

Babst Calland Hosts Inaugural Client CLE Day at Acrisure Stadium

October 17, 2024

Pittsburgh, PA, Charleston, WV, Harrisburg, PA, and Washington, DC

Latest Developments In Policies, Laws and Regulations Shaping the Future of Business and Industry

On October 16, 2024, Babst Calland hosted its inaugural Client CLE Day at Acrisure Stadium. This full-day continuing legal education (CLE) program addressed the latest developments in policies, laws, and regulations shaping the future of business and industry. Topics included challenges facing in-house counsel, climate change litigation, the politics of energy law, ethical considerations for internal investigations, the end of the modern administrative state, and much more. In addition to offering high-quality CLE programming, the event featured tours of Acrisure Stadium and a tailgate-themed networking reception.

Below are the topics discussed in the various sessions throughout the day representing the legal and regulatory perspectives of Babst Calland attorneys across a wide spectrum of legal practice areas:

- **Appalachia Appeal: Pennsylvania and West Virginia Appellate Roundup**

This CLE presented by attorneys **Casey Coyle**, **Michael Libuser**, and **Robert Stonestreet** provided a survey of important, headline-grabbing Pennsylvania and West Virginia civil appellate cases decided within the last two years or currently pending before an appellate court in either state. The topics of the appeals included nuclear verdicts, jurisdiction, venue, forum non conveniens, arbitration, environmental law, liability, royalty, and damages.

- **Proactive Strategies to Prevent and Handle High-Stakes Environmental Litigation**

This experienced panel, comprised of Babst Calland corporate attorney **Ben Clapp**, consultant Kurt Herman of Gradient, and Babst Calland litigators **Jim Corbelli** and **Christina McKinley** discussed the various considerations that inform environmental litigation concerns, from their inception (e.g., contractual negotiations and drafting) to their conclusion (e.g., through trial and appeals). The panel also discussed the implications of, and strategic calls presented by different fora, whether federal court or state tribunals. The discussion examined common and unique pitfalls in the process, as well as hypothetical scenarios.

- **The Politics of Energy**

A panel discussion about how upcoming elections on the national and local level may impact energy policy and development. The panel was moderated by **Tim Miller**, co-chair of Babst Calland's Energy Litigation team, with analysis and commentary by **Jim Curry**, Managing Shareholder of the Washington, D.C. office of Babst Calland, and **A. Moore Capito**, recent candidate for Governor of West Virginia and former member of the West Virginia legislature.

- **Breaking Down SCOTUS' Recent Administrative Law Decisions: How (*Loper*) Bright Is the Future for Regulated Entities?**

The final days of the Supreme Court's October 2023 Term saw the issuance of major administrative law decisions that have the potential to reshape how the public and regulated entities interact with the federal government.

Panelists **Kevin Garber**, **Keith Coyle**, and **Stefanie Mekilo** provided a comprehensive overview of that trio of decisions—*Loper Bright v. Raimondo*; *Corner Post v. Board of Governors of the Federal Reserve System*; and *SEC v. Jarkesy*—and explored the new opportunities they could bring for regulated entities with robust discussion of what these decisions did (and did not) say, as well as what they mean for agency authority, adjudications, and enforcement actions moving forward.

- **Key Developments in U.S. Climate Change-Related Litigation, Regulation, and Legislation**

Panelists **Gary Steinbauer**, **Varun Shekhar**, and **Gina Falaschi Buchman** covered key recent developments in climate change law in the United States. In addition to a discussion of pending and recently decided state and federal cases, the panel discussed newly enacted and proposed climate-change legislation, proposed and promulgated regulations, rule challenges, and climate-related financial disclosure laws and regulations.

- **Legal Ethics in the Age of AI: What In-House Counsel Need to Know**

This session explored the intersection of legal ethics and artificial intelligence (AI) and the evolving landscape of AI and its implications for legal professionals. Panelists **Chris Farmakis**, **Susanna Bagdasarova**, and **Justine Kasznica** discussed the ethical challenges and opportunities facing both in-house and outside counsel when leveraging AI tools. Attendees gained practical insights into developing internal AI use policies and best practices and understanding and addressing key risks associated with AI implementation by employees and third-party vendors, including bias, intellectual property, data privacy, and cybersecurity.

- **Inside the Investigation: Ethical Challenges in Internal Inquiries**

“Inside the Investigation: Ethical Challenges in Internal Inquiries” was a panel discussion that delves into the nuts and bolts of internal corporate investigations, offering a behind-the-scenes look at how these inquiries are conducted from start to finish. Panelists **Steve Antonelli**, **Erin Hamilton**, and **Carla Castello** broke down key phases such as planning, evidence collection, interviewing, and reporting, providing practical insights and exploring common pitfalls, best practices, and strategies for navigating confidentiality, conflicts of interest, and privilege issues while adhering to professional conduct standards. This session aimed to equip legal professionals with the knowledge to effectively navigate the complexities of internal inquiries with confidence and precision.

- **Challenges Facing In-House Counsel**

In-house legal counsel have a unique role as both lawyers and business partners with their internal clients. As a result, they must often act as both legal and business advisors in navigating the challenges faced by their businesses; often at the same time and while justifying their status as cost centers versus capital creators. This panel, led by Babst Calland’s **Jim Chen**, formerly VP of Public Policy and Chief Regulatory Counsel of Rivian, with panelist **Sara Antol**, Babst Calland corporate and commercial attorney and former General Counsel of Tollgrade Communications, and special guests Jim Miller, COO and General Counsel of Mongiovi & Son and Jessica Sharrow Thompson, Senior Counsel EHS & Sustainability of PPG, examined the unique role of in-house counsel, the challenges they face and some of the ways panelists have creatively stood up to those challenges in creating value for their companies and themselves.

As developments in policies, laws, and regulations shape the future of businesses and industries, Babst Calland’s multidisciplinary team of attorneys continues to stay abreast of the many legal and regulatory challenges. For questions about any of the topics discussed, please contact the attorneys listed above. For more information about Babst Calland and our practices, locations and attorneys, visit [babstcalland.com](https://www.babstcalland.com).

