

Michael Vandenberg

David Daniels Allen Distinguished Chair of Law, Vanderbilt University Law School

Michael Vandenberg is the David Daniels Allen Distinguished Chair of Law at Vanderbilt University Law School. An award-winning teacher, he has published numerous articles and book chapters on private environmental governance and household energy use. "Beyond Gridlock," his article on private climate governance, won the Morrison Prize as the top sustainability article in North America in 2015. Prior to joining the Vanderbilt faculty, he was a partner at Latham & Watkins in Washington, D.C., and he served as chief of staff of the Environmental Protection Agency from 1993 to 1995. Vandenberg has been a visiting professor at Harvard and the University of Chicago, and his research has been discussed in major media outlets such as National Public Radio's *All Things Considered*, *National Geographic*, *USA Today*, and *The Washington Post*.

Cynthia Williams

Osler Chair in Business Law, Osgoode Hall Law School

Cynthia Williams is the Osler Chair in Business Law at Osgoode Hall Law School, York University, Toronto, Ontario, and professor of U.S. corporate and securities law at the Vrije Universiteit (VU), Amsterdam. Williams graduated from the University of California, Berkeley with a B.A. in neurobiology, and received a J.D. *cum laude* and Order of the Coif from the New York University Law School. She practiced law for five years at Cravath, Swaine & Moore in New York City, where she concentrated on securities, mergers and acquisitions, and antitrust cases. From 1995 through 2013, Williams was on the faculty of the University of Illinois College of Law, with research visits to Cambridge University and Georgetown University, and at Osgoode Hall Law School, where she was the inaugural Osler Chair in Business Law from 2007 to 2009.

Williams writes in the areas of securities law, corporate law, corporate responsibility, comparative corporate governance, and transnational private business regulation, often in interdisciplinary collaborations with John Conley (anthropology and law), Deborah Rupp (organizational psychology), and Ruth Aguilera (economic sociology). Her most recent work with Conley, Rupp and Smeehuijzen (VU Faculty of Law) examines the Dutch Central Bank's supervision of financial institutions' behavior and culture. Her work has been published in such top journals as the *Harvard Law Review*, the *Georgetown Law Review*, the *Journal of Corporation Law*, the *University of Virginia Law Review*, *Theoretical Inquiries in Law*, the *Academy of Management Review*, and *Organizational Behavior*.

Williams is also the co-author, with Professor Gordon Smith, of a widely used casebook, *Business Organizations: Cases, Problems and Case Studies* (Wolters Kluwer 3d ed. 2012); the fourth edition will be forthcoming in 2018. Her *Harvard Law Review* article, "The Securities and Exchange Commission and Corporate Social Transparency," 112 HARV. L. REV. 1197 (1999), was recognized by the *Corporate Practice Commentator* as one of the 10 best corporate or securities articles published in 1999. Her 2007 article "Putting the 'S' Back in CSR: A Multi-Level Theory of Corporate Social Responsibility" (with Ruth Aguilera, Deborah Rupp, and Jyoti Ganapathi), 32:3 *Academy of Management Review* 836 (2007), was awarded a best paper prize by Sir Adrian Cadbury at the University of Birmingham International Conference on Corporate Governance (2005).

Williams helped found and is on the board of the Climate Bond Initiative, <http://www.climatebonds.net>, which is spearheading the development of a new asset class, climate bonds, to fund the transition to a low-carbon economy. She is also the Canadian partner of the Commonwealth Climate and Law Initiative (CCLI), a project of the Smith School of Enterprise and the Environment, Oxford University, and the Prince's Accounting for Sustainability. CCLI is evaluating corporate officers' and directors' obligations to consider climate change in their companies' strategies, and potentially to disclose more information about those strategies pursuant to securities law obligations.

Adam Zurofsky (Moderator)

Adjunct Professor of Law, Fordham Law School

Adam Zurofsky serves as Deputy Secretary for Energy and Finance in the Office of Governor Andrew M. Cuomo. In that capacity, Zurofsky oversees all policy and regulatory aspects of New York State's energy and finance portfolios as well as the following State agencies and authorities: the Department of Public Service, the Department of Taxation and Finance, the New York Power Authority, the Long Island Power Authority, the New York State Energy Research and Development Authority, including its New York Green Bank, the State Insurance Fund, and the Department of Financial Services, including its Banking, Insurance and Consumer Protection divisions. Zurofsky also helps lead implementation of Governor Cuomo's climate agenda, including the U.S. Climate Alliance of 16 states committed to upholding the Paris Climate Accords and the decarbonization of the over \$200 billion New York Common Retirement Fund.

