

# **Speaker Biographies**



# **ADOLPHO BIRCH, ESQ.**

## Biography

Adolpho Birch serves as Senior Vice President of Labor Policy & League Affairs for the National Football League, which is headquartered in New York, New York. Upon joining the NFL in 1997, his primary responsibility was the enforcement of the League's Collective Bargaining Agreement, which encompassed issues including player and Club contract and injury grievances, benefits matters and salary cap disputes. In his current capacity, he oversees the development, administration and enforcement of the League's critical policies respecting the integrity of the game, including those on substances of abuse, performance-enhancing drugs, gambling and criminal misconduct. Mr. Birch also has advanced the League's legislative and political interests, working with federal, state and local officials on key league issues such as youth concussion laws, the league's tax status and the FCC's blackout rule. He also previously directed the League's player development efforts, which comprise a number of programs designed to support player and employee off-field success, focusing on continuing education, financial education, career development and clinical assistance.

Prior to joining the NFL, Mr. Birch was in private practice in Houston, Texas, initially with Fulbright & Jaworski's Antitrust/Complex Litigation and Public Law group; and later with a boutique firm specializing in labor, insurance defense and municipal finance. Preceding his firm affiliations, he served as judicial law clerk to the Honorable Thomas A. Wiseman, Jr., Chief Judge of the U.S. District Court for the Middle District of Tennessee.

Mr. Birch attended Vanderbilt University Law School as a Patricia Roberts Harris Scholar, serving on the Editorial Board of the Vanderbilt Law Review and earning his juris doctorate in 1991. He did his undergraduate work at Harvard University, where he graduated with honors in Government and participated as a member of the junior varsity lacrosse and basketball teams, Kappa Alpha Psi Fraternity Inc. and other student organizations.

Mr. Birch was raised in Nashville and is actively involved in a number of professional and philanthropic organizations including the Sports Lawyers Association (Board Member), Partnership for Clean Competition (Board of Governors), Why Not Sports? (Board Member), New York City Business of Sports High School (Advisory Board Member) and the National Bar Association. In October 2010, Mr. Birch was chosen as one of the top 100 leaders of the African-American community by The Root, a media collaboration between scholar Henry Louis Gates, Jr. and the Washington Post. In May 2014, he was named a Trustee to the Vanderbilt University Board of Trust.



# **BENJAMIN BRAFMAN, ESQ.**

## Biography

Benjamin Brafman is the principal of a seven-lawyer firm Brafman & Associates, P.C., located in Manhattan. Mr. Brafman's firm specializes in criminal law with an emphasis on White Collar criminal defense.

Mr. Brafman, is a former Assistant District Attorney in the Rackets Bureau of the New York County District Attorney's Office, and has been in private practice since 1980. He is a Fellow in the American College of Trial Lawyers and in 1997, was selected by New York Magazine as the "Best Criminal Defense Lawyer in New York." He was the recipient of the "Outstanding Private Criminal Defense Practitioner Award" for 2005 from the New York State Bar Association, and in March 2006 Mr. Brafman received the Norman Ostrow Award for outstanding achievement in the field of White Collar Criminal Defense by the New York Council of Defense Lawyers. In January 2007, Mr. Brafman was presented with the "first" ever Clarence Darrow Award for Distinguished Practitioner by the New York State Association of Criminal Defense Lawyers. In March 2014, he also received the Robert M. Morgenthau Award from the Police Athletic League for outstanding achievements in the field of Criminal Defense, and most recently, Mr. Brafman was awarded the Pursuit of Justice Award from The American Association of Jewish Lawyers and Jurists. Mr. Brafman has represented a wide range of high-profile celebrities, business leaders, lawyers and professionals in major criminal cases throughout the United States, Israel and Europe. Mr. Brafman's acquittal record in complex criminal trials is among the highest in New York City and he lectures widely throughout the United States on issues related to trial advocacy.



## **GREGORY S. CHIARELLO, ESQ.**

### Biography

**GREGORY S. CHIARELLO** is a partner at Outten & Golden LLP in New York. He is Co-chair of the Family Responsibilities & Disabilities Discrimination Practice Group and a member of the Sex Discrimination and Sexual Harassment Practice Group. Mr. Chiarello represents employees in a variety of employment matters, including discrimination, retaliation, and harassment claims; fair pay and equal pay claims; breach of employment and other contracts; and noncompete and other restrictive covenant issues. While Mr. Chiarello's background is as a litigator, he frequently counsels employees on a variety of legal and non-legal issues, including preparing employees facing internal and external investigations.

