

FRANCHISE LAW

Cost

\$225 Half-Day seminar and lunch

Location

South Pacific Ballroom 3 & 4

Time

12:00 p.m. to 5:00 p.m.

Credits

2.5 hours

Course Description

This seminar will discuss the basics of franchise law in Hawaii. It will also discuss the federal and state legal framework regulating the sale of franchises, including the legal definition of a franchise and the problem of the “hidden” or “unintended” franchise. The history of franchise regulation, including the changes made during the last two years to the FTC’s Franchise Rule and state franchise regulation, as well as issues relating to termination and non-renewal of franchises will be discussed.

Keynote Speaker

Brian H. Cole

Brian H. Cole is a former chair of the California Bar Association Franchise Law Committee. He has written and spoken extensively in the area of franchise law, and has been certified as a specialist in franchise and distribution law by the State Bar of California Board of Legal Specialization. He focuses his practice on commercial transactions, particularly franchise issues, an area in which he has practiced for more than 20 years. Before returning to private practice, Cole spent almost 15 years as in-house counsel for Pizza Hut, one of the world’s largest franchisors.

Speakers

Steven M. Egesdal

Carlsmith Ball, LLP

Craig P. Wagnild

Bays Deaver Lung Rose & Holma

Stephen Okumura

Hawaii Department of Commerce and Consumer Affairs

Franchise Law Program Schedule

12:00 p.m.	<p>Lunch Coral Ballroom 4 & 5 <i>Annual Meeting and Keynote Address</i></p>	3:20 p.m.	<p>Break</p>
2:00 p.m.	<p>Introduction Brian H. Cole</p> <ul style="list-style-type: none"> • History of Franchising • Evolution of Laws Regulating Franchising • Uniform Franchise Offering Circular • 2007 Amendments to FTC Rule and Development of The Franchise Disclosure Document 	3:35 p.m.	<p>Disclosure and Registration Brian H. Cole</p> <ul style="list-style-type: none"> • Preparing a Franchise Disclosure Document
2:10 p.m.	<p>Hawaii's Franchise Laws Craig P. Wagnild</p>	4:05 p.m.	<p>State Registration Issues Stephen Okumura</p>
2:20 p.m.	<p>What is a Franchise? Brian H. Cole</p> <ul style="list-style-type: none"> • Definition of Franchises • The "Hidden" or "Unintended" Franchise Issue 	4:15 p.m.	<p>Special Concerns in Selling Brian H. Cole</p> <ul style="list-style-type: none"> • Advertising • Financial Performance Representations (f/k/a "Earnings Claims")
2:50 p.m.	<p>Structuring the Franchise Relationship Craig P. Wagnild and Steven M. Egedal</p> <ul style="list-style-type: none"> • Organization (single-unit, multi-unit, sub franchising) • Typical Agreement Issues 	4:30 p.m.	<p>Major Franchise Relationship Issues Steven M. Egedal</p> <ul style="list-style-type: none"> • Termination and Non-Renewal • Transfers • Common Law Issues
		4:45 p.m.	<p>Introduction to Antitrust in Franchising Brian H. Cole</p>
		5:00 p.m.	<p>Program Ends</p>

2009 BAR CONVENTION REGISTRATION

SEPTEMBER 18, 2009 • HILTON HAWAIIAN VILLAGE BEACH RESORT & SPA • CORAL BALLROOM



>> Please Print

Full Name _____ Firm _____

Address _____ Phone _____

If you are a Hawaii attorney, you must provide your J.D. Number _____ Email _____

