

2017 IBA/IFA Joint Conference Speaker Bios

Corrine Attard

Corinne Attard is a Partner in the Sydney office of Holman Webb Lawyers, a commercial and insurance law firm with offices in Sydney, Melbourne, Brisbane and Adelaide. She is a franchising and retail specialist with more than 25 years combined franchising and retail property industry experience, including extensive in-house experience as General Counsel with a national food retail chain with responsibility for over 350 franchised stores. Ms. Attard has wide experience in assisting new and established businesses with franchise issues, buying and selling franchised and retail businesses, disputes including mediations and terminations, distribution and supply, leasing, IP, international expansion and any related issues. She acts for retailers, franchisors, master franchisees and multi-unit franchisees in all industries including QSR/food, aged care, general retail, fashion, mobile, trade and professional services. Ms. Attard has been selected annually since 2014 as one of the top franchise lawyers in Australia in the *International Who's Who of Business Lawyers*. She is a member of the legal committee of the Franchise Council of Australia as well as a member of the IBA and ABA Forum on Franchising.

David Bond

With over 20 years' franchise experience, David Bond co-heads the Franchise and Licensing Group at European law firm, Fieldfisher LLP, supporting many household names as they expand both domestically and overseas using franchising formats. Mr. Bond works across all sectors but has particular experience in the retail, food and beverage, hotels, education and leisure sectors. He is the only UK lawyer to be ranked by *Chambers & Partners* as a leading expert in both franchising and advertising and marketing, and he is also a consultant editor of LexisNexis' PSL Online and contributes franchise content for that publication. Mr. Bond also teaches the franchise module at the annual Commercial Law Summer School at Cambridge University.

Tim Brinkley

Timothy Brinkley is a member of the Quarles & Brady's Business Law Practice Group. He focuses his practice on providing legal counsel to existing franchisor companies and companies that have an interest in franchising their business. He drafts and updates franchise disclosure documents and handles other aspects of federal and state regulatory compliance with respect to franchising. He negotiates and prepares complex franchise transactional documents, including master franchise agreements, area development agreements, asset purchase agreements for the refranchising of company stores or buy-back of franchised locations, assistance and workout agreements with struggling franchisees and inter-creditor agreements with national and regional banks. Prior to joining the firm, he worked in-house at Tim Hortons USA, Inc. and Burger King Corporation.

Philip Colman

Philip Colman is a partner at the Melbourne based law firm, MST Lawyers. He is a member and, former head of, MST's franchising practice group, which acts for a large number of local and internationally based franchise systems. Mr. Colman's practice currently focuses on dispute resolution, litigation and regulatory investigations involving franchisors, franchisees and master franchisees. He has had significant experience in drafting franchise agreements, disclosure documents and transactional documents. Mr. Colman is a nationally accredited mediator and a member of the legal committee of the Franchise Council of Australia.

Martine de Koning

Martine de Koning studied law at the University of Utrecht. In 1997, Ms. de Koning joined Kennedy Van der Laan, where she developed a practice in EU and Dutch competition law and commercial contracts and disputes. She works in retail, fashion, food, pharmaceuticals, technology and health care markets in particular for North-American clients. She has particular expertise in cross-border franchising, agency, distribution, sales, procurement, logistics and other commercial contracts and disputes. She also handles abuse of dominance, joint ventures, technology- and pharmaceuticals licensing and vertical (channel) agreements and disputes. Ms. de Koning regularly publishes articles and lectures on competition law, international franchising and related subjects.

Gordon Drakes

Gordon Drakes is a Partner in the franchising and commercial group at Fieldfisher, a full service European law firm. He advises clients across a wide range of sectors, from start-ups to blue chip companies, on their domestic and international expansion through franchising, licensing and other routes to market, such as e-commerce, concessions, agency, distribution, joint ventures and strategic alliances. Mr. Drakes is ranked in *Chambers*, *The Legal 500* and *Who's Who: Franchise 2016* for his expertise in franchising.