Mr. Chiarello is Co-chair of the Labor Relations and Employment Law Committee of the New York County Lawyers Association, and an active member of the American Bar Association, and the National Employment Lawyers Association (NELA) and its New York Affiliate (NELA/NY).





# **Rick Collins, Esq., CSCS**

## Biography

Rick Collins is a principal in the law firm of Collins Gann McCloskey & Barry [[www.cgmbesq.com](http://www.cgmbesq.com)], with main offices on Long Island. He is a former prosecutor in the Office of the Nassau County District Attorney, and has been practicing criminal defense since 1990. He has served as a faculty member in dozens of trial practice courses. Currently the Vice-President of the Nassau County Bar Association, he also sits on the Executive Committee of the New York State Bar Association Criminal Justice Section and is Co-Chair of its Sealing Committee. He is internationally recognized as a legal authority on performance-enhancing drugs and substances, and has a nationwide practice focusing on the strength, health and sports communities. He has testified in federal court as an expert witness and also before the U.S. Sentencing Commission. He received his undergraduate degree from Hofstra University, Hempstead, NY, and his law degree from Hofstra School of Law, where he attended on a full academic scholarship and served on the *Law Review*. He was admitted to the New York Bar in 1985 and is also admitted to practice in Massachusetts, Pennsylvania, Texas, the District of Columbia, and numerous federal courts.



# ERIQ GARDNER

## Biography

**Eriq Gardner** is a senior editor at The Hollywood Reporter. He is primarily responsible for THR, ESQ, an award-winning blog which provides breaking news and cutting edge analysis of pertinent topics in media law. A graduate of the Medill School of Journalism at Northwestern University, Gardner has also written for Bloomberg, Slate, New York Magazine and elsewhere, plus worked as a digital consultant for a national cable news network.



# KALPANA KOTAGAL, ESQ.

## Biography

Kalpana Kotagal is a Partner at Cohen Milstein, a member of the firm's Civil Rights & Employment practice group, and Chair of the firm's Hiring and Diversity Committee. Ms. Kotagal plays an active role in the investigation and development of new matters for the Civil Rights & Employment practice group.

Ms. Kotagal is co-author of the "Inclusion Rider," referenced by Oscar-winning actress Frances McDormand in her 2018 Best Actress acceptance speech. Ms. Kotagal is working on this project in collaboration with Dr. Stacy Smith of the Annenberg Inclusion Initiative and Fanshen Cox DiGiovanni of Pearl Street Films. Together they are working to help transform the hiring practices in the film and television industry. Ms. Kotagal is also currently serving as an advisor to noted filmmakers on a film addressing issues of gender pay disparities.

A noted public speaker, Ms. Kotagal is often called on to address issues of employment and civil rights law, class actions, mandatory arbitration, diversity in the workplace. She also speaks regularly to law students and new lawyers.

Currently, Ms. Kotagal represents female sales employees in a Title VII and Equal Pay Act case against one of the nation's largest jewelry chains in *Jock, et al. v Sterling Jewelers Inc.* Her clients have alleged a pattern of sex discrimination in compensation and promotions. Ms. Kotagal also represents former female sales employees in a putative class action against AT&T, alleging violations of the Title VII, the Americans with Disabilities Act and the Family Medical Leave Act in *Hills, et al. v. AT&T Mobility Services LLC*, as well as transgender beneficiaries of federal health insurance who have challenged the denial of transition-related care as discriminatory.

Among other notable cases, Ms. Kotagal played an instrumental role in representing Wal-Mart employees in the landmark Supreme Court case, *Dukes v. Wal-Mart Stores Inc.*, a case addressing the standards for class certification.

### Practice Areas

- Civil Rights & Employment

### Admissions

- District of Columbia
- New York

### Education

- University of Pennsylvania, J.D., cum laude, 2005
- Stanford University, B.S., with Honors, 1999



