#) (Forbes)
- [Bystander Basics](#) (Hollaback!)
- [Caucus and Affinity Groups](#) by Racial Equity Tools
- [Check in on Your Black Employees, Now](#)
- [Delivering Through Diversity](#) (McKinsey & Company)
- [Diversity At a Glance: The Data](#) (Leadership Council on Legal Diversity)
- [Diversity Doesn't Stick Without Inclusion](#) (Harvard Business Review)
- [How Microaggressions Can Affect Wellbeing In The Workplace](#) (Forbes)
- [How the Best Bosses Interrupt Bias on Their Teams](#) (Harvard Business Review)
- [How The Legal Pipeline Is Failing Black Attorneys](#) (Law 360)
- [How US Companies Can Support Employees of Color Through the Pandemic](#)
- ["Maintaining Professionalism In The Age of Black Death Is....A Lot"](#) - Shenequa Golding (Medium, 2020)
- [Microaggression Tools](#) (UC Santa Cruz)
- [Principles for White Affinity Study Groups](#)
- [Pronouns in the Workplace](#) (Human Rights Campaign)
- [Racial Identity Caucusing: A Strategy for Building Anti-Racist Collectives](#) by Crossroads
- [The Intersectionality Wars](#)
- [The Language of Gender](#)
- [Tips for Creating Effective White Caucus Groups](#)
- [Tool: Recognizing Microaggressions and the Messages They Send](#) (University of California)
- [Tools for White Anti-Racist Organizing](#) by the Catalyst Project
- [Toward a Racially Just Workplace](#)
- [U.S Businesses Must Take Meaningful Action Against Racism](#)
- [We White Liberals Need to Face Our Internalized Racism](#)
- [White Supremacy Culture Characteristics](#) (Showing Up for Racial Justice)
- [Why Reverse Racism Doesn't Actually Exist](#) (Business Insider)

- [Women in the Workplace 2020](#) (McKinsey & Company)
- [Your Black Colleagues May Look Like They're Okay — Chances Are They're Not](#)

Books

- [All American Boys](#), by Jason Reynolds
- [Between the World and Me](#), by Ta-Nehisi Coates
- [Biased: Uncovering the Hidden Prejudice That Shapes What We See, Think, and Do](#) by Jennifer L. Eberhardt
- [Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment](#) by Patricia Hill Collins
- [Fatal Invention: How Science, Politics, and Big Business Re-Created Race in the Twenty-First Century](#) by Dorothy Roberts
- [How We Fight for Our Lives: A Memoir](#), by Saeed Jones
- [Invisible Man](#), by Ralph Ellison
- [Me and White Supremacy: Combat Racism, Change the World, and Become a Good Ancestor](#), by Layla Saad
- [Me and White Supremacy: Combat Racism, Change the World, and Become a Good Ancestor](#) by Layla F. Saad
- [Native Son](#), by Richard Wright
- [Racism Without Racists](#) by Eduardo Bonilla-Silva
- [Raising White Kids: Bringing Up Children in a Racially Unjust America](#) by Jennifer Harvey
- ["Real" Indians and Others: Mixed-Blood Urban Native Peoples and Indigenous Nationhood](#) by Bonita Lawrence
- [Sister Citizen: Shame, Stereotypes, and Black Women in America](#) by Melissa V. Harris-Perry
- [So You Want to Talk About Race](#), by Ijeoma Oluo
- [Stamped From the Beginning: The Definitive History of Racist Ideas in America](#) by Ibram X. Kendi
- [The Color of Law: A Forgotten History of How Our Government Segregated America](#) by Richard Rothstein
- [The Emperor Has No Clothes: Teaching About Race and Racism to People Who Don't Want to Know](#) by Tema Okun
- [The Fire This Time: A New Generation Speaks About Race](#), edited by Jesmyn Ward
- [The New Jim Crow: Mass Incarceration in the Age of Colorblindness](#), by Michelle Alexander

- [The Water Dancer: A Novel](#), by Ta-Nehisi Coates
- [This Bridge Called My Back: Writings by Radical Women of Color](#), edited by Cherrie Moraga and Gloria Anzaldúa
- [White Fragility: Why It's So Hard for White People to Talk About Racism](#), by Robin DiAngelo
- [White Rage: The Unspoken Truth of Our Racial Divide](#) by Carol Anderson