Brian J. Forgas

Brian Forgas is Senior Counsel with Hilton Worldwide in McLean, Virginia, where he manages Hilton's global franchise regulatory compliance program for its 13 brands. He also advises on a wide variety of business matters including the launch of new brands, structuring programs, and the negotiation of hotel transactions. Previously, Mr. Forgas was in-house counsel with McDonald's Corporation in Oak Brook, Illinois where he was a U.S. Division/Business Counsel responsible for about 3,000 restaurants. Before that he was in private practice in Washington, DC. Mr. Forgas received his J.D. from The Catholic University of America Columbus School of Law in Washington, DC.

Andraya Frith

Andraya Frith is Chair of Osler, Hoskin & Harcourt's National Franchise and Distribution Practice Group. She is also Co-Lead of Osler's Retail Practice Group. She practices business law with an emphasis on franchising, distribution, privacy, and e-commerce law. Ms. Frith has extensive experience advising Canadian and International franchisors of all sizes operating in a broad range of industries, including quick service restaurants, retail, pharmacy, automotive, real estate and hospitality. She counsels franchisors on structuring international and domestic franchise transactions and preparing "best in class" franchise agreements and franchise disclosure documents for use in Canada's increasingly complex franchise regulatory environment. Ms. Frith helps foreign franchisors and retailers expanding their operations to Canada maneuver through significant judicial, statutory and cultural differences between their home states and Canada to help ensure a smooth and successful entry into the Canadian market. She also regularly advises franchisors, retailers and on-line businesses on Canadian distribution and trade practice law, including privacy, antispam, consumer protection, Internet sales, advertising, and telemarketing.

Ronald K. Gardner

Ronald Gardner is the Managing Partner of Dady and Gardner, P.A. Mr. Gardner's practice is limited to representing franchisees, associations, dealer/distributors in disputes with their franchisors and manufacturers. He is a Past Chair of the ABA Forum on Franchising and also serves on the Franchise Advisory Counsel of the North American Securities Administrators Association. Mr. Gardner is an author and lectures on topics related to franchise/distribution law.

Dean Heyl, CFE

Dean A. Heyl, Vice President Government Relations and Tax Counsel for the International Franchise Association, is responsible for federal, state and local issues affecting the franchise model in addition to providing research and advice on tax issues. Mr. Heyl previously worked for the Direct Selling Association as a state and federal lobbyist and was the Executive Director of the Coalition for Affordable Accounting. His public sector experience includes serving as a senior advisor in the offices of the Idaho Attorney General and Governor. From 2008 – 2011, he sat on the Internal Revenue Service Advisory Council, which advises the IRS on tax administration policy, programs, and initiatives.

Andria B. Hill

Andria Hill is a counsel at Hilton Worldwide, where she is the lead attorney responsible for managed and franchised hotel development in South America. Ms. Hill also has extensive experience in hotel development in Mexico, Central America and the Caribbean. She negotiates hotel management agreements, franchise agreements, financing agreements and other related development agreements with hotel developers and owners. She advises the company's development team in navigating the unique legal and business landscapes of developing hotels in countries across the region and advises the company's owner relations team in managing issues arising during the long-term management and franchise relationships with hotel owners. Prior to joining Hilton in 2012, she practiced real estate law with Arnold & Porter LLP, with a particular focus in the hospitality industry, and real estate and corporate law with Covington & Burling LLP. Ms. Hill received her J.D. from Harvard Law School in 2005 and her A.B. from Princeton University in 2002.

Dominic Hui

Dominic Hui is a Partner of Ribeiro Hui, a Greater China practice with offices in Beijing, Shanghai and Hong Kong. He is in charge of the contentious and non-contentious corporate commercial, intellectual property and employment law practices, and has led practice groups in these areas. He has over a decade experience in handling mergers & acquisitions and representing multi-nationals in the Greater China Region. Mr. Hui's practice emphasizes delivery of practical and timely solutions. He is experienced in dealing with different governmental and quasi-governmental bodies, and negotiation with PRC joint venture or other business counterparts to bring about expeditious conclusion of assignments to accord with client's objectives. He is currently an officer of the International Franchising Committee of IBA, and has consistently been identified as one of the leading practitioners by various surveys.

