

2024 TLA Annual Conference & CTLA Mid-Year Meeting

May 1 – 4, 2024

Wyndham Grand Rio Mar Puerto Rico
Golf and Beach Resort
Rio Grande, Puerto Rico



Transportation Lawyers
Association

CTLA



In House Counsel:
Customer Focused
and Business Driven
— Learn Their
Challenges, Daily
Demands, and How
to Expand and
Improve Customer
Service



Uber Freight



Coby Page



Daniel Sbanotto



Joelle Nelson

In-house Counsel as Gatekeeper: Wearing Many Hats; Weighing Multiple Risks

- Protecting the interests of the organization while complying with the rules of professional conduct.
- Navigating privilege, confidentiality, and unauthorized practice of law issues and concerns.
- Mitigating risks, especially in a dynamic and multijurisdictional environment.
- Avoiding “ivory-tower “ responses.
- Building best practices and procedures, whether the company is well established or expanding within its market base.



Attorney-Client Privilege

- Ensuring all departments understand how privilege works;
- How to properly ask for advice;
- Proper labeling of emails, documents, attachments;
- Separating legal advice from business advice; and
- Avoiding “fake privilege” pitfalls.



Insurance & Risk . . .

- Are we properly insured?
- Do our contracts, including online terms and conditions, limit damages, preclude jury trials and class actions, and/or ensure litigation venues skip judicial hellholes?
- Are we using early case assessments to ensure we see the risk in litigation as early as possible?
- Are we properly laying out the risk of litigation to the business leaders?
- Do we look to mediate disputes quickly?
- Do we use mock juries on litigation bound for trial?
- Are we taking advantage of programs offered by our insurance company/legal counsel to reduce risk?



How The Right Counsel Can Create A Competitive Advantage

- Become Panel Counsel.
- Understanding and protecting company strategic goals.
- Understanding the complexity of maintaining large, multijurisdictional portfolios.
- Streamlining standard operating procedures, safety protocol, and preservation of evidence.
- Comprehensive review and coordinated national discovery efforts.
- Education and protection of Corporate Representative.
- Timely alerts on new regulations, laws, and lobbying efforts.
- Timely filed pleadings, billing, and thorough updates.
- No SURPRISES!





The Corporate Cheat Sheet

- Be commercially minded.
- Budgets are critical.
- Understand the company and how you fit into the big picture.
- Help me understand the risk – is it remote, possible, or probable
- Provide regular updates – I do NOT want to track you down.
- Do NOT send documents to review 1-2 days before they are due.
- Only request “must have” documents.
- Communicate using preferred method – email, call, or zoom.
- Do not sugarcoat things. Be transparent and honest.
- We review your bills – ensure they reasonableness and accuracy.



Tech-based Solutions For In-House Legal Teams



- National dashboards enhance visibility and manage workloads;
- Best track deadlines, local law, and regulations for the entire portfolio;
- Centralized platforms – offers up-to-date information and tracks costs;
- Higher tech can provide a more accurate, comprehensive and objective picture of the current litigation landscape and overall exposure; and
- Providing strategic and effective legal representation.