

MARK YOUR CALENDAR!
HOTEL DEADLINE is September 14, 2018. [Click here.](#)

2018 NADC Fall Conference

October 7 - 9, 2018

The Four Seasons Hotel Chicago
Chicago, IL



NADC
NATIONAL ASSOCIATION
OF DEALER COUNSEL®

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2018 NADC Fall Conference

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CONFERENCE REGISTRATION

Join us for our fall program which will include innovative ideas and tackles the complex issues facing dealers and their counsel. *Registration will be available soon.* The registration fee is **\$495 per attendee** and includes meeting materials, sessions and meal functions.

Cancellation Policy

Cancellation(s) of the 2018 NADC Fall Conference can be accommodated by NADC up to Friday, September 21, 2018 less a \$25.00 processing fee. **After September 21, we are not able to process refunds.**

CLE Credit

CLE Credit will be available for the 570 minutes of educational program pending approval in your state (9.5 general credits for states that calculate 60 minutes per credit; 11.4 for states that use 50 minutes per credit).

CLE credit will be applied towards the state or states entered in your online registration form. Contact Moira Skelly, mskelley@dealercounsel.com, for more information.

TRAVEL PLANS

Please arrange your travel to join NADC at the opening cocktail reception on Sunday, October 7 from 6:00 – 7:30 pm. The conference will conclude on Tuesday, October 9 at 12:45 pm. Only a select number of rooms are available pre and post the meeting dates. Please make your reservations today to secure additional dates if available.

IMPORTANT NOTICE: The Chicago Marathon will take place on Sunday Morning, October 7, so we advise members traveling on that day to plan accordingly. Information on road closures have been posted on the marathon's page [here](#).



HOTEL RESERVATIONS

At this time the NADC room block is full at the Four Seasons Hotel. Please contact jpolo-sherk@dealercounsel.com to be added to the waitlist. Members will be contacted on a first come, first serve basis if and when space becomes available. Members are encouraged to check the overflow options that have been put together based on proximity to the event venue, here. *We advise members to pay close attention to cancellation policies, as they vary by hotel.*

Should you need to cancel your hotel room at the Four Seasons please contact Jennifer Polo-Sherk at jpolo-sherk@dealercounsel.com so she can cancel your room and place someone in the hotel off the wait list.



Airport Transportation

Depending on traffic and weather, the Chicago O'Hare International Airport (ORD) is approximately 30 to 60 minutes; Midway International Airport (MDW) is approximately 30 to 45 minutes.

To arrange limousine service, please contact The Four Seasons, Chicago concierge prior to arrival.

Weather

Average High Temperature: 62°F (17°C)

Average Low Temperature: 43°F (6°C)

Despite what the averages say, weather during this month can vary. Packing layers of clothing is recommended.

Suggested Dress

Dress for all conference events is business casual.

QUESTIONS?

Contact Jennifer Polo-Sherk at jpolo-sherk@dealercounsel.com

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SUNDAY, OCTOBER 7

3:00 - 5:00 pm | Walton Room
Board Meeting

5:30 pm | Lakeview Room
New Member Reception

6:00 - 7:30 pm | Lakeview Room
Reception

Opening Cocktail Reception Sponsored by:



MONDAY, OCTOBER 8

7:30 am | Pre-Assembly Area
Registration

7:30 - 8:30 am | Lakeview ALL
Breakfast

Breakfast Co-Sponsored by:



7:30 - 8:30 am | State Room
In-House Counsel Session: Alternative Dispute Resolution - The Good, The Bad and The Ugly, Part 1

George A. Kurisky, Jr., *Johnson DeLuca Kurisky & Gould, P.C.*
Robert A. Poklar, *Weston Hurd LLP*

8:30 - 8:45 am | Grand Ballroom
Opening Remarks

8:45 - 10:15 am | Grand Ballroom
Session 1: NADA Update
Andrew Koblenz, *NADA*
Paul Metrey, *NADA*

During this session, NADA attorneys Andrew Koblenz and Paul Metrey will highlight an array of salient and breaking federal regulatory developments affecting auto dealers, including a vehicle financing resolution being considered by the American Bar Association and the state of tariff regulation in the auto industry.

10:15 - 10:45 am | Pre-Assembly Area
Break

Monday Breaks Sponsored by:



10:45 - 11:45 am | Grand Ballroom
Session 2: Emerging Technology Issues Affecting Dealers: Data Security, Privacy, Telematics, and other Challenges
Brad Miller, *NADA*

This session will focus on the latest legal, regulatory, and related challenges facing dealers with respect to privacy, data security, data access, and vendor issues. We will discuss recent changes, what the regulators are focused on, what is likely to be coming down the road in the near term, and how dealer lawyers can best position their clients for the future.

