

## Registration Form

Register early. Space is limited.

Send registration form to:  
AdIDEM, Suite 2512  
150 King Street West  
Toronto, ON M5H 1J9  
Canada

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City, State/Province, Zip/Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

You will receive registration confirmation and other information by e-mail unless you specify otherwise.

### Registration Fees:

Please make check payable to "AdIDEM"  
(Payment in Canadian funds is preferred.)

- Canadian Currency \$335.00 (on or before April 1, 2005)  
\$370.00 (after April 1, 2005)
- U.S. Currency \$275.00 (on or before April 1, 2005)  
\$300.00 (after April 1, 2005)

Media Law Resource Center  
80 Eight Avenue, Suite 200  
New York, NY 10011-5126

# Storms Across the Border



**MAY 12 & 13, 2005 TORONTO, CANADA**

*Presented jointly by Media Law Resource Center and  
Advocates In Defence of Expression in the Media*



# Storms Across the Border

MAY 12 & 13, 2005

BLAKE CASSELS & GRAYDON LLP  
COMMERCE COURT WEST TORONTO, ONTARIO

Recent cases such as *Bangoura v. Washington Post* provide a wake-up call for U.S. publishers and broadcasters. There may be more to fear right next door than across the oceans in England or Australia.

This – the first seminar devoted to media law issues affecting both Canadian and American broadcasters and publishers – will help counsel advise media on risks under Canadian law and procedure when their content is distributed in Canada or is simply accessible in Canada on the Internet. In less than two days, you can exchange ideas and experiences with top media counsel from both countries and position yourself to steer your clients through challenges in Canada. You'll also learn how a Canadian mock jury evaluated the same defamation case presented to American mock juries at the September 2004 NAA/NAB/MLRC Media Law Conference in Alexandria, Virginia.

Conference information may be updated at [www.adidem.org](http://www.adidem.org) or [www.medialaw.com/events](http://www.medialaw.com/events).

## Planning Committee:

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Daniel Henry, Senior Legal Counsel, Canadian Broadcasting Corporation, Toronto, ON

Bruce E.H. Johnson, Davis Wright Tremaine, Seattle, WA

Thomas P. Kelley, Faegre & Benson LLP, Denver, CO

James Stewart, Butzel Long, Detroit, MI

Kurt Wimmer, Covington & Burling, Washington, D.C.

## Conference Schedule and Session Topics

### Day One, May 12, 2005 – Libel Lightning

1:30 p.m. Registration and greeting

2:00 – 3:30 p.m. – Session I: Big Chill From a Long Arm

#### Facilitators:

Stephanie Abrutyn, Senior Counsel/East Coast Media, Tribune Company, New York  
Paul Schabas, Blake, Cassels & Graydon LLP, Toronto, ON

- When will Canadian courts take jurisdiction over claims against U.S. media?
- How can the U.S. media reduce the risk of being sued in Canada?
- Can access on the Internet be enough for Canadian lawsuits against U.S. media defendants?
- First decisions: obtaining counsel; complying with deadlines; alerting insurers.
- Whose law applies?
- Can Canadian judgments be enforced in U.S. courts?

3:30 – 3:45 p.m. – break

3:45 – 5:30 p.m. – Session II: The Good Times Has No Role

#### Facilitators:

James Stewart, Butzel Long, Detroit MI  
Fred Kozak, Reynolds, Mirth, Richards & Farmer LLP, Edmonton AB

- What are the key differences under Canadian libel law? (If you think the only difference is no *New York Times Co. v. Sullivan* rule, you're in for a surprise.)
- What advantages do plaintiffs have under Canadian law and procedure?
- What standards of fault apply in defamation? What special defenses are available under provincial libel legislation?
- What do you need to know before doing prepublication/prebroadcast review for material presented to a Canadian audience?
- How can you reduce the risks of losing a Canadian lawsuit?
- What does Canadian litigation mean for discovery, protection of sources, trial conduct, damages awards, and legal costs?

7:00 pm – Reception and dinner

### Day Two, May 13, 2005 – Watch Out for the RCMP (Regulating-Content Media Police)

8:30 – 9:00 a.m. – Continental breakfast

9:00 – 10:30 a.m. – Session III: Proceedings *in camera* or with Camera, and Other Issues of Crime and Courts

#### Facilitators:

Daniel W. Burnett, Owen, Bird, Vancouver BC  
Herschel Fink, Honigman, Miller, Schwartz and Cohn, Detroit MI

- What obstacles exist to covering the courts in Canada?
- What can happen when your newspaper or broadcast crosses the border?
- What is the law of contempt? Are there statutory bans on coverage?
- Do Canadian media exercise different self-restraint in covering trials and crime?
- Can cameras enter Canadian courtrooms?

10:30 – 10:45 a.m. – Break

10:45 a.m. – 12:30 p.m. – Session IV: Games of Blame and Shame

#### Facilitators:

Daniel Henry, Senior Legal Counsel, CBC  
Gregory M. Schmidt, Vice President, New Development, and General Counsel, LIN Television Corp., Washington, D.C.

- What broadcasting content standards and regulations do the United States and Canada impose on supposedly indecent, violent or racist programs? How does each country encourage programming for children?
- What restrictions apply to advertising, including long-form infomercials, and ads for Internet gambling websites?
- What licensing requirements do foreign broadcasters face in Canada?
- Is there a Canadian Communications Decency Act? What protections does Canada provide for ISPs?
- What is the law of privacy in Canada? For example, can publication of a photograph taken in public result in liability?
- Do news media face any problems under PIPEIDA? (And what is it, anyway?)

## Hotel Information

We have obtained a limited number of rooms at a discounted rate at the Hilton Toronto, 145 Richmond Street West, Toronto ON M5H 2L2. To take advantage of this special rate, participants must make their reservations no later than April 15, 2005, and must mention the MLRC/AdIDEM/Blake Cassels & Graydon LLP event. You may make reservations directly with the hotel by calling (416) 869-3456 or toll-free at 1-800-267-2281.