TEDTalks, Videos & Films

- [5 Tips for Being an Ally](#) (3 minutes)
- [13th](#) by Ava DuVerney. It's available on Netflix or for FREE on [YouTube](#)
- [A Conversation With Black Women on Race](#), Op-Docs New York Times
- [A Conversation With Latinos on Race](#), Op-Docs New York Times
- [A Conversation With Native Americans on Race](#), Op-Docs New York Times
- [A Conversation with Ta-Nehisi Coates](#) (1 hour, 32 minutes)
- [A Conversation With White People On Race](#), Op-Docs New York Times
- [A Roundtable Conversation: Anthony Boggles, Jordan T. Camp, Yalidy Matos, Margaret Weir & Tricia Rose](#), (1 hour, 40 Minutes)
- [An interview with the founders of Black Lives Matter](#) (16 minutes)
- [ASIAN | How You See Me](#)
- [Color blind or color brave?](#) (15 minutes)
- [Get comfortable with being uncomfortable](#) (11minutes)
- ["How to Be an Antiracist"](#) (1 Hour)
- [I Am Not Your Negro](#)
- [Let's get to the root of racial injustice](#) (20 minutes)
- [Race, Gender, Inequality and Intersectionality](#) (50 minutes)
- [The future of race in America](#) (24 minutes)
- ["Whistling Vivaldi" And Beating Stereotypes](#) (30 minutes)

Podcasts

- [1619 \(New York Times\)](#)
- [About Race](#)
- [Code Switch \(NPR\)](#)
- [Intersectionality Matters! hosted by Kimberlé Crenshaw](#)

- [Momentum: A Race Forward Podcast](#)
- [Nice White Parents \(Serial and The New York Times\)](#)
- [Pod For The Cause \(from The Leadership Conference on Civil & Human Rights\)](#)
- [Pod Save the People \(Crooked Media\)](#)
- [Seeing White](#)

Resources for Children, Young Readers, and Parents

- [60+ Resources for Talking to Kids About Racism](#) Bounceback Parenting
- [All the World](#) by Liz Scanlon
- [Coretta Scott King Book Award Winners](#) – a list of award-winning books by African American authors and illustrators for children and young adults
- [Henry's Freedom Box](#) by Ellen Levine
- [Let the Children March](#) by Monica Clark-Robinson
- [Let's Talk About Race](#), by Julius Lester illustrated by Karen Barbour
- [Not My Idea: A Book About Whiteness](#) by Anastasia Higginbotham
- [Of Thee I Sing A Letter To My Daughters](#), by Barack Obama Illustrated by Loren Long
- [Say Something!](#) by Peter Reynolds
- [Something Happened in Our Town: A Child's Story About Racial Injustice](#) by Marianne Celano, PhD, ABPP, Marietta Collins, PhD, and Ann Hazzard, PhD, ABPP
- [Stamped: Racism, Antiracism, and You](#) by Ibram X. Kendi and Jason Reynolds.
- [Talking About Racism and Bias: Resources for Parents and Caregivers](#) Children's Alliance
- [Talking to Children About Racial Bias](#) by Ashaunta Anderson Jacqueline Dougé
- [Talking to Kids About Racism](#) New York Times
- [Talking to Young Children About Race and Racism](#) PBS
- [Witnesses to Freedom: Young People Who Fought for Civil Rights](#), by Belinda Rochelle
- [That Is My Dream! A Picture Book Of Langston Hughes's "Dream Variation"](#), by Langston Hughes and Illustrated by Daniel Miyares
- [The ABCs of Diversity: Helping Kids \(and Ourselves!\) Embrace Our Differences](#) by Carolyn B. Helsel, Y. Joy Harris-Smith
- [We're Different, We're the Same \(Sesame Street\)](#), Bobbi Kates, Illustrated by Joe Mathieu

Antiracist Law Department (and Business): How Corporate Counsel Can Help Build a More Equitable World

Tuesday, November 17, 2020

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Panelists:

**James L. Chosy, Senior Executive Vice President and General Counsel,
U.S. Bancorp**

Shayne O'Reilly, Associate General Counsel, IP Litigation, Facebook, Inc.

Denise Zamore, Senior Associate General Counsel, UnitedHealth Group

Shevon Rockett, Partner, Dorsey & Whitney LLP (Moderator)

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Antiracist Baby

Image omitted
Antiracist Baby (2020)
[https://www.ibramxkendi.com/
books-1](https://www.ibramxkendi.com/books-1)

1. "Open your eyes to all skin colors."
2. "Use your words to talk about race."
3. "Point at policies as the problem, not people."
4. "Shout, 'There's nothing wrong with the people!'"
5. "Celebrate all our differences."
6. "Knock down the stack of cultural blocks."
7. "Confess when being racist."
8. "Grow to be an antiracist."
9. "Believe we shall overcome racism."

Audience Poll #1

How big is your company:

- less than 25 employees
- 26-100 employees
- 101-500 employees
- 500-1000 employees
- over 1000 employees

Audience Poll #2

**How big is your law department
(including attorneys, paralegals,
and other legal staff):**

- Army of 1
- 2-5
- 6-15
- 16-30
- 31-50
- over 50

What is racism?

The marriage of policies and ideas that produce and normalize racial inequities.

What does it mean to be “antiracist”?

“One who is supporting an antiracist policy through their actions or expressing an antiracist idea.” (Kendi, *How to Be an Antiracist*, 13)

What are our ethical obligations?

