

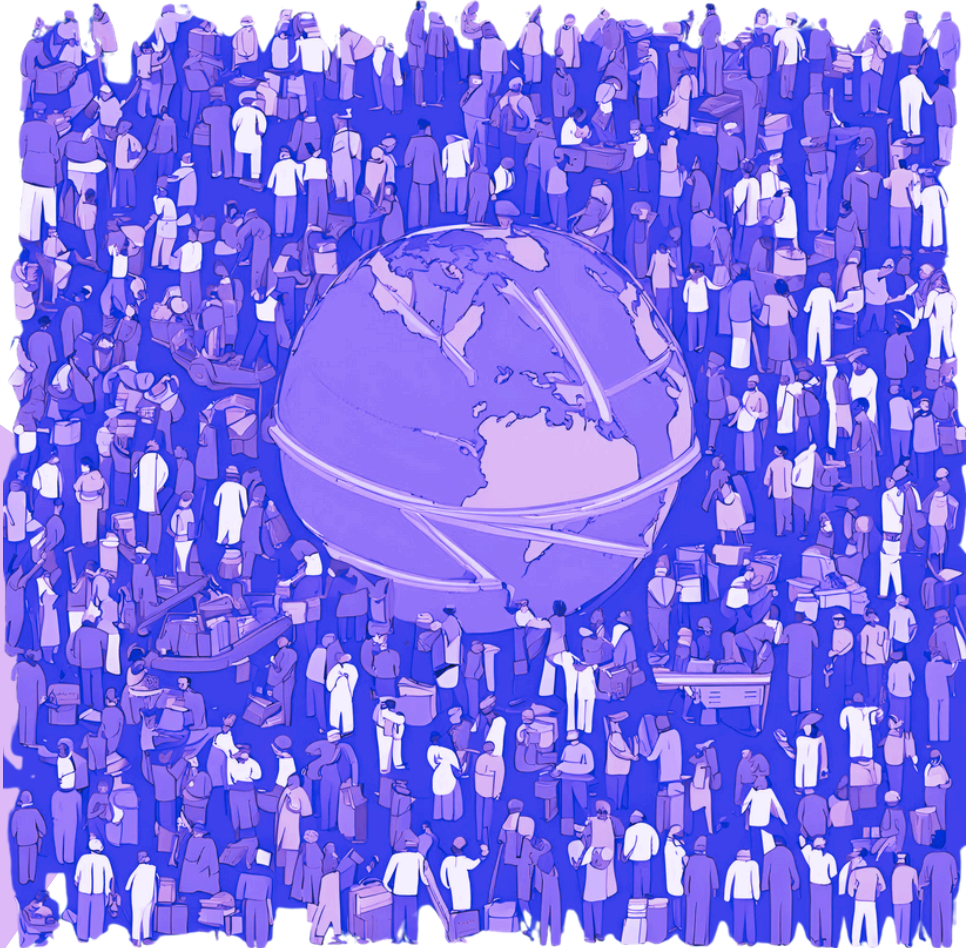
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CALIFORNIA WESTERN  
SCHOOL OF LAW / San Diego

LAW REVIEW & INTERNATIONAL LAW JOURNAL PRESENT:

# HOW LABOR & EMPLOYMENT LAWS WORK IN TODAY'S GLOBAL ECONOMY

SPRING 2025 SYMPOSIUM



# SYMPOSIUM AGENDA

8:15 AM - 9:00 AM	Check-in & breakfast
9:00 AM - 9:10 AM	<b>Opening remarks:</b> Dean Sean Scott & Symposium Directors, Allie Miller & Jill Holland
9:15 AM-10:05 AM	<b>KEYNOTE ADDRESS: <i>Labor in Pop Culture</i></b> Sarah Fowler, Esq., Senior Deputy Counsel, SAG-AFTRA
10:15 AM - 11:20 AM	<b>PANEL 1: Artificial Intelligence Shifting Protocols</b> <u>Moderated by:</u> Professor James Cooper   <u>Panelists:</u> <ul style="list-style-type: none"><li>• Professor Iacopo Senatori, Università degli studi di Modena e Reggio Emilia</li><li>• Professor Richard Bales, Ohio Northern Univ. Petit College of Law</li><li>• Professor and Former Appellate Justice John Browning, Faulkner School of Law</li><li>• Kevin Furgal, Esq., General Counsel, Halcyon</li></ul>
11:25 AM - 12:30 PM	<b>PANEL 2: Social Movements &amp; Workplace Inclusion</b> <u>Moderated by:</u> Professor Jessica Fink   <u>Panelists:</u> <ul style="list-style-type: none"><li>• Professor Tanya Hernandez, Fordham School of Law</li><li>• Arti Ferrera, Esq., Senior Deputy City Attorney, City of San Jose</li><li>• Professor Catherine Fisk, UC Berkley School of Law</li></ul>
12:30 PM-1:20 PM	<b>LUNCH BREAK</b>
1:30 PM-2:20 PM	<b>KEYNOTE ADDRESS: <i>When Compensated Labor Isn't Employment—The LLC Solution for the Unauthorized Noncitizen Workforce</i></b> Professor Kit Johnson, University of Oklahoma College of Law
2:30 PM - 3:35 PM	<b>PANEL 3: Modern-Day Labor Activism</b> <u>Moderated by:</u> Professor Ricardo Ochoa   <u>Panelists:</u> <ul style="list-style-type: none"><li>• Professor Jonathan Harris, Loyola Law School</li><li>• Louis-Cholden Brown, Esq., Sr. VP, Government Relations, Moonshot Strategies</li><li>• Michelle Kellogg, Esq., Labor Relations Advocate, UCSD Health</li></ul>
3:40 PM-4:45 PM	<b>PANEL 4: Legal Challenges in a Post-Pandemic World</b> <u>Moderated by:</u> Professor Susan Bisom-Rapp   <u>Panelists:</u> <ul style="list-style-type: none"><li>• Christian Morris, Esq., Founder/Trial Attorney, Christian Morris Trial Attorneys</li><li>• Thalia Rofos, Esq., Partner, O'Hagan Meyer</li><li>• Jason Murtagh, Esq., Partner and Chief Employment Chair, Buchanan</li><li>• Morgan Suder, Esq., Partner, Wilson Turner Kosmo</li></ul>
4:45 PM - 4:50 PM	<b>Closing remarks:</b> Journal Editor-in-Chiefs, Mitch McCarthy & Jared Paulson
5:00 PM	<b>Networking Reception</b>

KEYNOTE SPEAKER:



# SARAH FOWLER

SENIOR DEPUTY COUNSEL,  
SAG-AFTRA

Sarah Fowler is Senior Deputy General Counsel at SAG-AFTRA, the union representing approximately 160,000 actors, announcers, broadcast journalists, dancers, DJs, news writers, news editors, program hosts, puppeteers, recording artists, singers, stunt performers, voiceover artists and other media professionals. She is an adjunct professor at Vanderbilt Law School and USC Gould School of Law, where she teaches a course on the intersection of labor law and the entertainment industry. Before joining SAG-AFTRA, Sarah was an entertainment litigator, handling right of publicity and privacy lawsuits, mostly on the talent side. She started her career as a general business litigator at Simpson Thacher & Bartlett, representing clients in securities, antitrust, false claims act, copyright, and contract dispute cases.

Sarah's presentation covers the intersection of labor and entertainment law and its prevalence in pop culture, the rise of influencers as a new wave of pop culture icons, and how she and the SAG-AFTRA team navigated the massive industry strikes of 2023.

## KEYNOTE SPEAKER:



# KIT JOHNSON

PROFESSOR OF LAW,  
UNIVERSITY OF OKLAHOMA  
COLLEGE OF LAW

Kit Johnson is the Hugh Roff Professor of Law and Thomas P. Hester Presidential Professor at the University of Oklahoma College of Law.