# **BRIAN MALKIN, ESQ.**

## Biography

Brian is Chair of NYSBA's Food, Drug and Cosmetic Section and Co-Chair and founder of NYSBA's new Committee on Cannabis Law. Brian is an attorney in Arent Fox's FDA, Intellectual Property, and Health Care Groups. He has more than 23 years of food and drug law practice and over 12 years of intellectual property law practice. In particular, his practice includes the interrelation between patent law and food and drug law. Brian's regulatory experience includes all types of FDA-regulated products: drugs (including animal drugs), biologics, medical devices, foods and dietary supplements, tobacco products, and cosmetics. Brian's intellectual property experience includes FDA and patent litigation for both innovator and generic companies. Brian began his legal career as a regulatory counsel at the U.S. Food and Drug Administration, where he worked for more than nine years in both the Office of the Commissioner and the Center for Drug Evaluation and Research. At FDA he focused on new product evaluations, compliance issues related to clinical investigations and intellectual property (e.g., patent term restoration). Brian's work resulted in new product approvals as well as new industry guidance documents and policies, such as the animal efficacy rule for counter-terrorism products. Following several years of practice in an FDA law firm, Brian recognized an unmet need to understand both food and drug and intellectual property law for life cycle management and diligence, particularly concerning products affected by the Hatch-Waxman Act such as generic and 505(b)(2) new drug applications. As a result, Brian returned to university to obtain a Bachelor of Science degree in biochemistry. Prior to joining Arent Fox, Brian practiced for more than nine years at an intellectual property law firm, where he worked on a variety of new product evaluations, FDA and patent litigations, due diligence projects, patent prosecutions, and licensing and commercial transactions and has also led an FDA Group at an international law firm for nearly three years.





# JONATHAN MANFRE, ESQ.

## Biography

Jonathan Manfre, (Jay), is an associate attorney at Collins Gann McCloskey & Barry PLLC. He graduated from New York Law School in June 2015. Jay joined CGMB in August 2017, and handles the daily needs of the firms dietary supplement, sport nutrition and conventional food clients. Jay has become an expert in the FDA and FTC regulations that apply to these industries. He has also become well versed in the legal and regulatory landscape of Cannabidiol (CBD). He regularly reviews clients' labels, websites and marketing for compliance. In addition to serving the daily needs of clients, Jay has been published in Natural Products Insider and serves as a member of the Nassau County Bar Association's New Lawyer's Section and the New York State Bar Association's Food Drug and Cosmetic Law Section.

While at New York Law School, he served as a member of the *New York Law School Law Review*. In addition, he was a John Marshall Harlan Scholar, an Affiliate for the Center for Business and Financial Law, a member of the Dean's Leadership Counsel, and a staff writer for the Center for New York City Law. Prior to joining Collins Gann McCloskey & Barry PLLC, Jay was an Associate at Suris & Associates, PC in Melville. At Suris & Associates he was responsible for handling all aspects of Personal Injury matters from the start of the case through litigation, including discovery, depositions, and motion practice.

If you have a legal matter or question surrounding dietary supplement law/FDA Law, or are faced with an FDA Warning Letter or possible supplement recall, you need experienced counsel, straight answers and prompt attention. Call the dietary supplement lawyers of Collins Gann McCloskey & Barry PLLC., at 516-294-0300 today to discuss how we can help in all aspects of dietary supplement law. We may be reached via facsimile at 516-294-0477 or by email at [info@supplementcounsel.com](mailto:info@supplementcounsel.com).



# CAMERON MYLER, ESQ.

## Biography

Cameron Myler's professional experiences are diverse, but there's a common theme: sport. She is a Clinical Assistant Professor at New York University's Tisch Institute of Global Sport, an arbitrator with the Court of Arbitration for Sport, an intellectual property and sports lawyer, and a four-time Olympian in the sport of luge.

At NYU, Cameron's teaching and research interests include legal issues relating to Olympic sport, international sports governance, the regulation of doping in sport, intellectual property, as well as athletes' commercial rights, branding and career transitions. She frequently speaks at conferences and has guest lectured around the world, including in Olympia, Greece at the International Olympic Academy's Postgraduate Seminar on Olympic Studies, in Switzerland at the University of Lausanne, and in Tokyo, Japan at Keio University's Sports Leadership Program in the Graduate School of System Design and Management.

Cameron is a member of the Court of Arbitration for Sport, which adjudicates eligibility, doping, ethics and commercial issues related to sport. She served on the Anti-Doping Division of CAS at the Winter Olympic Games in PyeongChang, South Korea. In her legal practice, she has represented Olympic athletes and sports organizations, advised media and entertainment clients in a variety of commercial matters, and litigated high-profile intellectual property cases.

Prior to practicing law, Cameron competed in four Olympic Games in the sport of luge (1988 – Calgary, 1992 – Albertville, 1994 – Lillehammer, 1998 – Nagano), and was elected by her teammates to carry the American flag at the Opening Ceremonies of the Olympics in Norway. She was U.S. National Champion seven times and won 11 World Cup medals. Cameron was inducted into the Hall of Fame of the National Association for Sport & Physical Education and is featured in the book *SuperWomen: 100 Women --- 100 Sports*. She is a two-time grant recipient of the Women's Sports Foundation Training and Travel Fund.