“It is professional misconduct for a lawyer to...engage in conduct that the lawyer knows or reasonably should know is harassment or discrimination on the basis of race...” ABA Model Rule 8.4 (g)



#1 Open your eyes to all skin colors.

#2 Use your words to talk about race.

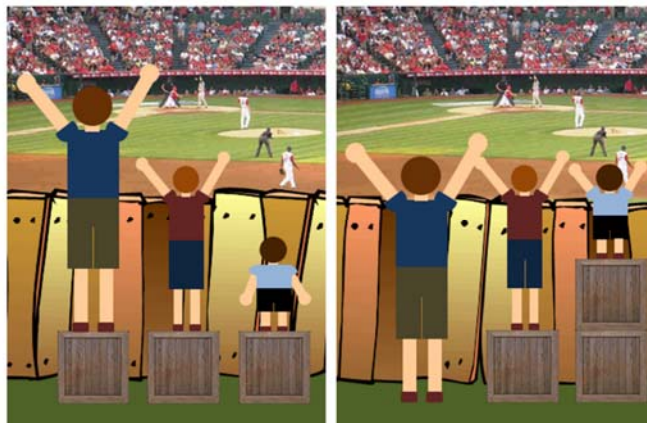


#3 Point at policies as the problem, not people.

#4 Shout, "There's nothing wrong with the people!"



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Source: Original image by Craig Froehle at <https://medium.com/@CRA1G/the-evolution-of-an-accidental-meme-ddc4e139e0e4#.tm1cbg2vn>

High res download of this image at <https://www.dropbox.com/s/d75r2fwz93b3pp2/equality-highres.png?dl=1>

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Equality



Equity



Source: Original image by Paul Kuttner. <https://culturalorganizing.org/the-problem-with-that-equity-vs-equality-graphic/>

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- **INEQUALITY:** Unequal access to opportunities.
- **EQUALITY:** Evenly distributed tools and assistance.
- **EQUITY:** Custom tools that identify and address inequality
- **JUSTICE:** Fixing the system to offer equal access to both tools and opportunities.

Source: Image credit is Tony Ruth from [Design in Tech Report](https://designintech.report/2019/03/11/%F0%9F%93%B1design-in-tech-report-2019-section-6-addressing-imbalance/), based on Shel Silverstein's children's book The Giving Tree.
<https://designintech.report/2019/03/11/%F0%9F%93%B1design-in-tech-report-2019-section-6-addressing-imbalance/>

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*#3 Point at policies as the problem, not people.
#4 Shout, “There's nothing wrong with the people!”*

- Let go of brand protectionism.
- Consider language, images and placements of all messaging, marketing and job postings.
- Regularly assess your intake procedures and all company policies/practices to identify and eradicate bias.
- Ensure you are providing equal access to opportunities to all staff.
- Ensure diversity is represented in teams and organizational leadership.
- Make diversity and inclusion a business necessity and create incentives/deterrents.



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#5 Celebrate all our differences!



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#5 Celebrate all our differences!

- Ally & Affinity Groups
- Accountability Projects
- Local & Bar Association Initiatives
- Pro Bono Efforts
- Informal & Formal Mentoring
- Cultural Programming
- Client/Law Firm Partnerships
- ***Everyday relationship building***



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CLE Code for Attendees in States that Require a Code (*Tip: The CLE code is different than the event code assigned by states*)

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#6 Knock down the stack of cultural blocks.

#7 Confess when being racist.



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Mistakes are inevitable. Handle them with grace and care:

- Express appreciation for the feedback.
- Focus on the target: “Are you okay?”
- Listen and learn.
- Apologize for the impact, no matter your intent.
- Commit to rectifying the problem.
- Commit to breaking patterns.



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Audience Poll #3: Has your company released a new/updated antiracism policy/statement since this summer?

Yes or No

Audience Poll #4: Do you think that policy/statement accurately reflects your current work environment?

Yes or No

Audience Poll #5: Do you think that your company can be doing more to combat racism?

Yes or No

We ALL have implicit biases. Failing to disrupt them leads to inequities, especially in the workplace.

- Prove-it Again Bias
- Tightrope Bias
- “Tone-Policing”
- Immigration/National Origin Assumptions
- Expressing surprise judgment in appearance
- Opportunity shaming & Seniority assumptions
- Assuming monolithic views/experiences
- Maternal Wall Bias
- Name shaming



#8 Grow to be an antiracist.

#9 Believe we shall overcome racism.



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#8 Grow to be an antiracist
#9 Believe we shall overcome racism.

- Consider hiring diverse counsel, vendors, team members, and leaders
- Knowledge sharing with peer companies and partner law firms
- Conduct surveys/interviews to determine your baseline
- Include diversity, equity, and inclusion goals in individual and team evaluation and compensation processes
- Financial incentives/disincentives for service providers that fail to actively support your antiracism mission
- Expanding origination credit and succession planning



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