Jiri Jaeger

Jiri Jaeger is a Partner in the Düsseldorf office of Bird & Bird LLP. He is the head of the German Dispute Resolution group and member of the international Commercial and Dispute Resolution practice groups. Mr. Jaeger advises on a wide range of commercial contracts focusing on the life sciences, retail and fashion sectors. He has particular expertise on all aspects of franchising and general commercial

contracts including drafting and negotiating franchising, licensing and distribution agreements and other hybrid growth strategies. His practice also focuses on contentious commercial litigation. Mr. Jarger conducts complex litigation and arbitration proceedings in a national and international context. This includes post-M&A litigation, joint ventures, sales structures as well as licensing agreements.

Esmari Jonker

Esmari Jonker leads the franchising portfolio of Smit & Van Wyk, Inc., a law firm based in Pretoria, South Africa. She is an attorney of the High Court of South Africa and holds LLB and LLM degrees (with Masters degree in Intellectual Property Law). Ms. Jonker is an accredited legal service provider and member of the Franchise Association of South Africa and has more than 16 years' experience in franchise law and intellectual property matters, especially in South Africa and Africa. She acts on behalf of local as well as international clients in the franchise industry, and advises both franchisors and franchisees with regard to legal matters.

Terry Kim

Terry Kim is a foreign legal counsel, licensed in the United States, and a member of the Intellectual Property Practice Group of Lee & Ko. Mr. Kim devotes his practice to intellectual property and franchising matters. In this capacity, Mr. Kim has assisted numerous high-profile foreign brands with their international expansion into the vibrant Korean market and has been especially active in counseling foreign brands from the food and beverages, retail and hospitality industries. Mr. Kim is an officer of the International Franchising Committee of the International Bar Association, and in 2016, was named to the *International Who's Who of Franchise Lawyers*.

David W. Koch

David Koch is a Partner and Co-Founder of Plave Koch PLC, a dynamic small firm focused on franchising, licensing and branded distribution. He has over 25 years of experience with clients in foodservice, hotels, educational services, staffing, car rental, automotive aftermarket, insurance, homeowner services, retail and other industries. His work involves structuring franchise and license programs, supply chain arrangements, private equity investments in franchising, corporate and commercial transactions, regulatory compliance, antitrust counseling and cross-border expansion. Before entering private practice, he was an Attorney-Advisor to the Chairman of the U.S. Federal Trade Commission. Mr. Koch holds an adjunct faculty appointment with the International Transactions Clinic at the University of Michigan Law School, his alma mater, and serves in a similar but informal capacity with the International Transactions Clinic at NYU School of Law.

Beata Krakus

Beata Krakus is a Partner of Greensfelder, Hemker & Gale, P.C., and part of the firm's Franchising & Distribution Practice Group. She works with franchisor clients in domestic and international franchise transactional matters, as well as related areas such as distribution and sales representative arrangements, and other commercial contracts. She has advised, structured, and prepared franchise programs for many different franchise concepts including real estate brokerages, hotels, restaurants, and fitness and personal health systems. Prior to joining Greensfelder, Ms. Krakus was an Associate with Sonnenschein Nath & Rosenthal LLP. She also practiced in Warsaw, Poland with the Swedish law firm of Magnusson Wahlin. Ms. Krakus is a member of the Governing Committee of the ABA Forum on

Franchising, and also serves as the Technology Officer for the organization. She has served as an Associate Editor for *The Franchise Lawyer*. She is recognized by *International's Who's Who of Franchise Lawyers* and by *Chambers USA* and *Chambers Global*.