11:45 am - 12:45 pm | Lakeview ALL
Lunch

Monday Lunch Co-Sponsored by:



1:00 - 2:00 pm | Grand Ballroom
Session 3: The Application of 20th Century Licensing and Franchise Laws To 21st Century Sales Models
Jason Allen, *Bass Sox Mercer*
Shawn Mercer, *Bass Sox Mercer*

The session will address dealer licensing considerations when operating non-traditional business models that result in the dealer making sales in jurisdictions outside of its state of license or assigned market.

The session will also examine how the 20th century licensing requirements that are tied to a physical location apply to 21st century sales practices that include sales made online, through an app, via a vending machine, etc.

The session will further address additional issues that will impact the future of the industry, including direct sales, subscription services, autonomous vehicles, vehicle sharing and factory data collection.

2:00 - 2:15 pm | Pre-Assembly Area
Break

2:15 - 3:15 pm | Grand Ballroom
Session 4: Staying Compliant in the Social Media Marketplace

Anthony Cacciatore, *Mac Murray & Shuster LLP*

From texting to tweeting and everything in between, social media offers some of the most impactful branding and customer engagement tools at a business's disposal, but complex regulations have created a minefield that can make lawfully communicating with customers challenging for even the most savvy marketers. With growing scrutiny from the Federal Trade Commission (FTC) on all forms of social media, even well-intentioned businesses can find themselves on the wrong side of regulatory compliance. Participants will learn "dos and don'ts" for social media marketing campaigns and leave with an understanding of the risks they face as well as practical, implementable techniques to reduce those risks.

3:15 - 3:30 pm | Pre-Assembly Area
Break

3:30 - 5:00 pm | Grand Ballroom
Session 5: Overcoming OEM Objections to Dealer-Initiated Changes
Eric Baker, *Boardman Clark LLP*
Paul Norman, *Boardman Clark LLP*
Ted Stockton, *The Fontana Group, Inc.*

Motor vehicle dealer agreements with Original Equipment Manufacturers ("OEMs") routinely contain provisions requiring OEM prior approval of dealer-initiated changes to the dealership, including changes in ownership or management, transfers to other persons or entities, adding another franchise to a location, or relocating franchise operations to a different location. This presentation will review the variety of state laws that regulate consideration of dealer-initiated changes; additional common law theories that may apply when a manufacturer disapproves of a proposed change; common reasons given for OEM disapproval; pre-litigation efforts to advocate for dealer proposals; and overcoming OEM disapprovals in litigation.

5:00 - 6:30 pm | Lakeview Room
Reception

Cocktail Reception Co-Sponsored by:



TUESDAY, OCTOBER 9

7:30 am | Pre- Assembly Area
Registration

7:30 - 8:30 am | Lakeview All
Breakfast

Breakfast Sponsored by:

DEALERLAW.COM



7:30 - 8:30 am | State Room
**In-House Counsel Session: The Good,
The Bad and The Ugly, Part 2**

George A. Kurisky, Jr., *Johnson DeLuca
Kurisky & Gould, P.C.*

Robert A. Poklar, *Weston Hurd LLP*

8:30 - 10:00 am | Grand Ballroom
**Session 6: Sexual Harassment Law in
the #MeTooEra: What Attorneys
Advising Auto Dealers Need to be
Thinking About**

Michelle MacDonald, *Gray Duffy, LLP*

Jack Schaedel, *Scali Rasmussen*

Erin Tenner, *Gray Duffy, LLP*

This session will touch on sexual harassment law, trends, and risks. Panelists will review case studies with detailed facts, and video snippets; lead a discussion on perceptions, biases, and stereotypes; and review best practices on policies, training, investigations, and accountability (how to have fun without crossing the line).

10:00 - 10:15 am | Pre-Assembly Area
Break

Tuesday Breaks Sponsored by:

DHG dealerships

10:15 - 11:15 am | Grand Ballroom
**Session 7: Navigating the Road Ahead:
Inside Perspectives on Emerging
Employment Issues Affecting the
Automotive Dealership Industry**

Christopher C. Hoffman, *Fisher &
Phillips*

Matthew R. Simpson, *Fisher & Phillips*

From the latest round of pay plan litigation to new strategies in litigating labor and employment lawsuits, there are several emerging employment issues that have forced automotive dealers and their in-house attorneys to adapt quickly. Given the fast-paced nature of these changes, it is paramount for dealers to know what to expect both now and in the future, and to understand the tools at their disposal to manage the changes.

Attorneys from Fisher Phillips' Dealership Practice Group will moderate this in-depth panel discussion with in-house counsel on the top labor and employment issues affecting the automotive dealership industry today, as well as relevant and significant policy changes and how employers should address these issues.