Prior to joining the Cuomo administration, Zurofsky was a partner at the New York law firm of Cahill Gordon and Reindel, LLP, where he advised leading companies, financial institutions and their boards in a wide variety of regulatory, litigation and corporate governance matters. He is a co-founder of Fordham Law School's Corporate Sustainability Initiative and is a member of Fordham's adjunct faculty, where he teaches a course that examines the purpose of corporations and its relationship to corporate sustainability. He is a published author and a regular speaker at conferences on topics ranging from corporate social responsibility to renewable energy.

Zurofsky holds an A.B. with honors in political science from Stanford University, where he was elected to Phi Beta Kappa, and a J.D. *cum laude* from Harvard Law School. Zurofsky currently serves on the Board of Directors of Civics Unplugged, a civics education organization, and was previously a member of The Brookings Institution's Leadership Council for Governance Studies as well as the board of directors of the Roundabout Theatre Company. Zurofsky lives in New York City with his wife and their three children.

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The *Fordham Environmental Law Review* presents

Corporate Sustainability in the Era of Shifting Federal Priorities

Friday, March 9, 2018

12 – 12:50 p.m., check-in

12:50 – 6:30 p.m., program with reception to follow

Gorman Moot Courtroom



FORDHAM UNIVERSITY
THE SCHOOL OF LAW

PROGRAM

12 – 12:50 p.m. Check-in

12:50 – 1 p.m. Welcome and Introduction
Associate Dean Linda Sugin

1 – 1:45 p.m. Keynote
Cynthia Williams, Professor and Osler Chair in Business Law,
Osgoode Hall School

1:45 – 3:30 p.m. The Rise of CSR & the Role of Lawyers as CSR Advisors

1.5 Professional Practice CLE

Moderator: **Emily Ewing Smith**, Adjunct Professor, Fordham Law School

Timothy Hubbard, Assistant Professor of Management, University of Notre Dame

Anne Kolker, Associate, Akin Gump Strauss Hauer & Feld LLP

Michael P. Vandenbergh, David Daniels Allen Distinguished Chair of Law; Director, Climate Change Research Network; Co-director, Energy, Environment and Land Use Program, Vanderbilt Law School

3:15 – 3:30 p.m. Break

3:30 – 5 p.m. Sustainability & Big Business

1.5 Professional Practice CLE

Moderator: **Jeffrey Smith**, Professor, Fordham Law School

David Post, Global Enterprise Healthcare/LS and Government Leader, IBM

Andrew Shakalis, Former Associate General Counsel of Environmental & Safety, Unilever

Samantha Sims, Vice President of Environmental Sustainability, PVH

5 – 6:30 p.m. Public & Private Incentives for Sustainability

1.5 Professional Practice CLE

Moderator: **Adam Zurofsky**, Adjunct Professor of Law, Fordham Law School

Ibrahim Abdul-Matin, Independent Consultant; Former Director of Community Affairs, New York City Department of Environmental Protection

Beth Haddock, CEO and Founder, Warburton Advisers, LLC

Danielle Sugarman, Vice President, Investment Stewardship, BlackRock

6:30 p.m. Reception

The 2016 election marked a turning point in American environmental priorities. From the nomination of Scott Pruitt as EPA Administrator to the potential withdrawal from the Paris Climate Accord, the Trump Administration has shifted away from years of progressive environmental policy, leaving a bigger onus on individuals, non – profits, local governments, and private companies to fill in the gaps. This event will focus on the role corporations can play in adopting environmentally sustainable business practices and highlight public and private incentives for sustainability. The Symposium will feature distinguished professors, CSR attorneys and representatives from top companies such as BlackRock, IBM, and Unilever, among others.

Ibrahim Abdul-Matin

Independent Consultant; Former Director of Community Affairs, New York City Department of Environmental Protection

Ibrahim Abdul-Matin has advised two mayors on sustainability policy and on the best ways to translate complex decisions related to infrastructure, the costs and benefits of environmental policy, the impacts of capital projects on communities, and the implications of long-term planning and resilience. He has also worked with Fortune 500 companies on sustainability and innovation. In the past, Abdul-Matin developed tools to connect, support, train, and fund grassroots activists. He has spoken and written for a variety of outlets on Islam and sustainability, urban politics, infrastructure, land use process, resilience, organizing and activism, public engagement processes, and technology and governance. From 2008 to 2012, he served as the on-air sports contributor to WNYC’s *The Takeaway*, and he has appeared on CNN, Fox News, and Al Jazeera, among other outlets. Abdul-Matin is a co-founder of the Brooklyn Academy for Science and the Environment, a former Outward Bound instructor, and a 2008 National Urban Fellow. In 2015, he was named one of the “40 Under 40 Rising Stars” in New York City Politics by *City & State* magazine. Abdul-Matin is the author of *Green Deen: What Islam Teaches About Protecting the Planet*.

