

Tuesday, January 13, 2015: Professional Development Meeting

Leading Negotiations and Improving Results

Gary Van Domelen returns to ISM NE-WI to discuss strategies to convert your day to day negotiations and drafting into improved long-term vendor performance. A discussion focused on how understanding your vendor and your goals and process yields the best result.

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Speaker Bio



Gary is a De Pere native and graduate of St. Norbert College and Marquette University Law School. While at Marquette, he served as Managing Editor of the Law Review. Gary began his legal career as a litigator for Kasdorf, Lewis & Swietlik, S.C. A Milwaukee based insurance and product liability and insurance defense firm.

In 1986, he joined S.C. Johnson & Son, Inc. to manage the company's worldwide product liability litigation. During the ten years he spent at Johnson Gary also drafted and negotiated a variety of agreements, assisted with regulatory matters and investigations and was the lead lawyer for the worldwide air care business. In 1998, he accepted the position of Vice President & General Counsel of Fisher Scientific Company, L.L.C. in Pittsburgh, PA.

While at Fisher Gary also worked in a number of acquisitions and co-managed the quality assurance function. In 2001, Gary and his family moved back to LaCrosse, Wisconsin where he accepted a position as Chief Legal Counsel, the Trane Company, and a division of American Standard Companies, Inc.

In 2003, Gary accepted an invitation from American Standard to move to New Jersey and serve as Vice President, Chief Corporate Counsel and assistant secretary. In that capacity, Gary managed the legal-SEC reporting issues, M&A and the law department budget. In 2005, Gary joined Wagner, Falconer & Judd, and a Minneapolis firm. Gary was named a partner in 2010 and led the firm's business practice group. In May 2014 Gary opened his own law firm in Southeastern, MN where he assists corporations in Georgia, Minnesota, Pennsylvania and Wisconsin with their procurement and technology contract drafting and negotiating needs.

Leading Negotiations and Improving Results

PDM Schedule of Events:

7:00 a.m.—7:30 a.m. Registration & Breakfast
7:30 a.m.—9:00 a.m. Presentation

Location

The MARQ Banquet and Catering
3177 French Road
De Pere, WI 54115

Menu: Denver style eggs with ham, cheese, onions and green peppers, hash brown potatoes, breakfast pastries, chilled orange juice, coffee, and milk

Registration Details:

Event Cost: Member (Pre-Pay): \$20.00 | Member (Pay at Event): \$25.00
Student: \$15.00 | Non-Member: \$25.00

To register: Visit <http://ism-newwisconsin.org> to register online and pay for the meeting via PayPal.
-OR-
If you have pre-paid for PDMs, sign up by contacting **Orson Fournillier**
Email: ofournillier@coating-excellence.com

Note: Anyone making a reservation that doesn't attend the meeting and hasn't paid will be charged for the meeting as ISM must pay for any reservations that are made.

Consider becoming a member of ISM NE-WI for the remainder of the 2014-2015 program year at a pro-rated rate of \$125.00 or less! See <http://ism-newwisconsin.org/templates/paymentnew.html> for details.

Registration Deadline: Friday, January 9, 2015—cutoff at noon

NO CANCELLATIONS. This is necessary to enable coordination with the facility for seating and meal arrangements.

Monday, January 12, 2015: Half Day Seminar (1:00 p.m.—5:00 p.m.)

Maximizing the Value of Your Contracts: How Contract Language, Negotiating Leverage and Better Processes Combine to Protect Your Business

Course Description:

Gary Van Domelen returns to ISM NE-WI to provide a comprehensive study of contracts and contract language. A strong, but commercially balanced contract is an important step in protecting your company. In order to succeed in accomplishing this goal, the agreement must accurately reflect the deal you negotiated, protect the company against risk, anticipate your future needs and reflect the value your supplier brings to the table.

Here are some specific questions and issues we will tackle:

- Have you ever picked up a contract you did not negotiate and feel like you were reading something written on another planet? Contracts can be confusing and the legalese difficult to understand. How do we draft the contract in terms we can all comprehend?
- What are the advantages of using our own contract and are there any circumstances when we might be better off with the battle of the forms?
- I have a difficult vendor who refuses to consider our form and will not accept our PO and terms. How can I identify and protect against the most serious risks? Can we protect ourselves using an addendum or side letter clarifying the agreement?
- My vendor insists no one in their industry accepts liability for consequential damages. In what situations should I be entitled to recover these damages and how can I convince the supplier to accept some exposure?
- I am sometimes dealing with offshore suppliers. What are some steps I can take to better protect our company against the risk of product recalls, IP theft and non-performance?
- What are some recent examples where the pace of business or changes in technology increased the risk for significant breaches and damage exposures? Learn how one company unintentionally gave up confidential information protected by an NDA, steps you can take when dealing with a software audit and what types of damages can be sustained in a data breach.