Her research, broadly speaking, focuses on the intersection of immigration law and U.S. business interests, as well as issues related to the overlap between criminal law and immigration enforcement. She is the author of two open-access casebooks on immigration and crimmigration, which have been adopted by law schools nationwide. Prior to academia, Professor Johnson generally practiced commercial litigation with Munger, Tolles & Olson LLP, in Los Angeles. She previously served as a law clerk to the Honorable Pamela A. Rymer of the United States Court of Appeals for the Ninth Circuit and the Honorable Robert C. Broomfield of the United States District Court for the District of Arizona.

Professor Johnson's keynote and forthcoming article, "When Compensated Labor Isn't Employment—The LLC Solution for the Unauthorized Noncitizen Workforce," will address the significant role of undocumented workers in the U.S. labor market, noting undocumented workers alone comprise over 5% of the national labor market and nearly 10% of the California labor market. She will offer key insights and a unique proposal to the strategic use of the LLC in response to the growing undocumented labor force.

# PANEL 1: ARTIFICIAL INTELLIGENCE SHIFTING PROTOCOLS

The incorporation of artificial intelligence in different facets of the workplace presents novel and provocative legal issues regarding the use, adoption of, promises, and pitfalls of this new technology. This panel explores the role of artificial intelligence in labor and employment law, examining its impact on contract management, hiring practices, workplace oversight, and dispute resolution.

Panelists will discuss:

- AI's role in contract creation and workforce management
- Bias and discrimination risks in AI-driven hiring and evaluations
- Whistleblower protections and corporate accountability in the AI era
- How international approaches, such as the EU's risk-based AI regulations, compare to U.S. policies
- The legal profession's role in shaping ethical and responsible AI governance



**Moderator: James Cooper**  
Professor of Law, California Western School of Law

Professor Cooper serves as a Research Fellow at the Singapore University of Social Sciences and a Visiting Professor at the University of Heidelberg in its Master of Law program in Santiago de Chile. He has served on the U.S. government delegation to the World Intellectual Property Organization Advisory Committee on Enforcement and consults with governments, multinational corporations, non-profit organizations, and Indigenous groups about disruptive technologies, intellectual property, trade law, and sustainable development.



**Speaker: John Browning**  
Professor of Law, Faulkner School of Law;  
Former Appellate Judge

Justice Browning serves as chair of the State Bar of Texas Taskforce for Responsible AI & the Law. He has authored multiple articles on artificial intelligence & its implications for the legal profession. His writing has received several awards, including 4 Burton Awards for Distinguished Achievement in Legal Writing & the DRI's G. Duffield Smith Outstanding Publication of the Year Award. He has been honored with lifetime achievement awards for contributions in legal writing and ethics, professionalism, continuing legal education, and litigation.



**Speaker: Kevin Furgal**  
General Counsel, Halcyon

Halcyon Tech, Inc., a cybersecurity company specializing in anti-ransomware, has recently completed a \$100 million dollar Series C funding round. The company has officially reached unicorn status, valued at \$1 billion dollars. Kevin's role is cross functional, ranging from employment, compliance, intellectual property, contracts/sales, and corporate governance. Halcyon uses cutting edge artificial intelligence, and is a big proponent of integrating technology into the workplace, especially in the space of contract life cycle management. Halcyon is a global company, with employees and customers all over the world.



**Speaker: Iacopo Senatori**  
Professor, Università Degli Studi di Modena e Reggio Emilia

Professor Senatori received a PhD in Labour Law and Industrial Relations at the University of Bologna. His research interests include EU Labour Law, freedom of association and collective bargaining, law & technology, the regulation of new forms of work and well-being and inclusion at the workplace. He has been the principal investigator in several international research projects co-funded by the European Commission.