Robert A. Lauer

Robert A. Lauer is a Partner in the Austin office of Haynes and Boone, LLP, and a member of the firm's Franchise and Distribution Practice Group. Mr. Lauer's practice focuses on all aspects of domestic and international franchise transactions. Mr. Lauer was named to *Chambers, Global Franchising* - Band 3, 2011, Band 4, 2012 and Band 3, 2013 to 2017- *Chambers USA, Franchising* (Nationwide), *Up and Coming* - 2012 and Band 4, 2013 to 2016 - the *International Who's Who of Franchise Lawyers*, and a "Texas Rising Star" by *Law & Politics* magazine. Mr. Lauer is also the speaker for the Texas Bar Association's Ten Minute Mentor video tutorial on *What Every Texas Attorney Should Know About Franchise Law*. He is a member of the ABA Forum on Franchising (and former member of the International Division's Steering Committee from 2008 to 2011), current officer of the International Bar Association's International Franchising Committee (Treasurer to serve from January 2017 December 2018) and a former vice-chair of the franchise and distribution section of the Dallas Bar Association. Mr. Lauer is a graduate of the St. Mary's University School of Law where he served as an Associate Editor of the *St. Mary's Law Journal*, and a graduate of Trinity University in San Antonio, Texas.

Andrew Loewinger

Andrew Loewinger is a Partner in the Washington, D.C. office of Nixon Peabody LLP. He has represented numerous U.S. and non-U.S. companies in franchising and distribution matters in the United States and internationally on international franchising, licensing and distribution matters. Mr. Loewinger is the immediate past Chair of the International Franchising Committee of the International Bar Association and a former member of the Governing Committee of the American Bar Association's Forum on Franchising. He is the co-editor and co-author of *International Franchise Sales Laws* published by the American Bar Association in 2006. He was appointed in 2004 as the first Director of the International Franchise and Distribution Division of the ABA's Forum on Franchising. He has been recognized for many years as one of the top franchise lawyers in the United States and internationally in *Who's Who Legal*, the *International Who's Who of Business Franchise Lawyers*, *Chambers USA: America's Leading Lawyers for Business* and *Best Lawyers in America* (in franchise law). Mr. Loewinger has a B.A. from The Colorado College, a Masters in International Affairs from Columbia University and a J.D. from Georgetown University Law Center.

Michael Malloy

Michael Malloy is Counsel at DLA Piper's Moscow office and leads the Intellectual Property and Technology (IPT) practice group in Russia. His practice is focused on a wide range of business transactions, including franchising, brand development and related matters. In addition to intellectual property and technology issues, Mr. Malloy's expertise includes data protection, corporate law, media law and technology transfers. Mr. Malloy has been working in Russia helping international companies do business since 1994. In that time, he has worked through the profound changes in the Russian legal and commercial environment. Mr. Malloy graduated from the Florida State University where he obtained his B.S. degree in Economics and in International Affairs, and from University of Florida College of Law,

where he received a J.D. degree. Mr. Malloy became Master of Laws (LL.M.) in International Law in 1997 and is admitted to the State Bar of Florida.

Babette Marzheuser-Wood

Babette Marzheuser-Wood heads up Denton's Retail Group, is a partner in the firm's Franchise Group and heads up the European Franchise team. She specializes in international franchise and concession agreements and IP-driven joint ventures. Ms. Marzheuser-Wood has transactional experience in all 28 EU Member States. She also advises clients on franchise agreements and other innovative structures for international expansion in the global marketplace. She is recognized as one of Europe's leading experts in retail, hotel and leisure franchising with a particular emphasis on German speaking Europe. Ms. Marzheuser-Wood is recognized as a leading expert in international franchising by *Chambers Global* and is also recommended by the *International Who's Who of Franchise Lawyers*, *Chambers UK* and *Legal 500* for her franchise expertise. She is the author of "International Protection of a Franchisor's System", has written the European section of Butterworth's *Franchise Laws* and is an associated editor of the *Franchise Law Review*. She is dual qualified in both Germany and the UK.