Beth Haddock

CEO and Founder, Warburton Advisers

Beth Haddock, CEO and founder of Warburton Advisers, delivers sustainable governance and compliance services to impact investing firms, nonprofits, and other organizations. Haddock leverages a counterintuitive, positive approach to deliver compliance and ethics programs that protect clients while imbedding behavioral incentives that deliver a wider impact and bottom-line results. Most notably, Haddock served as chief compliance officer for the global compliance programs at Brown Brothers Harriman and Guggenheim Investments. Haddock is also the author of *Triple Bottom-line Compliance: How to Deliver Protection, Productivity and Impact*.

She frequently discusses emerging trends in sustainable business models at Social Capital Markets, the Society for Corporate Compliance and Ethics, GAIM Ops, the School of Law at Hofstra University, and other symposia and conferences. She serves as trustee and corporate secretary for the Brooklyn Music School board, is an adjunct professor teaching business law and ethics and international business and sustainability, and holds the Sustainability as a Business Enabler certification from the Yale University School of Management. For more information, please refer to www.bethhaddock.com.

Timothy D. Hubbard

Assistant Professor of Strategic Management, University of Notre Dame

Tim Hubbard is an assistant professor of strategic management in the Mendoza College of Business at the University of Notre Dame. Hubbard’s research focuses on strategic leadership, with a particular emphasis on behavioral strategy. He leverages experimental methods to gain a better understanding of executive behaviors. Some specific topics he researches include CEO personality, corporate social responsibility, CEO dismissal, and firm reputation.

Prior to entering academia, Hubbard worked in a number of positions for Caterpillar and as a senior strategy consultant for IBM, where his clients included General Motors, DuPont, and Royal Dutch Shell, among others. His research appears in top journals, such as the *Academy of Management Journal*, the *Strategic Management Journal*, and the *Journal of Management Studies*, and he is an active reviewer for the *Academy of Management Review* as well as the aforementioned three journals. His research has been featured by over 40 media outlets, including *The Wall Street Journal*, National Public Radio, *Financial Times*, and Fox Business News. Hubbard teaches undergraduate courses in strategic management. He received his Ph.D. from the University of Georgia and holds additional degrees from the Thunderbird School of Global Management and the University of Illinois.

Anne Kolker

Associate, Washington, D.C. office., Akin Gump Strauss Hauer & Feld, LLP

Anne Kolker is an associate in the firm’s litigation practice. Her experience includes False Claims Act and Foreign Corrupt Practices Act investigations and government contracting issues.

Kolker received her J.D. from New York University School of Law, where she served as senior articles editor for the *Journal of Legislation and Public Policy* and was a producer and member of *NYU Law Revue*. While in law school, Kolker was a legal extern in the Civil Division of the Office of the U.S. Attorney for the Southern District of New York and in the Office of the Legal Adviser at the U.S. Department of State, and interned in the Office of the General Counsel, International Affairs at the U.S. Department of Treasury. She was a member of Akin Gump’s 2016 summer associate class. Kolker is a graduate of Swarthmore College, where she received a B.A. in Political Science and Theater.

Prior to joining Akin Gump as an associate, Kolker served as a foreign affairs officer in the Office of Global Change at the U.S. Department of State, where she worked on international climate change negotiations.

David Post

Global Enterprise Public Sector Leader, IBM

David Post is IBM’s global enterprise public sector leader, with responsibility for helping define IBM’s strategy, selecting investment priorities, and collaborating with clients to develop innovative solutions to business and public policy challenges. Post is also IBM’s executive sponsor for the United Nations system. Previously, Post served as an executive manager on IBM’s Global Smarter Cities team, where he helped scale the business from an internal IBM startup into an industry-leading global brand. Prior to that, he was IBM’s global offering lead for sustainability strategy and deputy lead for IBM’s Economic Development Strategy Practice in North America.

Throughout his career, Post has worked with leaders from the public and private sectors on engagements focused on strategic performance improvement, innovation, economic competitiveness, and sustainability. He has substantial international expertise, with experience in over 60 countries on six continents. Post holds a Ph.D. from Georgetown University and has taught at Columbia University.

Andrew Shakalis

(Former) Associate General Counsel, Environmental & Safety; Unilever (Retired)

Unilever is one of the world’s leading suppliers of home, personal care, and food products, with sales in more than 190 countries. The Unilever Group’s current market capitalization exceeds \$150 billion, and its global annual sales are approximately \$65 billion. With annual U.S. sales in excess of \$8.5 billion, Unilever has more than 15 manufacturing, R&D, and office locations and employs approximately 8,000 people.

Until December 2017, Andrew Shakalis had the privilege of providing environmental and safety counsel to all aspects of Unilever’s business. His practice included global and local corporate acquisitions and dispositions, local real estate transactions, day-to-day regulatory compliance counseling, issues management, regulatory affairs, trade association activities, internal compliance audits, internal investigations, environmental litigation, site remediation, policy development, and a broad range of sustainable development activities.