**Speaker: Richard Bales**  
Professor of Law, Ohio Northern Univ. Petit College of Law

Professor Bales teaches a wide variety of ADR and labor/employment courses, Torts, and Civil Procedure. He has published more than 100 scholarly articles and authored or co-authored 10 books on a variety of topics related to labor/employment/ADR. He teaches regularly in China at China University of Political Science & Law (Beijing) and Peking School of Transnational Law (Shenzhen), and has been a Fulbright Specialist at Monash University (Kuala Lumpur, Malaysia) and University of Tarumanagara (Jakarta, Indonesia). He is also is a labor arbitrator.

# PANEL 2: SOCIAL MOVEMENTS & WORKPLACE INCLUSION

Movements such as #MeToo, Black Lives Matter, and LGBTQ+ advocacy have historically reshaped workplace culture, with employers and legal professionals navigating free speech, whistleblower protections, intersectionality, and evolving discrimination laws. This panel examines the intricate relationship between social movements, workplace inclusion, and anti-discrimination law.

Panelists will explore:

- The definition and impact of workplace inclusion
- How social movements influence legal frameworks and corporate policies, such as DEI policies
- Barriers to reporting workplace discrimination and misconduct
- The future of anti-discrimination law in a shifting societal landscape
- Best practices for advocating for inclusive workplace policies



**Moderator: Jessica Fink**  
Professor of Law, California Western School of Law

Professor Fink received her law degree from Harvard Law School. She started with Sidley Austin LLP, in Chicago, as a member of the labor and employment practice group, litigating a variety of employment-related matters in state and federal court and before administrative tribunals—including discrimination, wrongful termination, ERISA, and wage and hour claims. Fink also counseled businesses of all sizes with respect to a range of employment-related issues and provided training to employers and their workforces regarding legally appropriate employment practices. Her research focuses on how traditional employment law doctrines have been complicated by developments in the modern workplace and examines how those tensions have played out in civil litigation.

**Speaker: Tanya K. Hernández**  
Professor of Law, Fordham School of Law



Professor Hernández teaches Anti-Discrimination Law, Comparative Employment Discrimination, Critical Race Theory, among a few others. She is an internationally recognized comparative race law expert and Fulbright Scholar visiting the Université Paris Ouest Nanterre La Défense, in Paris, and the University of the West Indies Law School, in Trinidad. Professor Hernández is also a Fellow of the American Bar Foundation, the American Law Institute, and the Academia Puertorriqueña de Jurisprudencia y Legislación. Hispanic Business Magazine selected her as one of its annual 100 Most Influential Hispanics and NYC Comptroller Brad Lander awarded her a Commendation for "extraordinary contributions to anti-racism." Prof. Hernández's scholarly interest is in the study of comparative race relations and anti-discrimination law, and her work in that area has been published in numerous academic articles and news outlets.

**Speaker: Catherine Fisk**  
Professor of Law, UC Berkeley School of Law



Catherine Fisk teaches Employment Law and Labor Law at UC Berkeley, & is a Faculty Director of the Berkeley Center for Law & Work, and the Berkeley Center for Law & Technology. Prof. Fisk is the author of several books & her scholarship has appeared in many leading law reviews. Her recent works explore innovative ways to improve labor standards, labor & social movement lawyering, free speech at & about work, & reforming police labor relations. Prof. Fisk's current public service and pro bono legal work includes filing amicus briefs on various labor & employment law issues, service on the Advisory Board of the Berkeley Labor Center, the board of directors of the American Society for Legal History & the boards of directors of two Bay Area workers' rights nonprofits, and occasional service as an arbitrator under collectively bargained labor contracts.

**Speaker: Arti Ferrera**  
Senior Deputy City Attorney, City of San Jose



Arti Ferrera is an attorney, DEI leader & HR Consultant based in Northern CA. Since graduating from law school, Arti has gained over thirteen years of experience practicing Workers' Compensation and Labor & Employment Law in the private and public sector. She has represented clients through trial & at administrative hearings, arbitration & mediation and has saved millions of dollars for her clients by way of fierce advocacy & creative settlements. She has a long-standing commitment to promoting diversity in the legal profession. As Sr. Deputy City Attorney at the City of San Jose, she founded the San Jose City Attorney's Diversity & Inclusion Committee, which was the recipient of the 2024 Diversity, Equity & Inclusion Award by the International Municipal Lawyers' Association. Arti is active on various committees & is passionate about doing work that benefits youth in underserved communities.

