

Center for Alcohol Policy CLE Legal Symposium on Alcohol Law & Regulation

October 19- 21, 2008
Dallas, Texas

Sunday, October 19

3:00 - 7:00 PM **Registration Desk open**

5:30 - 7:00 PM **Welcome Reception**

Monday, October 20

7:30 AM - 5:00 PM **Registration Desk open**

7:30 - 8:30 AM **Continental Breakfast**

8:30 AM **Welcome Remarks**

Jim Petro, former Ohio Attorney General

Paul Pisano, NBWA VP and Counsel

8:45 AM **Session I: 21st Amendment vs. the Commerce Clause- What next?**

Paul Pisano, VP and Counsel, NBWA

Anthony Kogut, Willingham and Cote

This panel will serve as a survey of legal, regulatory and legislative actions since U.S. Supreme Court decision in Granholm.

9:45 AM **Session II: Two Cheers for Alcohol Beverage Regulation: Its Origin, Its Theory and Its Practice**

Professor Stephen Diamond

This session will provide both a historical and prospective look at alcohol regulation in the United States.

10:45 - 11:00 AM **Break**

11:00 AM **Session III: Keynote Address**

The role of the State Attorney General in 21st Amendment jurisprudence has never been more important. This presentation will provide a historical overview of this important role as well as what current issues are being faced by the state attorneys general.

12:00 PM **Lunch**

1:00 PM **Session IV: Beer Franchise Laws in the 21st Century: Purpose, Overview and Relevant Legal Issues**

Michael Madigan, Esq.

Recent supplier and retailer actions have increased pressure for consolidation of distributor networks and created franchise disputes. This session will discuss the latest developments in this field.

2:00 PM **Session V: Public Health Aspects of Alcohol Regulation**

Michele Simon, Esq., Marin Institute

This session will explore how laws regulating alcohol often fail to account for the public health implications of alcohol in society. This session will examine the role

of public health in the context of legislative, regulatory or judicial changes to alcohol regulation.

3:00 PM **Afternoon Break**

3:15 PM **Session VI: Federal Trade Practice Enforcement: Ensuring a Level Playing Field**

Desmond Wosser, Alcohol Tax and Trade Bureau

The Federal Alcohol Administration Act and other federal statutes seek to regulate the alcohol industry and create a level playing field between trading partners. The TTB will give an update on trade practice enforcement, and future issues that addresses a wide variety of state alcohol laws, industry practices, and public health concerns.

4:15 PM **Session VII: State Alcohol Regulators Role in Alcohol Regulation**

Roger Johnson, Wisconsin Department of Revenue

State alcohol regulators are charged with protecting the public trust under the 21st Amendment. Listen to an interactive discussion of topical issues confronting state alcohol regulators.

5:30 - 6:45 PM **Reception**

Tuesday, October 21

7:30 AM - 12:00 PM **Registration Desk open**

8:30 AM **Session VIII: Antitrust and Alcohol Laws-- The Meaning of *Costco v. Hoen***

*John Guadnola, Esq., Defense Counsel in *Costco v. Hoen**

The recent Ninth Circuit ruling and recent U.S. Supreme Court activity have made antitrust an interesting new area of alcohol law to be examined.

9:30 AM **Session IX: The 21st Amendment Defense**

Jim Petro, former Ohio Attorney General

States rarely have 21st Amendment challenges. This seminar will discuss strategies to lessen the “learning curve” for states as they face novel litigation related to their right to regulate under the 21st Amendment.

10:30 AM **Break**

10:45 AM **Session X: Common Legal Issues Facing the Operations of Alcohol Distributors**

Michael Madigan, Esq.

This session will explore common legal issues facing an operator of an alcohol distributor now and potentially in the future. Issues include event liability, OSHA and employment law matters.

12:00 PM **Event concludes**