Signature of Registrant _____

SEMINARS TO ATTEND

Seminar	Cost	Vegetarian Lunch?	Credits
The Settlement Conference 9:00 a.m. to 2:00 p.m.	<input type="checkbox"/> \$225 Half-Day seminar and lunch	<input type="checkbox"/>	2.75 hours
Paying for Health Care at the End-of-Life, including Medicaid Long-Term Care 9:00 a.m. to 2:00 p.m.	<input type="checkbox"/> \$225 Half-Day seminar, lunch and Chapter 17	<input type="checkbox"/>	2.75 hours
Casemaker® Update 10:30 a.m. to 11:30 a.m. OR 3:15 p.m. to 4:15 p.m.	<input type="checkbox"/> Free morning seminar <input type="checkbox"/> Free afternoon seminar		No Credit
Franchise Law 12:00 p.m. to 5:00 p.m.	<input type="checkbox"/> \$225 Half-Day seminar and lunch	<input type="checkbox"/>	2.5 hours
Mediator Tools or Manipulation: When Do Mediators Cross the Line? 12:00 p.m. to 5:15 p.m.	<input type="checkbox"/> \$90 Half-Day seminar and lunch	<input type="checkbox"/>	3 Credits
Securing Intellectual Property Rights: What All Lawyers Need to Know 12:00 p.m. to 5:30 p.m.	<input type="checkbox"/> \$225 Half-Day seminar and lunch <i>A special discount price of \$180 is available for Intellectual Property Section members.</i>	<input type="checkbox"/>	3.25 hours
2009 Family Law Update Full Day 9:00 a.m. to 5:30 p.m.	<input type="checkbox"/> \$350 Full Day seminar, lunch and supplement <input type="checkbox"/> \$275 Full Day seminar and lunch <input type="checkbox"/> \$225 Half-Day morning or afternoon seminar and lunch <input type="checkbox"/> \$300 Half-Day morning or afternoon seminar, lunch, and the 2009 <i>Hawaii Divorce Manual Supplement</i> <i>Family Law Section members receive a \$50 discount for the full day programs and a \$25 discount for the half-day programs.</i>	<input type="checkbox"/>	6 hours
Real Estate Law Manual, Volume Two Full Day 9:00 a.m. to 3:30 p.m.	<input type="checkbox"/> \$350 Full Day seminar, lunch and manual	<input type="checkbox"/>	4.25 hours
Keynote Speaker and Annual Meeting	<input type="checkbox"/> \$40 Lunch Only: Keynote Speaker and Annual Meeting <input type="checkbox"/> YES, my seminar includes lunch, and I will be attending.	<input type="checkbox"/> NO, I will not be attending.	

PAYMENT INFORMATION

Payment Type: Check Visa Mastercard Credit Card Number _____ Expiration Date _____

Card Holder's Name _____ Card Holder's Signature _____

Non-Oahu HSBA members, nonprofit employees, and government employees may deduct 15% from the cost. Cost _____ minus 15% _____ = _____

TOTAL PAYMENT ENCLOSED \$ _____



ADDITIONAL REGISTRATION INFORMATION

Registration

Lunch, course materials, and manuals are not guaranteed for walk-in or late (after September 1, 2009) registration. If your seminar includes lunch, please check below to indicate whether you will be attending; however, there is no deduction in cost if you decide not to attend. Meals will be ordered only for those who have indicated that they will be attending.

Parking

With proper validation, the valet parking is \$13 and self-park is \$8.

Cancellation

A refund will be made only if we receive written notice of cancellation on or before September 1, 2009.

Insufficient Funds

A \$20 fee will be charged for insufficient funds.

Course Materials

Course materials, for most of the seminars, will be available at the seminars only for those who register on or before September 1, 2009.

The Real Estate Law Manual, Volume Two

This manual will not be printed in time for this seminar. The HSBA will notify registrants when the manuals are available for pick up. Registrants must pick up their printed manuals at the HSBA or pay postage for the mailing of the manuals.

Questions / Special Accommodations

Contact Lisa Tsukayama or another CLE Program Department staff at (808) 537-1868 or email ltsukayama@hsba.org.

Mail or Fax Registration

Fax to (808) 521-7936 or mail to the Hawaii State Bar Association, 1132 Bishop Street, Suite 906, Honolulu, Hawaii 96813. Attention: Lisa Tsukayama

Late Registration Fee

An additional \$30 will be charged for all registrations **AFTER September 11, 2009.**

Changes

The form, content, and other aspects of the seminars are subject to change. The HSBA reserves the right to cancel seminars without liability, and the HSBA shall, in such a situation, return the amounts paid to the registrant. Please note that the location and/or times of the seminars are subject to change. Please check for possible changes at the registration area on the day of the Bar Convention.

Videotaping / Photography

The seminar may be videotaped and/or photographed and your registration constitutes your voluntary consent to such videotaping and/or photography without monetary compensation. The seminars may be available for purchase as a DVD plus course materials approximately three weeks after the convention; the order form will be available on the HSBA website at www.hsba.org under "Publication List."

Disclaimer

The representations made at this Bar Convention and content/materials are those of the presenters and do not represent the position of the HSBA. Legal opinions, analyses, and materials provided by the presenters are not reviewed by the HSBA.

Special Discounts

A 15% discount may be deducted for all non-Oahu HSBA members, nonprofit employees, and government employees.