

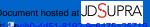
### Embracing Social Media

Legal Marketing Association / Ohio Association of Legal Administrators
Oct. 6, 2009 / Toledo, Ohio

#### Overview

- What is social media?
- What is social media?
  How do I do it right?
  Why should I do it?
  How can I generate when the social media?
  Why should I do it?
  How can I do to get

  - How can I generate value from it?
  - What can I do to get started?



### Embracing Social Media

- Most effective ways to get business\*
- Peer referrals: 56%
- In person networking events: 33%
- Conferences & seminars: 15%
- Social media: 3%

\*2009 Networks for Counsel Study, Leader Networks survey of 1474 lawyers

### **Embracing Social Media**

#### **Networks for Counsel Study:**

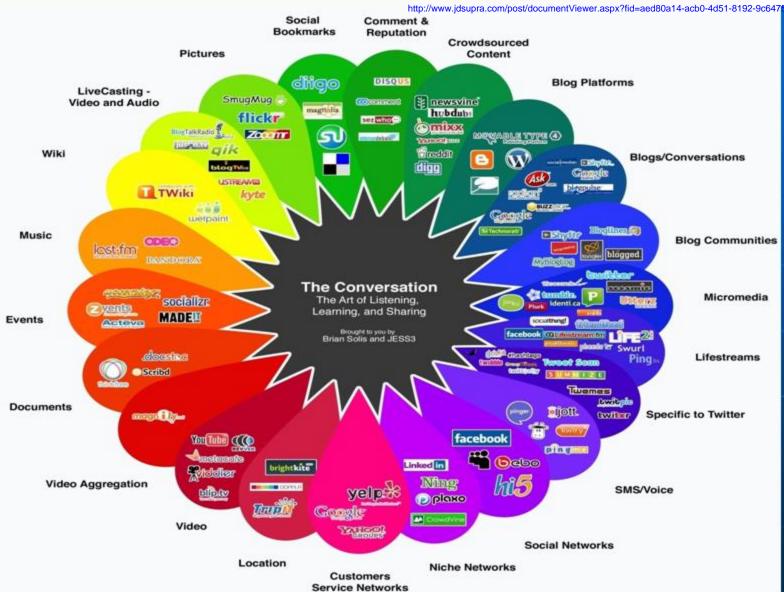
 78% of lawyers polled reported membership in an online social network

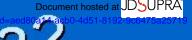


#### What is Social Media?

"Social media are primarily Internet- and mobile-based tools for sharing and discussing information, [pictures, video, audio, etc.]. The term most often refers to activities that integrate technology, telecommunications and social interaction."

-Wikipedia





#### What is Social Media?

- Most common social media
- Blogs:
  - More than 180 million (Technorati)
- Social networks
  - More than 300 million members
  - worldwide (& that's just Facebook)
- Discussion boards: Every topic A-Z

## Blogs



Maybe she's in advertising?

#### Ineffective Assistance in action

CT Supreme Court to act like the big boys -

Posted on September 02, 2009 by Gideon

Via an anonymous PD, here is a transcript of some truly atrocious lawyering by a public defender in Virginia. Read it for yourself.

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#### 6 Comments »

☐ Comment by Joel Rosenberg September 2nd, 2009 Yow. Thanks, Gid.

Reply to this comment

目 Comment by Gideon September 2nd, 2009

This is as bad as I've seen it. Kudos to the prosecutor for recognizing the problem and taking a stand.

The PD's protests at the characterization by the prosecutor made me roll my eyes.

Reply to this comment.

☐ Comment by Joel Rosenberg September 2nd, 2009

Yup. Not all prosecutors are scum.

(Comments wont nest below this level)



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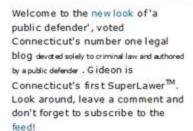
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### Social Networks

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Embracing Social Media

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he's leading with Mike

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Top Brands on

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The site looks great! (thanks Gwynne) and there's a lot of participation. But are we achieving our primary purpose -- to connect mentors Remember, this is likely one Started by Victoria Pynchon.

Last reply by Chris Hill Sep 15.

#### 17 Replies

Member Nohl Bryant has offered to "dedicate an hour per week to showing more seasoned, not-sotechnologically-proud lawyers how to spruce up their trial exhibits, navigate the public

■ LAWYERS HELPING ONE ANOTHER DURING THE DOWNTURN

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Our mission is to create a community of attorneys each of a dedicated to assisting one other attorney in making it thro economic downturn.