Cameron also has extensive experience in the governance of Olympic sport: she served on the U.S. Olympic Committee for eight years, including on the Board of Directors, Athletes' Advisory Council, Legislation Committee, Government Relations and Planning Committee, and the Athlete Support Committee. She was appointed to the USOC's Ethics and Governance Task Force that developed and led the implementation of changes to the organization's governance structure, and testified before Congress on behalf of the Task Force. She currently serves as the Chairperson of the Audit and Ethics Committee of USA Luge, the National Governing Body for the sport in the United States.

She is committed to using sport to promote development and social change. Cameron is an Athlete Ambassador for Kids Play International, a nonprofit that uses sport to promote gender equity in countries impacted by genocide, and an Olympic Ambassador for Athlete Ally, which advocates for inclusion of the LGBTQ community in sports. She also supports Champions for America's Future, a nonprofit organization that promotes policy solutions for at-risk kids to compete in life.

Cameron graduated from Dartmouth College *cum laude* and, after retiring from competitive sport, received her J.D. from Boston College Law School and an Executive Masters in Sports Organization Management from the University of Poitiers, a program coordinated by the IOC.



# **BILL ORDOWER, ESQ.**

## Biography

Bill Ordower is the Executive Vice President and General Counsel for Major League Soccer (MLS) and Soccer United Marketing (SUM). He also serves as Secretary of the MLS Board of Governors.

Ordower oversees the legal affairs for MLS and SUM, including corporate governance, litigation, expansion, investigations, player matters, intellectual property and all commercial transactions.

An executive at MLS since 1996, Ordower has been instrumental to the League's growth. He is a driving force the League's commercial and media strategy and has played a lead role in MLS's expansion surge to twenty-three clubs. On the player/competition side of the business, Ordower is a key member of the collective bargaining team. He created and continues to implement the MLS Substance Abuse and Behavioral Health Program and conducts League investigations regarding tampering and player-related issues.

Prior to joining the Legal Department, Ordower spent four years in Player Relations and two years in League Operations.

Before MLS, Ordower worked with tennis and basketball agents at ProServ, Inc. in Arlington, Virginia.

Ordower graduated in 1993 from Boston University, magna cum laude, with a Bachelor of Arts degree in English and earned his law degree in 1996 from The George Washington University Law School.

Originally from St. Louis, Ordower resides in Maplewood, New Jersey, with his wife and three children.



# JENNIFER O’SULLIVAN, ESQ.

## Biography

Jennifer is a trusted advisor to sports leagues, teams, and media and technology companies.

Jennifer specializes in the representation of professional sports leagues, teams, media and technology companies, investors, promoters, hospitality companies and sports, entertainment, and lifestyle agencies. Jennifer counsels sports and entertainment clients on issues ranging from mergers and acquisitions and other transactions to sponsorships, advertising, media matters, league formations and restructurings, and all forms of commercial agreements, including licensing, merchandising and promotional agreements, venue, vendor, and other special events agreements.

### Previous Work

Prior to joining Arent Fox, Jennifer was a partner at a boutique firm where she was head of the firm’s Sports and Entertainment Practice Group. She also served as General Counsel of RSE Ventures, LLC, a sports and entertainment venture company and was previously the Commissioner & CEO of Women’s Professional Soccer (WPS), the highest level women’s professional soccer league in North America. In addition to stints with two prominent law firms, Jennifer has also held positions at the Arena Football League, NFL, and the Interpublic Group of Companies (IPG), where she worked with various IPG agencies including Octagon, its global sports, entertainment and lifestyle marketing agency.

### Professional Activities

Sports Lawyers’ Association

Former member of the Board of Directors of Women in Sports and Events (WISE)

Association of the City Bar of New York

### Industries

Fashion & Retail

Hospitality

Media & Entertainment

Sports

### Practices

Advertising & Promotions

Corporate & Securities

Trademark

Education

Columbus School of Law at The Catholic

University of America JD

University of Richmond BA

### Life Beyond the Law

Jennifer and her husband are the proud parents of three active children. When she’s not attending live sporting events (both client and kid related), Jennifer’s other personal interests include yoga, reading, cooking and spending time with her family.