Karsten Metzloff

Karsten Metzloff is a partner with the Berlin office of Noerr LLP. He is a co-head of the firm's distribution and franchise practice. Mr. Metzloff also has wide experience in related fields such as antitrust and international sales law. He is a member of the German Antitrust Law Association, the ABA Franchise Forum, the IBA International Franchising Committee and the legal committees of both the German Franchise Association (DFV) and the European Franchise Federation (EFF). Mr. Metzloff has lectured and written on various domestic and international issues of franchising and distribution law. He is the exclusive contributor to the International Law Office Newsletter for franchising in Germany.

Ted Pearce

Ted Pearce is Counsel with the law firm of Bradley Arant Boult Cummings where he is the co-leader in the franchise practice group. His practice also includes working to bring new franchise concepts to market, while assisting franchisees to navigate the franchise relationship. Mr. Pearce also works with private equity groups to assist them in their due diligence efforts in evaluating proposed purchases of franchise systems. Prior to returning to private practice, Mr. Pearce spent 30 years as General Counsel for Meineke Car Care Centers, Inc. Mr. Pearce earned his undergraduate degree from the University of Virginia and his law degree from Syracuse University College of Law.

John Pratt

John Pratt obtained his law degree from Oxford University and afterwards successfully completed a doctorate course in comparative law at the Universite d'Aix- Marseille. He is the senior partner of Hamilton Pratt. He is the immediate past Legal Advisor to the British Franchise Association and a past Chair of the International Bar Association's International Franchise Committee and Director of the American Bar Association's International Franchising Division. He has written *Franchising: Law & Practice*, *The Franchisor's Handbook* and contributed chapters to a number of franchise publications. He is the joint editor of an upcoming publication on franchising in Europe.

Arthur L. Pressman

Arthur L. Pressman is a mediator, arbitrator and a litigator of franchise disputes. He has practiced franchise law for more than 35 years and has resolved hundreds of franchise disputes by verdict, award or mediated settlement in more than 25 state and federal jurisdictions. After serving as an equity partner at Nixon Peabody LLP from 2003, Mr. Pressman became senior counsel to the firm in 2017 where he continues to serve key clients. He is also the principal of Arthur L. Pressman Franchise Dispute Mediation and Arbitration Services, and since 2012, has served as a member of the Boston University School of Law faculty, teaching Alternative Dispute Resolution and Negotiation in its LLM in American Law program. *Chambers USA* has ranked Mr. Pressman as among the top 10 franchise lawyers in the United States for many years, including 2016.

Shelly Sun, CFE

Shelly Sun is the CEO and Co-Founder of BrightStar Care®, a premium healthcare staffing company providing the full continuum of care, from homecare to supplemental staffing for corporate clients such as nursing homes and physicians. In 2005, BrightStar launched its franchising efforts, becoming the first and only franchising company in the country to specialize in both medical and non-medical care and health care staffing. BrightStar Care has grown to over 300 locations nationwide serving over 15,000 families generating over \$350 million in system-wide revenue. Ms. Sun is currently Chairwoman of the Board for the International Franchise Association. She was also selected by the IFA as the 2009 Entrepreneur of the Year. BrightStar® has been named to the *Forbes* magazine list of Top 10 franchise opportunities under \$150,000 initial investment for three years in a row, including First Place atop the 2014 list. BrightStar® was also selected for the *Inc.* magazine 500/5000 every year from 2010 to 2015. BrightStar® is the only franchise home care brand to receive the Joint Commission's Enterprise Champion of Quality Award – and earned it four years straight from 2013 to 2016.

Francesca Turitto

Francesca Turitto is an Of Counsel to the law firm Roma Legal Partners. She specializes in international franchising and distribution, representing foreign companies wishing to enter the Italian market and Italian companies expanding their network abroad. She also has an extensive experience in corporate and financial transactions, national and international, including mergers and acquisitions, joint ventures, privatizations and private equity deals. Before joining Roma Legal Partners, Ms. Turitto was a Senior Counsel at the Italian office of Allen & Overy for more than ten years. She co-authored several articles for the *International Journal of Franchising Law*, and wrote articles on various aspects of financing and corporate matters published by *Butterworths Journal of International Banking and Financial Law*. She is the co-author of the Italy chapter of the 2014 edition of the book *International Franchise Sales Laws*, an American Bar Association Forum on Franchising publication. Ms. Turitto is a lecturer on international franchising at the Master in business law, jointly offered by the LUISS university in Rome and the Italian association of corporate counsel (AIGI). She has been constantly recognized in the last years by the International Who's Who of Franchise Lawyers as one of the world's leading practitioners in the field of franchise.

