



## **New Media Legal Publishing Announces Upcoming Fall Webcast Series on West LegalEdcenter**

### **For Immediate Release**

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August 10, 2009 – New Media Legal Publishing will present three live webcasts this fall for continuing legal education (CLE) credit on West LegalEdcenter ([westlegaledcenter.com](http://westlegaledcenter.com)). The programs will be held as live webcasts in October and November on the dates specified below, and thereafter, will be available for viewing on demand through West LegalEdcenter.

### **“Entertainment Law and Ethics Spotlight: Current Legal Ethics Issues for In-House Entertainment Attorneys” (live webcast date: October 28, 2009)**

Jonathan Gottlieb and Zach McGee, entertainment attorneys with extensive in-house litigation and legal affairs experience working for two of the world’s largest media and entertainment companies, will identify, analyze and debate current legal ethics issues affecting in-house entertainment attorneys. Some of these issues are caused by recent changes in the business, while others have been confronting lawyers for decades. Topics will include:

- Managing conflicts of interest when a lawyer you engage to negotiate your personal employment contract also does business with your company
- The “treacherous path” of joint representation – duty of loyalty and overlapping privilege issues in the Broadcom case and beyond
- “A Passage to India” – unauthorized practice of law and other dangers when hiring foreign lawyers and others outside your company to do legal work
- Ethics, compliance and the Foreign Corrupt Practices Act – traps for the unwary when television and film production moves off-shore

This program will benefit in-house business affairs attorneys, legal affairs attorneys and litigators, as well as other lawyers who represent networks and studios. To view this program, please click here:

[http://westlegaledcenter.com/program\\_guide/course\\_detail.jsf?courseId=23610134&sc\\_cid=NMLP\\_ws](http://westlegaledcenter.com/program_guide/course_detail.jsf?courseId=23610134&sc_cid=NMLP_ws)

**“Copyright on Trial: The Jammie Thomas-Rasset and Joel Tenenbaum Peer-to-Peer File Sharing Cases” (live webcast date: November 3, 2009)**

Jury trials in copyright cases are rare enough. Jury trials in copyright cases that capture the world's attention are rarer still. But the summer of 2009 witnessed two such trials: the major record labels' cases against Minnesota mother Jammie-Thomas Rasset and Boston University physics graduate student Joel Tenenbaum, both of whom were accused of using peer-to-peer software to download and "share" songs without permission from the copyright owners. The antics of defense counsel and the enormous verdicts in favor of the plaintiffs -- \$1.92 million against Thomas-Rasset and \$675,000 against Tenenbaum -- riveted IP lawyers, as well as millions of ordinary citizens who care about the future of the music industry.

Ben Sheffner, a copyright attorney and journalist who attended both trials, will bring users inside the Minneapolis and Boston courtrooms where history was made last summer. He will discuss the numerous novel copyright issues raised by these cases, as well as the larger question of whether the record labels' litigation campaign against thousands of individual downloaders can be considered a success. Topics will include:

- The so-called "making available" right.
- Is peer-to-peer use fair use?
- The potential conflicts that arise when a law professor devoted to a cause represents an individual client.
- The possible constitutional limits on large awards of copyright statutory damages.
- Is there a better way to combat online infringement than suits against individuals?

This program will benefit anyone who cares about copyright, both litigators and transactional attorneys, as well as anyone who cares about the future of the music business, and enjoys a good trial war story. To view this program, please click here:

[http://westlegaledcenter.com/program\\_guide/course\\_detail.jsf?courseId=23615929&sc\\_cid=NMLP\\_ws](http://westlegaledcenter.com/program_guide/course_detail.jsf?courseId=23615929&sc_cid=NMLP_ws)

**“Defending the Boss: Preparing CEOs, Directors and Other Senior Executives to Testify at Deposition” (live webcast date: November 17, 2009)**

While preparing any client to testify at a deposition can be a challenge depending on the particular witness and facts of the case, CEOs, directors and other senior executives frequently present unique challenges for the lawyers defending them. Those challenges range from a reluctance to devoting an appropriate amount of time to prepare, to an inability to say “I don’t know” to certain questions (aka “CEO syndrome”) to trying to prove the other side “wrong” during the deposition. Whatever the particular challenge, these witnesses need special care and feeding.

Jennifer Ilenstine and Zach McGee – litigators with extensive law firm and in-house litigation

experience preparing CEOs, directors and other senior executives (including lawyers!) at some of the country's largest companies to testify at a deposition – will provide concrete advice to in-house and law firm litigators on preparing their own clients, including how to take advantage of the latest technology in witness preparation. The program will cover the following topics, which have been tailored to preparing CEOs, directors and other senior executives for providing testimony at a deposition in civil cases:

- Taking the deposition seriously and devoting enough time to prepare;
- Covering crucial witness preparation basics without talking down to the witness;
- Educating the witness on discoverable subject matters pertaining to the entity that the witness does not, but should, know about;
- Fully utilizing the witness's level of sophistication to your advantage;
- Limiting testimony to what the witness actually knows, did and/or remembers, as opposed to what "the Company" knew or did in either a general or collective sense;
- Focusing the witness on how to give a "winning" deposition, while not necessarily trying to win the case on deposition; and
- Using a witness preparation video to fully prepare witnesses to testify.

The program will include a short demonstration of "**Deposition Testimony: 5 Simple Rules,**" which is the witness preparation video on demand that allows clients to see the right way – and the wrong way – to testify in a deposition, and the many ways in which careless deposition testimony may be harmful at trial. The video uses dramatic vignettes and practical narration to teach clients five simple, but critical, rules for testifying in a deposition. To view this program, please click here:

[http://westlegaledcenter.com/program\\_guide/course\\_detail.jsf?courseId=24104292&sc\\_cid=NMLP\\_ws](http://westlegaledcenter.com/program_guide/course_detail.jsf?courseId=24104292&sc_cid=NMLP_ws)

West LegalEdcenter is the nation's leading online CLE service from West, part of Thomson Reuters. It offers up-to-the-minute programs in partnership with the nation's most respected CLE and professional education providers.

**About New Media Legal Publishing** New Media Legal Publishing, Inc. is a legal publishing company based in Los Angeles, California, that develops, produces, markets and distributes innovative legal education content for law firms and companies. For more information about "**Deposition Testimony: 5 Simple Rules,**" please visit [www.depositiontestimony.com](http://www.depositiontestimony.com). For more information about New Media Legal Publishing and its other products, please visit [www.newmedialegal.com](http://www.newmedialegal.com).

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