Shakalis received his B.S. in geology from Colorado State University. He received his J.D., with a certificate in environmental law, from the Elizabeth Haub School of Law at Pace University. Shakalis also completed the HRH Prince of Wales – Cambridge Business & The Environment Senior Executive Program.

Samantha Sims

Vice President, Environmental Sustainability & Stakeholder Engagement, PVH Corp.

Samantha (Sam) Sims is responsible for environmental sustainability, stakeholder engagement and reporting at PVH Corp., one of the largest global apparel companies with brands including Calvin Klein, Tommy Hilfiger, IZOD, Van Heusen, Warner’s, Olga ad Speedo USA.

In this role, Sims oversees efforts to fulfill PVH’s five environmental sustainability commitments across direct operations, supply chain and product development, as well as communications and reporting on human rights and environmental issues. She serves on the Corporate Responsibility (CR) Leadership team and drives engagement with key industry initiatives including the Sustainable Apparel Coalition, the Apparel Impact Institute, the Zero Discharge of Hazardous Chemicals Programme and the Better Cotton Initiative among others.

Sims has 15 years of experience launching and managing CR-related programs and communications campaigns focused on cross-sector partnerships, thought leadership, CR reporting and media relations for organizations such as Capital One, Ernst & Young LLP and The Timberland Company.

Sims received an M.P.A. from New York University’s Robert F. Wagner School of Public Service and her B.S. from Boston University. She is currently the co-chair of PVH’s Working Parents Business Resource Group and previously served as an adjunct professor at the Fashion Institute of Technology. She resides in Brooklyn, N.Y. with her husband and daughter.

Jeffrey A. Smith (Moderator)

Adjunct Professor, Fordham Law School; Co-Director, Fordham Law School Sustainability Initiative; Retired Partner, Cravath, Swaine and Moore LLP

For the past 35 years, Jeff Smith has advised multinational corporations and mid-market companies and their boards on a wide range of environmental, transaction management, and disclosure matters in mergers and acquisitions, financings, joint ventures, and other transactions and has provided environmental counsel on corporate governance, disclosure requirements under U.S. Securities and Exchange Commission (SEC) regulations, voluntary environmental reporting, shareholder communications and multi-party environmental litigation. Smith has also advised lenders, real estate developers and investors, and international companies on environmental issues related to financings, private equity transactions, and other business opportunities. In connection with his current development of Fordham Law School’s sustainability initiative, he counsels companies on emerging environmental and energy trends, and start-up greentech and cleantech companies on a range of regulatory, commercial and organizational issues. Smith received his undergraduate degree from Harvard College and his law degree from the University of Pennsylvania.

Emily Smith Ewing (Moderator)

Executive Director, Corporate Social Responsibility Program, Leitner Center for International Law and Justice, Fordham Law School

Emily Smith Ewing is executive director of the Corporate Social Responsibility Program (CSR) at the Leitner Center for International Law and Justice at Fordham Law School. She is also a senior fellow and adjunct professor, and co-supervises the CSR Clinic. Smith Ewing has extensive experience working with companies, law firms and NGOs on a range of human rights issues. She has directed a number of legal research projects in partnership with corporations and international organizations, and has been published on the subject. Prior to joining the Leitner Center, Emily worked at Norton Rose Fulbright as a corporate lawyer in both the London and Hong Kong offices, specializing in multi-jurisdictional M&A transactions and public company regulatory work. Smith Ewing received her LL.M. in international law and justice at Fordham Law School and her M.A. from the University of Edinburgh. Smith Ewing has been admitted to practice in New York and England and Wales, and is a member of the International Law Committee at the New York City Bar Association.

Danielle Sugarman

Vice President, BlackRock

Danielle Sugarman is a vice president with BlackRock’s Investment Stewardship team. She serves as the lead analyst for BlackRock’s energy, utilities, pharmaceutical, and biotech portfolios in the Americas. Sugarman’s work includes engagement with executives and directors of BlackRock’s portfolio companies on matters related to corporate strategy, governance, environmental and social matters, M&A considerations, proxy contests, and hostile takeover bids. Sugarman also votes BlackRock’s shares at corporate annual and special meetings in relation thereto. She has particular expertise in climate change, sustainability and environmental issues, and securities law.

Prior to joining BlackRock, Sugarman practiced as an attorney for over 10 years, including spending several years at the Center for Climate Change Law out of Columbia Law School. Most recently, she was an associate program officer for the Robertson Foundation, where she worked on Julian Robertson’s environmental and medical research giving. She holds a J.D. from Penn Law School and graduated *summa cum laude* in history and political science from Barnard College, Columbia University. Sugarman sits on the International Environmental Law Committee of the New York City Bar as well as the advisory board of Kids in Need of Defense.