- \*\* Seasoned attorneys will make themselves available as mentors attorneys, particularly those struggling to start a practice or recen searching for the career they are destined to have.
- \*\* Attorneys in need of mentoring will seek out the seasoned attorn (and any legal marketing people who join us) for the purposes of bu of business or building their own practice from scratch.
- \*\* Attorneys with advanced practice skills (transactional, depositi motions, negotiation, and trial skills) will help guide new attorney those skills both via this site's various tools -- discussion forums, blo announcements and the like, as well as direct mentoring via email cup of Joe)

Please let us know how we can make this site better to suit moment.

#### HOW TO NETWORK ON THIS SITE

 Connect with other professionals based on their area of specializat them with the "search" function and then "friending" them or send



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Parasec Spending my lunch break

with my bootcamp ladies. Time to wo

who participated. Yay!

malasadas,:)

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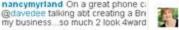
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and mentees? If not, why not?



#### Barter & Free Services

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Latest post by PattyPA, 09-30-2009 9:12 AM

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## Ultimately, social media NOT about technology, websites or tools. It IS about:

- Connecting
- Contributing
- Community

## How do I do it "right"?

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# There is no right or wrong.

## Simply, treat those online the same as if you were talking with them face to face



Photo credit: ThinkPanama via Flickr

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#### But, it is still a business, so...

Develop & follow a social media plan that's an extension of your business marketing strategy.

# Understand the dangers & liabilities & act accordingly

### Listen before you act

People are talking about

- you,
  your firm &
  - issues you care about

You might as well listen



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# Learn the expectations & follow them

## It's all about me you us. That's why it's called social media.

Social media is a *business* for lawyers. You can't dabble in it & expect to achieve results.

## Why should I do it?

## Without an online presence, you're invisible.

## You can position yourself as an expert among your peers.

## You can develop relationships with people who can help you grow your business.

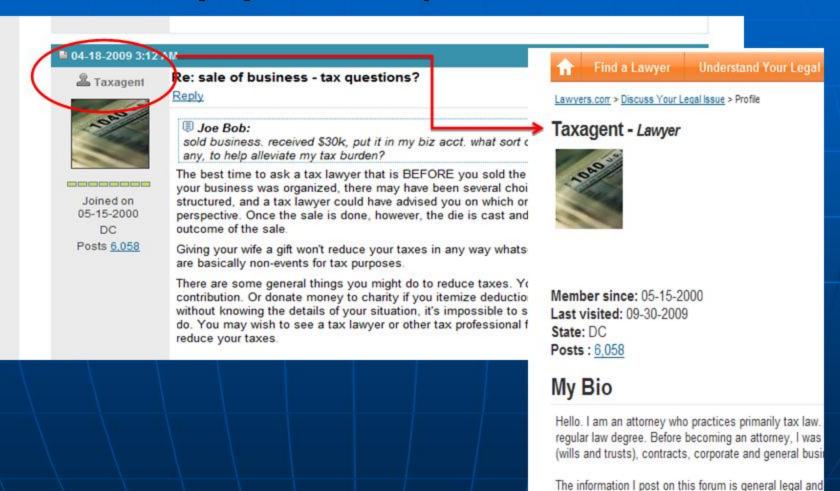
# You can have fun engaging others who share your passions (yes it's allowed)

### How do I generate value?

## Pay it forward. Be the pers who helps everybody else. Pay it forward. Be the person

forming an attorney-client relationship.

#### Give away your expertise.



## Any advantage you gain over your competition adds value Any advantage you gain over

- Engage
   Be Transparent
   Develop relationships
- Help them Repeat

### What can I do today?

### Getting started

# Start listening



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Securities Docket - http://www.securitiesdocket.com/



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# Top 5 Contributors

- 1. Gregory Siskind [53 docs]
- 2. Mintz Levin Immigration Group [49
- 3. Szabo, Zelnick & Erickson, P.C. [36 docs]
- 4. Amy L. Becerra, Esq. [34 docs]
- 5. Robert Kraft [33 docs]

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- 14 Mark Elliott, Director of Marketing
- 23 Tom Gibson, Member through Mark Elliott
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### Popular Profiles

- 1 Mark Elliott, Director of Marketing
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- (24) Michael Olsaver, Member
- 23 Jim Knepp, Member
- (24) Mark Abramson, Member



### STEPHEN J. STANFORD, MEMBER

Stephen J. Stanford is a partner with RCO and has extensive experience in all phases of the litigation and administrative practice embraced within the field of labor and employment, including EEOC/OCRC, OFCCP, OSHA, NLRB, and SERB matters, and labor and commercial arbitration.

