

CONTACTS:

David B. Lichtenberg, Esq. — lichtend@jacksonlewis.com
Kirsten Scheurer Branigan, Esq. — Kirsten@KS Braniganlaw.com
Sherrill Curtis, SPHR — sherrill@curtisgroupplc.com
Charlotte H. Anderson, SPHR, GPHR — charlotte@amethystandiris.com
Rob Kleeger — rkleeger@intell-group.com

HR ON TRIAL



The Legal Preparation of the HR Professional as a Litigation Witness

MARCH 6, 2008 — HR ON TRIAL - *Legal Preparation of the Human Resources Professional as a Litigation Witness*, an innovative and interactive mock investigation workshop was presented to an audience of Human Resources professionals in Bedminster, New Jersey. The presenters, David B. Lichtenberg, Esq., Kirsten Scheurer Branigan, Esq., Sherrill Curtis, SPHR, Charlotte H. Anderson, SPHR, GPHR and Rob Kleeger explained the multiple layers of investigating a complaint, the deposition process and the trial.

The content “HR ON TRIAL” - Legal Preparation of the Human Resources Professional as a Litigation Witness is essentially a three-act simulation, where designated individuals play the roles of an HR Professional, Victim, Harasser and Lawyer, with ongoing commentary by the two attorney presenters. The first act involved the HR Professional investigating a simulated complaint of harassment/ discrimination. The second act involved the deposition of the same HR Professional during subsequent simulated employment discrimination litigation. The third act involved the same HR Professional testifying at a trial. The target audience for this workshop/program is any person that plays a role in investigation and/or remediation of harassment and/or discrimination complaints in the workplace.

HUMAN RESOURCE RECERTIFICATION CREDIT: The HR on Trial program has been approved for 2.0 recertification credit hours toward PHR, SPHR and GPHR recertification through the Human Resource Certification Institute (HRCI).



FROM LEFT TO RIGHT: David B. Lichtenberg, Esq., Charlotte H. Anderson, SPHR, GPHR, Sherrill Curtis, SPHR, Kirsten Scheurer Branigan, Esq. and Rob Kleeger.

ATTORNEY PRESENTERS:

DAVID B. LICHTENBERG, ESQ. is a partner with the Morristown office of Jackson Lewis LLP. Mr. Lichtenberg received his juris doctor degree from Seton Hall University School of Law and his undergraduate degree from Union College. Mr. Lichtenberg's trial experience includes a 4-week binding arbitration matter conducted in the U.S. Virgin Islands and a 2-week jury trial in New Jersey state court involving the alleged theft of proprietary information. Mr. Lichtenberg has extensive litigation experience in both state and federal court and is admitted to practice in New Jersey, Pennsylvania, the United States District Court for the District of New Jersey, the United States District Court for the Eastern District of Pennsylvania, the United States District Court for the Middle District of Pennsylvania and the United States Court of Appeals for the Third Circuit. Mr. Lichtenberg has also handled a significant number of administrative matters before the Equal Employment Opportunity Commission and state agencies in both New Jersey and Pennsylvania. Mr. Lichtenberg has handled a number of litigation matters for both national and local retailers. In addition to his litigation practice, Mr. Lichtenberg regularly counsels clients on employment law matters, with a particular emphasis on disability management. Mr. Lichtenberg has dedicated his entire professional career to representing management exclusively in workplace law and related litigation. Mr. Lichtenberg also serves as Legislative Chair for the Morris County Society for Human Resources Management (SHRM) and has held this role since 2000.

KIRSTEN SCHEURER BRANIGAN, ESQ.