# PANEL 3: MODERN-DAY LABOR ACTIVISM

Large-scale strikes, lockouts, and collective bargaining have long shaped industries over time. From both sides of the coin, this panel explores the ever-changing landscape of labor law, union protections, and the challenges faced by gig economy workers.

Topics include:

- Union rights for gig workers and independent contractors
- The impact of right-to-work laws and corporate anti-union tactics
- Legal shifts under the new administration affecting labor protections
- The role of social media and public pressure in modern labor movements

Panelists will provide insights into conflicts between federal and state labor laws, the economic and legal justifications for unionization, and potential legislative reforms to address labor rights in the modern workforce.

**Moderator: Ricardo Ochoa**  
Professor of Law, California Western School of Law



Professor Ochoa is a union-side labor lawyer representing various unions in Southern California, with a particular emphasis on education unions and building trades unions, but he has also represented utility workers, campaign workers, and automobile and aerospace workers, among others. A long-time labor activist, he is the former President of UAW Local 2165, representing academic student employees at UC Berkeley. He also served as an International Representative for the UAW, helping with union organizing campaigns and contract negotiations involving thousands of workers throughout California and in Puerto Rico. A troublemaker by nature, he has dedicated both his professional life and his political activism to “afflicting the comfortable and comforting the afflicted.”

**Speaker: Michelle Kellogg**  
Labor Relations Advocate, UCSD Health



Michelle Kellogg is a labor relations advocate for UC San Diego Health. She received her Juris Doctor from California Western School of Law and passed the California bar in 2020. UC San Diego Health is a leading academic medical center comprising three hospitals and numerous clinics – which she plays a pivotal role in fostering productive relationships between the institution and its workforce. With experience and an in depth understanding of labor law and collective bargaining dynamics, Ms. Kellogg manages daily interactions with six major unions representing approximately 19 bargaining units, managing day-to-day relationships, including informal conversations, grievance resolution, litigation, and bargaining efforts for balanced and effective labor relations.

**Speaker: Louis Cholden-Brown**  
Senior VP, Government Relations, Moonshot Strategies



Louis Cholden-Brown is an East Coast-based political and legislative strategist and labor organizer. He helped launch the nation's largest legislative union, currently represents hospitality, gaming, and building service worker unions, and previously was Special Counsel at the United Federation of Teachers (UFT). During an extended career in government, Louis authored legislation protecting workers from unjust firings and requiring stable scheduling and severance pay, creating retirement savings accounts for private sector workers, and raising the wage for city-funded workers. His worker rights scholarship has appeared in the *Richmond Public Interest Law Review*, *Fordham Urban Law Journal*, and the *Employee Rights & Employment Policy Journal* and he also publishes extensively on federal constitutional law and state and local government.

**Speaker: Jonathan Harris**  
Professor of Law, Loyola Law School



Jonathan Harris's publications have appeared or are forthcoming in various prestigious Law Review Journals; and his article, *Consumer Law as Work Law*, 112 *Calif. L. Rev.* 1 (2024), was selected for the Harvard/Stanford/Yale Junior Faculty Forum. A prior article, *Unconscionability in Contracting for Worker Training*, brought national attention to Training Repayment Agreement Provisions that require workers to pay to quit and are used as workarounds to non-competes. Prof. Harris is also a peer-review referee for the *Yale Law Journal*. His writing has been cited by federal entities including the FTC in its rule banning non-competes, the CFPB, and the Senate Banking Committee. Prof. Harris is the immediate past chair of the AALS Section on Labor Relations & Employment Law, and an executive committee member of the AALS Section on Employment Discrimination Law.