11:15 - 11:30 am | Pre-Assembly Area
Break

11:30 am - 12:30 pm | Grand Ballroom
**Session 8: Putting the M back in to
M&A**

Stephen Dietrich, *Holland & Knight*

Alan Haig, *Haig Partners*

Allen Magee, *DHG Dealerships*

A number of experts have predicted auto retail will consolidate more in the next ten years than in the past 100 years. We are starting to see this acceleration, and there is a growing conviction from operators, analysts, and investors that dealers need to get much larger and more efficient to address some challenges to the current business model, respond to changing consumer behavior and be prepared for industry innovation and disruption. But as groups grow through acquisitions, they require large amounts of capital and more management expertise. At some point, even the largest group begins to run into capital constraints. A merger transaction can allow growth without needing to access sizeable outside capital because the growth occurs through a combination of dealer groups.

Our presentation will explore the reasons why mergers may become a growing option for auto dealers and why their advisors need to become more knowledgeable about them

12:30 - 12:45 pm | Grand Ballroom
Closing Remarks

OTHER SPONSORS:

Conference Bag



Conference Gift



Candy



Flash Drive



Lanyard



Monday WiFi



Tuesday WiFi



QUESTIONS?

Contact Jennifer Polo-Sherk at jpolo-sherk@dealercounsel.com

Popular Attractions

LINCOLN PARK ZOO



A free, family-oriented wildlife experience in the heart of Chicago, the zoo operates one of the most significant zoo-based conservation and science programs in the country.

2001 N Clark St, Chicago, IL 60614
Contact: (312) 742-2000

MILLENNIUM PARK



Highlights at this downtown Chicago public space include the Crown Fountain and Anish Kapoor's Cloud Gate sculpture, known as "The Bean."

201 E Randolph St Chicago, IL 60602
Contact: (312) 742-1168

NAVY PIER



Located in the Streeterville neighborhood, Navy Pier is the place where locals and tourists alike come together to enjoy the fun and beauty of a day on Lake Michigan. Don't miss the summer fireworks, Children's Museum, Shakespeare Theater or famous Ferris Wheel.

600 E Grand Ave, Chicago, IL 60611.
Contact: (312) 595-7437

Popular Restaurants

BIG JONES

Big Jones features Southern heirloom cooking with a focus on sustainability grown heritage and heirloom crops and livestock, sustainable seafood, and historic receipts from the Southern culinary literature. Chef & co-owner Paul Fehribach's vision is grounded deeply in the rich and diverse heritage that is the Southern kitchen, using the ark of history to bring you food that is as refined as it is down-home satisfying.

5347 N Clark St., Chicago, Illinois
Contact: 773-275-5725
bigjoneschicago.com

TOPOLOBAMPO

Rick and Deann Bayless opened Topolobampo in 1989, a few years after opening Frontera Grill. The two restaurants were designed to have the same front door, but that would be one of the few things they would share. If Frontera rocks and claps, Topolo slinks. She is the quiet, sleek, classy sister. She's also the more daring one.

Topolo's food has always been contemporary, and it becomes more so every year. Now almost 30 years old, our dinner menu is divided not into appetizers and entrees but rather into three distinct, chef-selected tasting menus – the five-course "classic" and "seasonal" options, or the showcase seven-course "Perfect 7" tasting menu.

445 North Clark Street, Chicago, IL 60654-4682
Contact: 312-661-1434
www.rickbayless.com/restaurants/topolobampo/

PICCOLO SOGNO

Piccolo Sogno, meaning "little dream" in Italian, was chosen by partners Tony Priolo and Ciro Longobardo because it had always been their dream to open a restaurant of their own. Piccolo Sogno features a menu of fresh, seasonal rustic Italian cuisine with an impressive all-Italian wine list.

Ciro Longobardo, an expert in Italian wines, has carefully chosen each of the 400+ wine selections and trained his staff to offer well-informed recommendations to customers. "We wanted to provide diners with an appreciation of the enormous variety of Italian wines without overwhelming them. That's why we pay special attention to making sure our staff can help them select a wine that pairs perfectly with their meal."

464 North Halsted St., Chicago IL 60642
Contact: 312-421-0077
www.piccolosognorestaurant.com

WILLIS TOWER

Willis Tower is the premier corporate office building in Chicago, home to more than 100 companies including prominent law, insurance, transportation and financial services. The iconic building is the tallest in the Western Hemisphere, encompassing more than 4.5 million square feet, including its Skydeck and 103rd floor glass viewing platform, The Ledge, which attract more than 1.7 million visitors every year.

233 S Wacker Dr, Chicago, IL 60606
Contact: (312) 875-9447