Steve has been practicing since 1975. He is admitted to practic before the U.S. Supreme Court, the U.S. Court of Appeals for the Sixt Circuit, the Supreme Court of Ohio, and various U.S. District Courts.

Steve earned his Juris Doctor and undergraduate degrees from 1 Ohio State University. He was included in the current edition of Americ Best Lawyers and Ohio Super Lawyers by his peers.

### AREAS OF PRACTICE

Labor and Employment Law. Steve is closely familiar with developments in the law of collective bargaining, employment discriminand wrongful discharge, and he has participated in a number of sympoland seminars dealing with a variety of labor and employment law topic

Employee Benefits Law. Steve is counsel to a Taft-Hartley welfbenefits trust that delivers retiree health care benefits nationwide to hourly retirees in the glass container and related industries.

### COMMUNITY ASSOCIATIONS

. Camp Courageous, Inc., Secretary; Past President

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Public Profile http://www.linkedin.com/pub/stephenstanford/14/200/5b1

# Summary

Labor and employment law attorney, representing management and Taft-Hartley boards of trustees.

### Specialties

Collective bargaining, labor arbitration, discrimination and wrongful discharge lawsuits, employee benefits, and covenants not to compete.

## Experience

### Member

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CMBS Update

Newsletters and Client Bulletins, Real Estate & Environmental Bulletins

September 2009

### Announcement:

On September 15, 2009, the IRS, reacting to the current situation i issued a Revenue Procedure (not yet published) making a signific interpretation of the "REMIC" rules\*\* under § 1.860G-2(b)(3)(i) of the Regulations.

As the credit crisis threatens commercial real estate financing, ma encountered the following Catch-22: They cannot negotiate with the regarding changes to the terms of their CMBS loan until they are in have reached that point, they may no longer be in a position to effe debt and save the asset.

Now, the rules have changed. Developers may speak to their speciservicer reasonably foresees a significant risk of default in the futu. changes allow modifications to both collateral and loan guarantee effective immediately.

### Explanation:

Under the old interpretation of the REMIC rules, the IRS penalized vehicle if a loan was modified by the special servicer prior to a chadefault or a reasonably foreseeable default." Under IRC 860F(a)(1 extremely steep - 100% of net income derived from the prohibited special servicers could not negotiate with borrowers until there wa was imminent.

Under the new interpretation of the REMIC rules, a special service borrower concerning a modification to a loan at any time, provided one of which is that, based on the facts and circumstances, the sg "reasonably believes that there is a significant risk of a default" at: foregoing change in interpretation has the potential to exponential CMBS loans that may be restructured in the current market, thus p relief to the commercial real estate debt market.



# Drug and Device Law

O Wednesday, September 23, 2009

# New Article On Free Speech and FDA "Intended Use" Regulations

There's an interesting new article in the current issue of the Food and Drug Law Journal, entitled "Criminalizing Knowledge: The Perverse Implications of the Intended Use Regulations for Off-Label Promotion Prosecutions." The author is blog reader Greg Gentry at Morrison Mahoney. Here's a link, to a reprint posted with the permission of the FDLL, which publishes the journal. The F.D.L.J. citation is 64 Food & Drug L.J. 441.

The article examines the FDA's "intended use" regulation, 21 C.F.R. §201.128 (for drugs) and 21 C.F.R. § 801.4 (for devices) (both identically worded), and concludes that they can't possibly actually mean what they say. That's because a literal reading would criminalize mere awareness by a regulated manufacturer that doctors were likely to use its product off-label:

[1]f a manufacturer knows, or has knowledge of facts that would. give him notice that a [drug/device] introduced into interstate commerce by him is to be used for conditions, purposes, or uses other than the ones for which he offers it, he is required to provide adequate labeling for such a [drug/device] which accords with such other uses to which the article is to be put.