Attendees to this presentation will have an opportunity to work in teams to identify select fact patterns and problem contract language and suggest possible solutions to better protect the purchaser.

Location

The MARQ Banquet and Catering
3177 French Road
De Pere, WI 54115

Continuing Education

Hours Earned: 4.0 Hours

Event Cost: Member (Pre-Pay): \$75.00 | Non-Member: \$125.00

To register: Visit <http://ism-newwisconsin.org> to register online and pay for the meeting via PayPal.
-OR-
Sign up by contacting **Orson Fournillier** (ofournillier@coating-excellence.com)
Registration deadline is January 5th by 5:00 p.m.

President's Letter



Dear ISM Member,

I would think that most of us have had our fill of Christmas cookies, cheese & sausage, pies and chocolate. Maybe you are considering a New Year's resolution: lose weight, quit smoking, exercise more. Even if you're not the type to make a New Year's resolution, you're probably anticipating making a "fresh start" in the New Year. I'd like to suggest that members take a "fresh look" at our Professional Development Meetings as a great avenue for skill enhancement and networking. Every month, different topics are discussed where attendees can pick up another professional tidbit or two that may help you modify a work process, improve a contract, nab some cost savings, or integrate a new negotiation technique. I hope that all members will take advantage of these professional interaction opportunities and I encourage you to invite others, as well.

I'm excited about the second half of the ISM NE-WI PDM calendar. Gary Van Domelen was an outstanding speaker earlier this fall and we are thrilled to be able to bring him back again. He will be facilitating a half-day seminar on Monday afternoon, January 12, 2015 called "Best Practices in Procurement Contracts". The ISM NE-WI Board of Directors continues to listen to you, our members – we have planned the next PDM as a breakfast meeting and we have brought the topic of negotiations back into the line-up, as well. So if dinner meetings didn't work for you, I challenge you to make an effort and attend this breakfast meeting on Tuesday morning, January 13, 2015, where Gary Van Domelen will be offering a presentation about "Leveraging Negotiations and Improving Results". In February our topic will be a "Financial Overview: Creating Successful Cost Savings". We have a couple of very interesting tours coming up later in the spring (Independent Printing and the Packers), and we'll learn more about "Effective Communication for Better Supplier Relationships".

I also encourage members seeking an opportunity to become more active in the leadership of ISM NE-WI to voice your interest to myself or any Board member. We are currently looking for volunteers to fill the roles of Vice President, the Director of Marketing and Director of Facilities. If you're not sure about filling one of these roles, we would welcome your help on a smaller scale with specific projects or tasks, such as: helping set up at our Professional Development Meetings, investigating potential topics and speakers, creating flyers and other promotional materials and assistance with LinkedIn. Please contact me if you are interested in learning more about these opportunities.

See you in January,

Cindy Goller, C.P.M.
President, ISM Northeast Wisconsin
cindy.goller@pcmc.com
(920) 339-7615

Future Meetings & Events

ISM NE-WI PROFESSIONAL DEVELOPMENT MEETINGS		
Date Meeting Format	Event / Topic Speaker	Location
January 12, 2015	Maximizing the Value of Your Contracts: How Contract Language, Negotiating Leverage and Better Processes Combine to Protect Your Business	The MARQ Banquet & Catering Hall 3177 French Road DePere, WI 54115
January 13, 2015	Leveraging Negotiations and Improving results	The MARQ Banquet & Catering Hall 3177 French Road DePere, WI 54115
February 10, 2015	Financial Overview: Creating Successful Cost Savings	Liberty Hall 800 Eisenhower Drive Kimberly, WI 54136
March 10, 2015	Tour of Independent Printing	Independent Printing & The MARQ Banquet & Catering Hall 3177 French Road De Pere, WI 54115
April 14, 2015	Effective Communication for Best Supplier Relationships	Liberty Hall 800 Eisenhower Drive Kimberly, WI 54136
May 12, 2015	Packer Stadium Tour Annual Elections	The MARQ Banquet & Catering Hall 3177 French Road DePere, WI 54115

ISM Northeast Wisconsin Affiliate Membership Summary

December 2014	
Regular Members:	159
Associate Members:	13
Lifetime/Dues Free:	10
Student Members:	41
Total Members:	223

Membership inquiries can be directed to: **Vicki Edinger**, Director of Membership
ism.membershipnew@gmail.com

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