Ms. Branigan is the owner of the Law Office of Kirsten Scheurer Branigan, P.C., a woman-owned employment law firm focused on preventing, managing and remediating conflicts in the workplace. The firm provides, Employment Conflict Management, Litigation and Alternative Dispute Resolution Services. Effective June 1, 2008, the Law Office of Kirsten Scheurer Branigan will become part of the McDonald Law Group, LLC (MLG). Ms. Branigan will become the Chair of the Employment Law Department and a member of the firm. MLG is a woman-owned law firm committed to the hiring, retention and advancement of women in the law and concentrating in corporate and commercial transactions, commercial real estate, like-kind exchanges, employment law, and trusts and estates. Separate and apart from her practice, Ms. Branigan currently serves as a Commissioner with the Public Employment Relations Commission (PERC). Ms. Branigan serves as an Arbitrator on the Commercial/Employment Panel with the American Arbitration Association (AAA) and is a Mediator and handles employment arbitrations and mediations. Ms. Branigan has a unique perspective in having handled employment matters from both the plaintiff and defense perspectives, while also working with clients on implementing preventative and remedial measures, including policies, training and investigations. Ms. Branigan has extensive experience in conducting numerous independent employment investigations and employment-related training sessions, including on the prevention of harassment and discrimination for numerous clients over the years in different settings – such as in auditorium venues to large audiences (100+), as well as to smaller groups in roundtable settings and individual one-on-one training to alleged harassers. Ms. Branigan frequently writes and speaks on employment law issues, including: "The Importance of Workplace Investigations: Corporate Preventative and Remedial Measures", *New Jersey Lawyer* (October 30, 2006) and "Conducting and Attacking Employment Investigations," *New Jersey Law Journal*, (March, 2003), "Legislature Considers Further Expansion of LAD," *New Jersey Law Journal* (March 17, 2008), and Hot Tips For Handling Disciplinary & Discharge Cases, Panelist, *Essex County Bar Association* (November 8, 2007). Ms. Branigan attended Rutgers College and Rutgers Law School, Newark and was admitted to the bar in 1995 and practices before the New Jersey state and federal courts. Prior to opening her own firm in 2006, she served as an Assistant County Counsel in Essex County handling labor and employment matters, and was affiliated with law firms, including Wilentz, Goldman & Spitzer, where she worked for 10 years. She interned for Magistrate Judge Ronald J. Hedges and worked as a law clerk in the City of Jersey Law Department.

HR ROLE PLAYERS:

SHERRILL CURTIS, SPHR is the Founder and Principal of Curtis Consulting Group, LLC, a Human Resource consultancy, coaching, and skill development practice. Sherrill is also an adjunct faculty member with Fairleigh Dickinson University, Bergen and Hudson Community Colleges (HCC). Partnering with HCC, she creates and delivers experiential workshops focused on behavioral transformation. She is a United Way Certified Mentor in addition to Certified Instructor by the National Retail Federation. In November, 2005, the MC-SHRM chapter was honored with SHRM National's prestigious Pinnacle Award for the outstanding year long experiential career development program Sherrill created and delivered for the students of Unity Charter School in Morristown.

CHARLOTTE H. ANDERSON, SPHR, GPHR, is the President of Amethyst and Iris, an Organizational Design and Talent Development consulting firm offering its clients comprehensive services in organizational diagnostics and leadership development training. She has authored many training curricula in all aspects of management development and corporate human resource compliance issues. She worked for over 12 years in Human Resources management before starting her consulting business in 1999. Charlotte is active in her local chapter of the Society for Human Resource management, maintains her Senior Professional in Human Resources certification, and has worked since 1998 as an instructor of the SHRM Learning System for persons seeking the certification.

ROB KLEEGER has lead several start-up entrepreneurial ventures in various technology-based industries over the past 14 years, three (3) which led the venture to be acquired. Mr. Kleeger prides himself as a well-seasoned strategic sales, marketing, and business development executive. Currently, Mr. Kleeger is leveraging his five years of digital investigation experience in engaging and developing early stage complex technical digital forensic investigation services for law firms, all size corporations, corporate IT and/or security executives, human capital professionals, and other litigation support professionals. Mr. Kleeger has vast experience in matters involving data theft and crimes facilitated by computer such as (Employment related - Restricted Covenant, Non-compete, Theft of IP, Commercial Litigation, Embezzlement, Sexual Harassment, Discrimination and matrimonial related matters). He has counseled his clients through 100's of cases in both the federal and state courts. Mr. Kleeger regularly provides non-technical lectures to law firms and litigation attorneys and their staff through "lunch & learns". Most recently, Mr. Kleeger was a faculty member of The 2007 NJ Superior Court Judicial College of the Administrative Office, Presented on behalf of HalfMoon CLE Seminars E-Discovery: Is Your Business Ready To Navigate Through The Minefield?, The Garden State Council SHRM Annual Conference & Expo, WNBC/NBC 4 News Channel, and many other conferences and seminars around the NY/Metro area.