# PANEL 4: LEGAL CHALLENGES IN A POST-PANDEMIC WORLD

The COVID-19 pandemic reshaped American workplaces, exposing legal vulnerabilities in labor protections, workplace discrimination, and employee rights. This panel will explore the lasting legal and policy implications of the pandemic, with a focus on:

- The rise in workplace harassment and discrimination during COVID-19
- Legal battles over employer vaccination mandates and religious/medical exemptions
- The expansion of employee surveillance and its impact on privacy and productivity
- Worker misclassification issues and the role of independent contractors in essential industries
- Pandemic-related health concerns, including long COVID and substance abuse in the workplace
- Key legal and policy recommendations for future public health crises

Panelists will share insights on how their legal practice adapted to these challenges, the evolution of workplace protections, and how employers and employees can prepare for future crises.



**Moderator: Susan Bisom-Rapp**  
Professor of Law, California Western School of Law

Professor Bisom-Rapp is an globally recognized scholar in international and comparative employment law. She serves on the Academic Council of the Marco Biagi Foundation at the University of Modena and Reggio Emilia, Italy, and the Editorial Board of the Employee Rights and Employment Policy Journal. She received the national peer-awarded Paul Miller Memorial Award for outstanding academic and public contributions to the field of labor and employment law scholarship. She received her JSD and LLM from Columbia University, JD from UC Berkeley, where she graduated Order of the Coif, and a BS from Cornell University.



**Speaker: Thalia Rofos**  
Partner, O'Hagan Meyer

Thalia Rofos is a partner in the Orange County office at O'Hagan Meyer. She represents clients in a variety of employment matters including discrimination, wrongful termination, retaliation, harassment, and the like. She also regularly defends employers in wage & hour class actions and PAGA actions. Thalia has experience defending clients in numerous forums , including state and federal court, and in front of state and federal administrative agencies. In addition to her litigation work, Thalia provides advice and counseling services to employer clients seeking to ensure legal compliance with their employment policies and practices and minimize their future risks of liability.



**Speaker: Jason Murtagh**  
Partner & Chief Employment Chair, Buchanan

Jason works with clients in a variety of fields including commercial litigation and products liability, employment litigation, risk management, & protection of trade secrets. He has represented clients in matters involving such issues as employee raiding and recruitment, privacy and theft of trade secrets, wrongful termination, constructive discharge, defamation, fraud, consumer protection and breach of contract, and has conducted numerous internal employment investigations. Jason also drafts and negotiates employment agreements and handbooks, & contracts. Senior executives also turn to Jason as a trusted advisor to provide counsel regarding departing a company or joining a new one. Jason handles cases in state and federal courts and has won an appellate argument before the U.S. Supreme Court.



**Speaker: Morgan Suder**  
Partner, Wilson Turner Kosmo

Morgan represents employers in wrongful termination, discrimination, harassment, retaliation, failure to accommodate, and wage & hour litigation. Morgan practices in both state and federal courts and handles cases at all stages of litigation, including through trial and appeal. She has also represented clients in charges filed with the Department of Fair Employment and Housing, the EEOC, and the Division of Labor Standards Enforcement. Morgan serves on the San Diego Chapter of the Federal Bar Association's Advisory Board until 2026. Before this role, Morgan worked as an Assistant U.S. Attorney in the Civil Division of the U.S. Attorney's Office where she defended the U.S. in various matters.



**Speaker: Christian Morris**  
Owner/Trial Attorney, Christian Morris Trial Attorneys

Christian is a personal injury trial attorney and owner of CMTA, an all-female trial firm. Over the last several years she has received over \$40 million in verdicts. She is licensed to practice law in Nevada in state and federal courts, and holds bar licenses in CA and NJ and has passed the NY State Bar. In 2013, Christian was accepted to the Gerry Spence Trial Lawyer's College, & works with the Gerry Spence Method on the Ranch in WY. Christian was voted Nevada's Trial Lawyer of the Year by the NV Justice Association for 2019. She was the second woman in twenty-two years to receive the honor. Christian also serves on the Board of Governors for the American Association of Justice. She has conducted jury trials, and bench trials and has published decisions by the NV Supreme Court.