### Court Admissions

US District Court, Southern District of New York





# **KRISTIN KLEIN WHEATON, ESQ.**

## Biography

Kristin Klein Wheaton counsels and defends the interests of clients facing employment and labor issues, civil rights and discrimination claims, and complex commercial disputes. A skilled problem solver with over 20 years of legal experience in both the private and public sectors, Kristin's wideranging practice includes labor and employee relations, contract negotiations, and assisting clients with the creation and maintenance of compliance strategies for state and federal laws.

Kristin dedicates a significant portion of her practice to providing day-to-day employment and labor counseling to a wide variety of clients. These include municipal bodies, such as towns, villages, counties, law enforcement bodies, and public entities; long-term care facilities, colleges and universities, and nonprofits; and the full gamut of private sector employers, in fields from health care and hospitality to logistics and manufacturing. Kristin frequently offers comprehensive counsel on employment concerns including issues involving personnel, discipline, and leave administration. Kristin also provides guidance on fine-tuning, overhauling, or drafting from scratch her clients' policies, procedures, and handbooks. She represents her clients in hearings before the National Labor Relations Board (NLRB) and the Public Employment Relations Board (PERB), as well as in arbitrations and traditional labor negotiations. Kristin's record of success in hearings, arbitrations, and negotiations is proof of her skill at achieving highly favorable settlements and agreements, saving her clients time and legal dollars and avoiding the distraction, risk, and publicity of a trial.

Kristin also is adept at negotiating employment agreements and severance agreements and has extensive experience conducting and counseling on internal employee investigations and audits. Kristin's practice includes defending her clients against discrimination and civil rights claims in hearings before the Equal Employment Opportunity Commission (EEOC) and the New York State Division of Human Rights (DHR). Her experience in this area also extends to housing issues.

Kristin has defended property management companies, homeowners associations, realty groups, and other clients in a wide variety of discrimination and civil rights matters involving allegations ranging from reasonable accommodation and disability discrimination claims to racial discrimination claims. Kristin also has extensive experience handling claims before the United States Department of Justice, Office for Civil Rights, in areas including but not limited to discrimination claims based upon race, religion, disability, and national origin, as well as alleged failure to accommodate, to name a few.

As the former Executive Vice President for Legal Affairs at a large community college in Western New York, Kristin brings an unparalleled depth of experience and client-oriented service to higher education institutions facing a host of legal issues, from employment and labor policy drafting to union negotiations, audits and investigations, commercial leasing, and crisis management. In her previous role, Kristin reported directly to the president of the institution, and managed a team of 20 professionals across a range of departments. Kristin provided legal guidance to the Board of Trustees on a whole host of issues affecting the college, as well as guidance on meeting administration, bylaws and policy revisions. Kristin coordinated and represented the school in all of its legal matters, as well as union matters, including grievances, arbitration, negotiations and labor management meetings, tort and employment litigation, Title IX, financial aid and Education Law compliance, administrative proceedings, and more. She also instituted monthly labor management meetings and reduced grievances by more than 50 percent over her tenure — including a two-year period with no grievances from one of its four unions, and only three grievances total that went to arbitration. As an administrator, Kristin was also a member of numerous governance committees and was a member of the leadership team assigned to manage budgetary issues, accreditation issues, compliance issues and regulatory visits. As leader of Goldberg Segalla's Higher Education Practice Group, Kristin leverages that experience on behalf of both public and private institutions of higher education across New York State and beyond.

Kristin also spent several years in the Erie County Attorney's Office, as an Assistant County Attorney, a First Assistant County Attorney, and the Acting County Attorney. Among other duties, she frequently appeared before the New York State Public Employment Relations Board, negotiated settlements with unions on employment issues, represented the county and its employees before a variety of state and federal courts and administrative agencies, and acted as in-house counsel for Erie County Commissioners and the County Sheriff. As counsel for the Commissioners of Personnel, Disability, and Equal Employment Opportunity, Kristin regularly advised on matters involving the New York State Civil Service Law and civil service administration, New York General Municipal Law, Open Meetings Law, Freedom of Information Law (FOIL), New York Public Officers Law, and legislative resolutions. She also represented the Erie County Board of Elections on election law proceedings. Kristin has extensive experience handling municipal litigation arising out of legislative enactments, and has achieved no cause of action verdicts in jury trials and favorable results on summary judgment in a variety of employment and civil rights cases — including claims involving discrimination, constitutional rights, negligence, and excessive force — in the U.S. District Court for the Western District of New York, as well as in CPLR Article 75 and 78 proceedings in New York State Supreme Court. Kristin has broad experience handling inmate condition claims, as well as claims brought under New York General Municipal Law section 207-c.