Such "adequate" labeling, of course, can't be added for a new use without going through the FDA's entire drug/device approval process. Given how widespread off-label use is, many manufacturers would have to be wilfully blind not to know of such use. For one thing, they have to collect and submit adverse event reports, whether or not the use involved was a labeled one.

The thesis of the article is that this is a "Catch-22 regulation" that can't possibly be (and hasn't been) enforced as written without



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This blog contains JIM BECK and MARK HERRMANN's personal views of various topics that arise in the defense of pharmaceutical and medical device produc liability litigation. Please read our. DISCLAIMER about the nature of this blog. and understand that you are accepting its



## About Me

JAMES M. BECK is a Counsel resident in the Philadelphia office of Dechert LLP. He is the author of, among other things, Drug Handbook (2004) (with Anthony Vale). He can be reached at james beck@dechart.com. MARK

HERRMANN is a partner resident in the author of, among other things, The (2006), and Statewide Coordinated Proceedings: State Court Analogues to the Federal MDL Process (2d rev. ed. 2004) (with Geoff Ritts and Katherine Larson). He can be reached at mherrmann@jonesday.com.

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There's a big difference between a p unidentifiable employee admitted gu asserting they have a vivid recall of personally witnessed in the company

Under your version of the rules of ey impossible to try any case involving calling to the stand every current an officer and director, since, as you co would prevent them from testifying a did not personally generate, E.g., a about water he saw on the floor, onl

It seems you mistook where the trial Termination is about two blocks to th They sell plenty of baloney there.

### 12:26 PM



### → Beck/Herrmann said...

That's Reading Terminal, Max, and o plenty.

Vivid recall? The Bloomberg report, the witness who testified had no idea information is correct. That compare testimony guoted in the Toys-R-Us c insufficiently precise.

We have all this expensive discovery did what, and to obtain the right peocaptain in Cool Hand Luke might hav here is a failure to authenticate."

# 4102 AM

### Anonymous said.

Bottom line: Why would any pregnar drug? I'm more concerned about the adult ingesting drugs- prescription of valid studies on the use of Paxil on p you couldn't possibly gather a group willing to submit to the study AND et these "tenuous" links to birth defects science, guesses, etc.

6130 AM



# JayneJuvan

Love the though @footnoted: @J peace can't be f @dougchia @er

agreement! 4 minutes ago from Echofon

✓ Following 

⑤

I'm TOTALLY int RT @doug ain't NEVER goin' back! @er

4 minutes ago from Echafon

I'm so encouraged by this! R @footnoted & @ericjackson there's hope for us all!

about 1 hour ago from Echofon

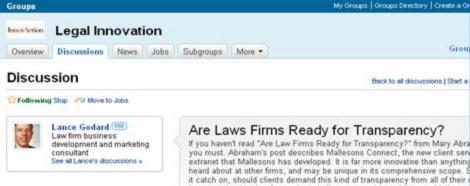
Never regretted my JD. RT @ @ABAJournal: K&L Gates Ci Law School\*

about 1 hour ago from Echoton.

Wow. Amazing. Never though @dougchia: Big of you to ad on something"

about 1 hour ago from Echoton

Thx! #ff to all! RT @russellb @ijhelp @econwriter5 @reth



# If you haven't read "Are Law Firms Ready for Transparency?" from Mary Abra

you must. Abraham's post describes Mallesons Connect, the new client sen extranet that Mallesons has developed. It is far more innovative than anything heard about at other firms, and may be unique in its comprehensive scope. it catch on, should clients demand this kind of transparency from all of their of lawyers, should other firms adopt similar systems just to keep up, Mallesons well have revolutionized the business model for law firms with this product.

What do you think? Read Abraham's post and add to the conversation: http://aboveandbeyondkm.com/2009/09/are-law-firms-ready-for-transparencyilta09 html

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Susan Letterman White Consultant at Letterman White Consulting

No. See article.

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I wonder how much sooner this would have happened if the criteria for execut committee inclusion were published and the election were not been by secre

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Denis Campbell Editor/Publisher, UK Progressive, social media change leader, freelance

Interesting the blog post photo choice was a poster of The Wizard of Oz. It o as easily have been Tim Burton's Alice in Wonderland through the looking gla

It is a truly amazing tool and concept that will never see the light of day in 99

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