



## How Employee Classification Rules Changes Will Affect Transportation & Logistics

Friday 10/11/19 at 11:00 AM ET • Logistics Analyst Bruce Chan Hosts Call ft. Benesch Law

Stifel Capital Markets is pleased to invite you to join a conference call hosted by Global Logistics Analyst Bruce Chan featuring **Pete Kirsanow, Dave Ferris, and Matt Selby** of **Benesch, Friedlander, Coplan & Aronoff LLP** to provide a perspective on California's State Assembly Bill 5 and the broad-reaching implications of Independent Contractor/Employee classification rules on the entire transportation & logistics industry. Benesch provides legal services to national and international clients that include public and private, middle market and emerging companies, as well as private equity funds, entrepreneurs, not-for-profit organizations, trusts and estates.

### Discussion Points

- Overview of IC/Employee classification rules and their implications for transportation & logistics companies, including direct costs, productivity, tax, and imputed liability
- Timing and details of the California law
- Strategies to mitigate risks

### FEATURED SPEAKER:

- **Peter Kirsanow**, Partner, Benesch, Friedlander, Coplan & Aronoff LLP
- **David Ferris**, Partner, Benesch, Friedlander, Coplan & Aronoff LLP
- **Matthew Selby**, Of Counsel, Benesch, Friedlander, Coplan & Aronoff LLP

*There will be time allotted for a Q&A session following the presentation*

### Dial-In Numbers

(please dial in 10-15 mins before call start to allow for registration)

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**J. Bruce Chan**, Vice President

**Roxanna Islam**, CFA, Associate Analyst

[chanb@stifel.com](mailto:chanb@stifel.com)

[islamr@stifel.com](mailto:islamr@stifel.com)

(786) 257-2411

(214) 706-9485

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**Peter N. Kirsanow**

*Partner, Benesch, Friedlander, Coplan & Aronoff LLP*

[Email Link](#)

Peter focuses his legal practice on representing management in employment-related litigation and in contract negotiations, NLRB proceedings, EEO matters and arbitration.

Peter Kirsanow is a partner with Benesch's Labor & Employment Practice Group. He returned to Benesch in January 2008 after serving on the President-appointed National Labor Relations Board (NLRB) in Washington D.C. for two years. While serving on the NLRB, he was involved with significant decisions including Oakwood Healthcare, Inc., Dana/Metaldyne and Oil Capital Sheet Metal, Inc. In addition, Peter testified before the Senate Judiciary Committee on the nominations of John Roberts, Samuel Alito, Sonia Sotomayor and Elena Kagan to the Supreme Court. He also continues to testify before and advise members of the U.S. Congress on employment law matters, most recently on November 18 before the House Subcommittee on Investigations and Oversight regarding disparate impact theory.

Peter was recently reappointed by the Speaker of the House of Representatives to his third consecutive six-year term on the U.S. Commission on Civil Rights. This is a part-time position which will expire in December 2019.

Recently, Peter and a team of Benesch attorneys served as lead counsel to the National Association of Manufacturers in litigation before the U.S. Circuit Court for the District of Columbia against the NLRB, challenging the Board's Notice of Employer Rights Posting Rule. The court ruled in favor of Benesch's client, striking down the NLRB's Rule in its entirety. This ruling impacts over 6,000,000 employers nationwide which would have been subject to the posting requirement.

Additionally, Peter is past chair of the board of directors of the Center for New Black Leadership and is a member of Benesch's Diversity & Inclusion Committee. This committee helps ensure that the firm promotes an environment in which differences are respected, employees are treated fairly, and individual skills and talents are valued.



**David A. Ferris**

*Partner, Benesch, Friedlander, Coplan & Aronoff LLP*

[Email Link](#)

David Ferris is a partner at Benesch Law, representing clients in the areas of transportation and logistics, manufacturing and supply-chain management, information technology (IT) and intellectual property (IP), and land development and management.

David regularly consults with clients on a wide range of commercial transactions and claims, operational and regulatory matters, labor issues and negotiations, and development of commercial space. In providing representation and guidance, David's focus is on generating value for his clients, while minimizing risk and exposure to liability.

David's representative clients include international and domestic manufacturers and commercial shippers, motor carriers and private fleet operators, comprehensive logistics and multimodal transportation companies, warehousemen and distributors of goods, freight forwarders, and transportation brokers. David also devotes a significant portion of his practice to private equity and land development firms, as well as data center operations and information technology providers. David's clients routinely seek his assistance in negotiating and closing various commercial transactions, including business asset sales, purchases and financing, transportation and supply-chain contracts of all types, policies and procedures for regulatory compliance, independent contractor agreements and other labor relations, the treatment and protection of intellectual property, IT-related contracts and indefeasible rights of use (IRU's), and commercial real property leasing, development and zoning.

In addition to his transactional work, David is an experienced litigator, having represented clients before the United States Supreme Court, U.S. Court of International Trade, U.S. Court of Appeals for the 6th Circuit, and multiple federal district and state courts in a diverse array of claims and disputes, including defense against federal and state regulatory actions, commercial equipment financing and lease disputes, high-dollar cargo claims, freight charge and pricing controversies, independent contractor claims, unfair competition and misappropriation of trade secrets, commercial real property litigation, and defense against catastrophic injury claims. David also has significant experience representing clients before federal and state administrative agencies, including the U.S. Department of Transportation, U.S. Department of Labor, and Public Utilities Commission of Ohio.



**Matthew J. Selby**

*Of Counsel, Benesch, Friedlander, Coplan & Aronoff LLP*

[Email Link](#)

Matt advises and represents a variety of transportation based organizations including motor carriers, leasing companies, third party logistics providers, regional and national shippers, large private fleets and both domestically and internationally.

He was previously the General Counsel for a motor carrier and broker where he was a member of the executive team providing advice and counsel on the company's strategic growth plan and business operations including motor carriage, drayage, cartage, warehousing and brokerage.

Previously, Matt was in private practice focusing on real estate, corporate law, criminal and civil litigation, and sports and entertainment as well as transportation.

He has experience with independent contractor issues/owner-operator issues, shipper/carrier matters, industry specific litigation, transportation related service agreements, freight claims, mergers and acquisitions, insurance, licensing and permitting.