Eduardo Turkienicz

Eduardo is the head of the Franchise/Distribution and IP, as well as partner of the Corporate area at Dias Carneiro Advogados – DCA, a full-service law firm based in São Paulo, Brazil. A transactional attorney,

Mr. Turkienicz focuses his practice on franchising. He had assisted a wide variety of international franchisors to launch its operations in Brazil, and also advised Brazilian clients to expand internationally. He advises clients on franchise structuring, compliance, corporate and IP issues in various industries, including significant clients in food, fashion and leisure. Mr. Turkienicz obtained his Law Degree (LLB) from the Pontifícia Universidade Católica RS/Brazil, and also studied at the Escola Superior do Ministério Público/Brazil (preparatory course for public prosecutors), Fundação Getúlio Vargas/Brazil (specialization in corporate law and economics), Universidade Federal RS/Brazil (international law specialization), and, finally, at the University of Texas at Austin (LLM program).

Larry Weinberg, CFE

Larry Weinberg is a Partner at the Toronto law firm of Cassels Brock & Blackwell LLP. Since 1989 he has had a practice that specializes in franchise law and providing all necessary legal services to franchisors. He is a member of the International Franchise Association, where he currently serves as Immediate Past Chair of its Supplier Forum Advisory Board, and the Canadian Franchise Association, where he serves as Chair of the CFA's Legal and Legislative Committee and on the CFA Board of Directors. He is also currently Co-Chair of the International Bar Association's International Franchising Committee and a Past-Chair of the Ontario Bar Association's Franchise Law Section. Mr. Weinberg was the founder of, and to date has organized and chaired four Ontario Bar Association annual franchise law conferences. He is a member of the American Bar Association's Forum on Franchising, and in 2006, he was the first Canadian lawyer to be appointed Director of the ABA Forum's International Division and to a leadership role on its Governing Committee. In 2009, he had the honor of being Co-chair of the ABA's 32nd Annual Forum on Franchising conference. In 2004, he acted as co-editor of the ABA Forum on Franchising's book entitled *Fundamentals of Franchising-Canada*. As well, he was co-editor and co-author of the Canadian Franchise Association's first and still only official book publication entitled, *How To Franchise Your Business*. He is a co-author of the chapter on Canada for the ABA Forum's book entitled *International Franchise Sales Laws*. In 2004, 2005, and each year from 2009 to 2016 Mr. Weinberg was named by *Franchise Times* to their "Legal Eagles" list of the top franchise lawyers in the United States and Canada. In 2014, 2015 and 2016 Larry received *Who's Who Legal's* one and only worldwide Lawyer of the Year award for Franchise law, and in 2014, the Lexpert® Zenith Award. Mr. Weinberg was called to the Bar of the Province of Ontario in 1989.

Don Wray

Donald Wray is International Counsel for Little Caesar Enterprises, Inc. in Detroit, Michigan, and is a member of the IBA's International Franchising Committee. At Little Caesars, he is responsible for all international legal affairs for its restaurants, including transactional, regulatory, intellectual property, supply chain and compliance matters. Prior to joining Little Caesars, Mr. Wray worked for H&R Block Financial Advisors from 1999 to 2009, most recently as Associate General Counsel, where he developed and implemented the firm's OFAC and AML compliance programs. From 1996 to 1999, he worked for Olde Discount Corporation, most recently as Assistant Vice President and Corporate Counsel. Mr. Wray has a B.A. from Vanderbilt University and a J.D. from St. Louis University School of Law.