



## In This Issue

[Latest News and Alerts](#)

[Upcoming Events](#)

[Speaking Engagements](#)

[Honors](#)

### [Latest News and Alerts](#)

Venable attorneys produce periodic alerts and newsletters covering a variety of topics and practice areas. For your convenience, we have assembled below a collection of the latest alerts and newsletters from September 2012. To view the full text of an article, please click on the title of the piece.

#### [SEC Proposes Rule to Allow General Solicitation in Rule 506 Securities Offerings](#)

On August 29, 2012 the Securities and Exchange Commission proposed a rule that will allow for general solicitation in private securities offerings conducted pursuant to Rule 506 under the Securities Act.

Authors: [Eric R. Smith](#), [Parker B. Morrill](#)

#### [Don't Play and Also Pay: Navigating the Employer-Sponsored Health Coverage Mandate](#)

On Friday, August 31, the Internal Revenue Service issued much anticipated guidance regarding the application of the employer-sponsored health coverage mandate (often called the "play or pay rules" under health care reform). Employers need to begin planning for these rules as soon as possible. While the employer coverage mandate itself does not apply until 2014, it may be necessary to begin tracking the hours of employees as soon as this October in order to facilitate compliance.

Authors: [Harry I. Atlas](#), [Thora A. Johnson](#), [Christopher E. Condeluci](#), [Jennifer Spiegel Berman](#)

#### [Dockworkers Union Threatening to Strike October 1](#)

The dockworkers union along the East and Gulf Coasts is threatening to strike on October 1, should there be no agreement with transportation providers by the end of September. Such a work stoppage will adversely affect U.S. export and import shipments of most products – and likely result in collateral effects at West Coast ports, too – all a month before the presidential election.

Authors: [Ashley W. Craig](#), [Brock R. Landry](#), [Lindsay B. Meyer](#), [The Honorable Bart Stupak](#), [Michael J. Volpe](#), [Robert L. Smith, II](#)

#### [FCPA Snapshot Mid-Year 2012](#)

The number of Foreign Corrupt Practices Act enforcement actions brought in the first half of 2012 is roughly on par with the number brought in the first half of 2011. Nonetheless, enforcement activity for both periods is down from a prolific 2010. If the numbers continue to trend as they did in 2011, 2012 should end with approximately 12 SEC and 14 DOJ enforcement actions.

Authors: [William H. Devaney](#), [Jan Lawrence Handzlik](#), [Victoria R. Danta](#)

#### [Labor Pains: Computer Hacking By Employees](#)

What if a former employee downloads confidential information (customer lists, pricing information, etc.) from your computer system and uses it to lure your customers away? Among the laws at your disposal is the Computer Fraud and Abuse Act. Although principally a criminal statute intended to combat computer hacking, the CFAA allows a civil lawsuit against someone who obtains information from another's computer "without authorization."

Author: [Todd J. Horn](#)

#### [What to Expect When You're Under a CFPB Investigation – Negotiating the Scope of the CID](#)

The Consumer Financial Protection Bureau has investigations underway that span the full breadth of the Bureau's enforcement authority over providers of financial products and services and their vendors. If your company is the recipient of a civil investigative demand from the CFPB the process is not an easy one. You have to issue a record retention notice, negotiate the scope of the CID, collect responsive information and materials, respond to the CID, and then wait for the CFPB to make decision on whether it will bring an enforcement action or close the investigation.

Authors: [Jonathan L. Pompan](#), [Alexandra Megaris](#)

#### [IP Buzz - September 2012](#)

Highlights include a review of the recent ruling on Louboutin and Yves St. Laurent, a review of patentable subject matter, an article on protecting the look and feel of artwork, an article on trademarks and



copyrights, and a review of FTC activity in an article published in Response Magazine.

### Advertising News & Analysis

- **September 6, 2012 Edition**

Highlights include a review of the FTC guide for mobile application makers, a review of the Louboutin shoe case, a review of an article published in Electronic Retail detailing the legal issues to consider when bringing a product to market, a review of warning letters sent by the FTC to manufacturers and a review of FDA regulations for cigarette advertising.

- **September 27, 2012 Edition**

Highlights include an article referencing the FTC Green Guides, commentary on the push to have the FTC investigate online lead generators, a review of the FTC settlement with Medifast and a review of the "Your Baby Can Read" Case.

