



## **Panel: Emergency Preparedness For In-House Counsel**

Moderator: Steve Williger  
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### **Code Blue: Emergency Preparedness for In-House Counsel**

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*The \$131M Ford Rollover Death  
Verdict That Twitter Broke*

**The Tragedy of the Exxon Valdez**

## **Carnival cruise ship overturns**

*Goldman Sachs faces wrath of  
former executive*

**Penn State Sex Crisis**

**Power Grid Collapses**

**NFL Deflated**

**Widespread Doubts Among  
Drivers on Firestone's Future**

*FBI Data Breach Warning  
to Health Care Companies*

**Hurricane Sandy**

**BOSTON MARATHON**

**Home Depot Data Breach**

### **Definition of Crisis**

■ Major unexpected event outside the ordinary course

- ▣ Potential to subject company to severe financial and/or reputation harm

■ Sudden departure from norm

- ▣ Produces instability
- ▣ Produces strong emotion
- ▣ Need for decision making under tight deadlines

**Rome May Not Have Been Built in a Day,**



**Rome May Not Have Been Built in a Day,**



**But **IT** Could Be Destroyed in One**

## Most Organizations Incubate Crises

- They simply require an internal or external trigger:
    - ▣ Government investigation
    - ▣ Director/office misconduct
    - ▣ Hostile takeover
    - ▣ Loss of significant supplier/customer (e.g., J.C. Penney)
    - ▣ Data breach
    - ▣ Power grid failure
    - ▣ Information loss, security breach, technology failure
    - ▣ Terrorist act
    - ▣ Weather
    - ▣ Reputation attacks, rumors, media leaks
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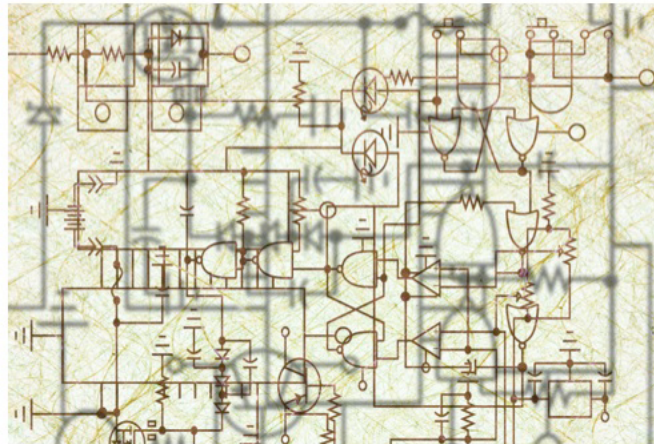


## Phases of Crisis Management

■ Dynamic process



~~Plan Unprepared~~



## ***Faculty Biography: Steve Williger***

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Stephen is a partner in the Business Litigation practice group. He focuses his practice on complex business litigation, including financial fraud, lender liability defense and securities cases and investigations, breach of fiduciary duty claims, class actions and entertainment law disputes. He is also an expert and frequent speaker regarding corporate crisis management.

### **Practice Areas**

- Business Litigation
- Business Restructuring, Creditors' Rights & Bankruptcy
- Securities & Shareholder Litigation

### **Experience**

- Successful representation of financial institutions in lender liability cases.
- Prosecuted, tried and prevailed in bankruptcy claims filed on behalf of bank group.
- Obtained dismissal of RICO complaint against law firm client.
- Obtained a favorable federal jury verdict in a five week accounting fraud trial.
- Conducted numerous internal investigations prompted by law enforcement and/or regulatory inquiries.
- Assisted a national management recruiting firm in enforcing a large contract for provision of its services against a national computer retailer. The representation resulted in a significant payment to the client.
- Defended a national group of concert promoters in federal court in New York against antitrust and related claims.
- Represented publicly-held provider of telephone service in numerous commercial disputes. In one case, obtained a sanction against the plaintiff in the amount of \$500,000.
- Represented public and private boards in numerous cases involving allegations of fraud and breach of fiduciary duty.
- Represented public and private boards whose companies were under federal investigation by federal and/or state law enforcement and/or regulatory authorities.
- Led a team of twenty-plus attorneys in representing the court-appointed examiner in the then largest case of fraud in U.S. Bankruptcy Court history.
- Investigated corporate fraud allegations which led to the imprisonment of the chief financial officer.
- Represented a U.S. government contractor in criminal investigation of fraud. No indictment was issued.
- Represented currency options trading company in federal criminal investigation. No indictment was issued.
- Led the litigation team in representing a public company in successful hostile takeover litigation in federal court.
- Defended companies and board members in shareholder litigation.
- Successfully defended a regional hair cutting chain against class action discrimination claims.
- Successfully represented bank against class action Ponzi scheme claims.

### **Education**

- Cleveland-Marshall College of Law, J.D., 1982
- Case Western Reserve University, M.S.S.A., 1977
- Ohio University, B.A., 1973