

**ANTITRUST, FRANCHISING & TRADE REGULATION SECTION**

**STATE BAR OF MICHIGAN**

**FEBRUARY 20, 2009 SECTION MEETING MINUTES**

**CALL TO ORDER, ATTENDEES, & MINUTES**

At about 12:00 Noon, Chairperson Rick Juckniess called the meeting to order at Kerr Russell & Weber, PLC, 500 Woodward Avenue-#2500, Detroit, Michigan 48226, (313) 961-0200. Besides Mr. Juckniess, the meeting attendees were:

Vice Chairperson: Blair Renfro (Telephone)

Secretary: Howard Lederman

Treasurer: David Janis

James Adams (Telephone)

Stuart Bordman

Justin Hakala (Telephone)

Fred Herrmann

Paul Novak

The attendees approved last meeting's minutes.

**PUBLICATIONS COMMITTEE REPORT**

For the next section e-newsletter, Mr. Hakala has written an article, and Mr. Juckniess and Mr. Lederman were writing articles in progress. The attendees extended the article deadline from February 20, 2009 to February 27, 2009. During the first week of March, Mr. Lederman and Mr. Bordman will meet and review the articles. By about March 10, 2009, Mr. Hakala will finalize and distribute the e-newsletter.

**STUDENT WRITING CONTEST**

Only Mr. Hakala wrote an article in the contest. Thus, Mr. Juckniess moved to declare him the winner and award him the prize. The attendees unanimously agreed.

**FRANCHISE COMMITTEE REPORT**

On March 2, 2009, Mr. Lederman and Mr. Bordman will meet to continue planning for a Fall 2009 franchising seminar. Mr. Bordman mentioned vehicle dealerships as a source of a seminar subject: What obligations do vehicle manufacturers/franchisors have to vehicle dealers/franchisees? Mr. Janis suggested Mr. Cutlip and Mr. Herrmann as possible speakers on this subject. Another possible speaker is Ari Lehman, who just left Bodman Longley. Mr. Janis and Mr. Novak believed that this subject would generate interest. Mr. Novak suggested a possible partnership with the vehicle dealers association on the seminar. Mr. Lederman suggested congressional franchising bills as another subject, if introduced and moving through the committee and floor process by the fall. Mr. Lederman and presumably other section members will continue to write e-newsletter articles on franchising subjects.

### **EDUCATION/SEMINAR COMMITTEE REPORT**

Regarding the Fall 2009 Franchising Seminar, see the above Franchise Committee Report.

Concerning the Real Estate Multi-Listing Service Antitrust Seminar or Webinar, Mr. Janis has contacted the State Bar on the technology aspects. Mr. Juckniess suggested that we use a call-in number, like the number we use for section meetings, for individuals unable to attend in person to attend by phone. Mr. Novak suggested marketing the seminar to the National Association of Realtors. Mr. Zinn and Mr. Hakala will follow up on this. Mr. Janis will contact the State Bar Real Estate Section and market the seminar to it. He and Mr. Herrmann will contact the State Bar Consumer Law Section for the same reason.

Mr. Renfro has been talking with the Michigan Attorney General's office about an antitrust webinar. He is shooting for a February or March 2009 webinar. Mr. Juckniess will check with him on his progress and the specific subject before the next meeting.

The attendees shelved the Antitrust/Trade Regulation Certificate of Need seminar or webinar for the present.

The attendees also shelved the Antitrust Lock-In Seminar or Webinar.

### **FUTURE EVENTS**

The conferees discussed Mr. Juckniess' idea of a Detroit Institute of Arts [DIA] outing. They agreed to decide whether to make it a public or private event at the next section meeting. They also agreed to set a May or June 2009 date.

Mr. Lederman and Mr. Bordman raised their Frisbee golf and bocci ball ideas. On the former, Mr. Lederman will give details at the next meeting. The conferees decided on a May or June 2009 Thursday evening for a bocci ball gathering. The event will occur at a restaurant near The Palace in Auburn Hills. The conferees discussed and at first rejected a Detroit Tigers baseball game event, because it would inhibit interaction among those

attending. But Mr. Novak pointed out that if the section rented a box at Comerica Park, there would be interaction. Mr. Janis will call on this possibility and communicate the information at a near-future meeting.

The attendees also discussed a possible April 2009 Downtown Detroit social event.

### **PRESENT SECTION COUNCIL MEMBERS AND OFFICERS**

Under the Bylaws, Article III, Section 2, “[a]t each annual meeting of the Section, four council members shall be elected for a term of three years....”

The conferees voted to expand the section council membership this year to include three members willing to serve and contribute to the section. These members were David Graham, Mitch Rapp, and Bob Wierenga.

As of this date, the following Section Members and Officers are Council Members:

James Adams: Third Year.

Stuart Bordman: Third Year.

David Grand Second Year.

Howard Iwrey: Third Year.

Fred Herrmann: Third Year.

David Janis: Third Year.

Rick Juckniess: Third Year.

Atleen Kaur: Second Year.

Howard Lederman: Third Year.

Paul Novak: Third Year.

Mitch Rapp: Third Year.

Blair Renfro: Second Year.

Bob Wierenga: Second Year.

### **TREASURER’S REPORT**

Mr. Janis reported that as of January 31, 2009, the section treasury had \$45,889.00.

### **NEXT MEETING**

The next section meeting will be on Friday, April 3, 2009, at 12:00 Noon at Dickinson Wright, 301 East Liberty Street, Ann Arbor, Michigan 48104, (734) 623-7075

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