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[Return to the top](#)

### Upcoming Events

We would also like to highlight upcoming Venable events that you may be interested in attending. Please click on the event title for additional information.

#### **You're Not Covered for Everything: Making Sure that Your Nonprofit's Directors & Officers Insurance Coverage Matches Your Expectations**

**October 16, 2012**

12:00 p.m. - 2:00 p.m. ET

Day by day, nonprofit organizations build their reputations and services to withstand reasonably foreseeable challenges to success. Directors and officers (D&O) liability insurance coverage is one way to help address these challenges. But as nonprofits purchase insurance policies to protect against such loss, you don't want the policies themselves to be a source of new risk. In addition, purchasing more insurance policies and increasing their limits are not always the most efficient or effective ways to avoid those surprises and manage risk.

Speaker: [Jeffrey S. Tenenbaum](#), [David S. Gray](#)

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[Return to the top](#)

## Speaking Engagements

#### **"Getting the Most Value from Legal Counsel," Larta Institute**

**October 18, 2012**

11:00 a.m. - 12:00 p.m. PT

Entrepreneurial companies face special legal needs, which grow quickly. This webinar will explain how to work with outside counsel to get the most value from the relationship.

Speaker: [Michael A. Gollin](#), [Bobby N. Turnage, Jr.](#)

#### **"The Rise of Smaller Bank Mergers and Acquisitions: Impact of Regulations and Other Factors" for American Law Institute Continuing Legal Education**

**October 30, 2012**

12:30 p.m. - 2:00 p.m. ET

Learn how new Dodd-Frank regulations and international capital requirements (Basel III) set the stage for an increasing number of smaller bank mergers—and how your client can capitalize on the trend.

CLE credit is available.

Speaker: [Ronald R. Glancz](#), [John B. Beaty](#), [John E. Bowman](#), [Thomas D. Washburne, Jr.](#)

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[Return to the top](#)

### Honors and Awards

#### **Four Venable Partners Named "Lawyers of the Year" by Best Lawyers**

Best Lawyers, the oldest and most respected peer-review publication in the legal profession, has named four Venable partners "Lawyers of the Year" including 3 attorneys from the [Corporate](#) group. The recognized lawyers and areas for which they were recognized include: [Walter R. Calvert](#), Baltimore Tax Law, [Bryson L. Cook](#), Baltimore Leveraged Buyouts and Private Equity Law, and [James J. Hanks, Jr.](#), Baltimore Corporate Governance Law.

## 2012 D.C. Bar Section elections results

Daniel F. Danello was elected to serve on the Steering Committee for the Corporation, Finance, and Securities Law Section of the District of Columbia Bar for a 3-year term.

An *American Lawyer* 100 law firm, Venable serves corporate, institutional, governmental, nonprofit and individual clients throughout the U.S. and around the world. Headquartered in Washington, DC, with offices in California, Maryland, New York and Virginia, Venable LLP lawyers and legislative advisors serve the needs of our domestic and global clients in all areas of corporate and business law, complex litigation, intellectual property, regulatory, and government affairs. To learn more about Venable's capabilities, please see our complete list of [practice areas](#).



*Chambers USA* recognized fourteen of Venable's [Corporate Group](#) attorneys in national and regional categories in their 2012 rankings.



Two Venable [Corporate Group](#) partners were ranked in the 2012 edition of *Chambers Global*.



*Legal 500* recognized fourteen attorneys from the [Corporate Practice Group](#) in 2012. Two Corporate Group attorneys, [Charles Morton](#) and [William Russell](#) were also singled out as Leading Lawyers. Mr. Morton was recognized for his work in the M&A: Middle-Market (Sub-\$500m) category, and Mr. Russell was recognized in the Technology: Transactions category. Venable was also recognized overall in the M&A: Middle-Market category.



Eleven of Venable's [Corporate Group](#) attorneys were recently selected by their peers for inclusion in *The Best Lawyers in America*® 2012.



[James J. Hanks, Jr.](#), a Partner in Venable's [Corporate Practice Group](#), was named the *Best Lawyers* Baltimore Corporate Governance and Compliance Lawyer of the Year.



[Charles Morton](#), Co-Chair of Venable's [Corporate Practice Group](#), was named the Baltimore Venture Capital Lawyer of the Year.

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