



In This Issue

[Latest News and Alerts](#)

[Upcoming Events](#)

[Honors](#)



James J. Hanks, Jr.



Corporate Governance Law - Baltimore

Charles J. Morton, Jr.



Venture Capital Law - Baltimore

Latest News and Alerts

Venable attorneys produce periodic alerts and newsletters covering a variety of topics and practice areas. For your convenience, we have assembled below a collection of the latest alerts and newsletters from April 2013. To view the full text of an article, please click on the title of the piece.

[Does the SEC Like Social Media? Understanding the Application of Regulation FD to Social Media](#)

The SEC issued an investigation report to clarify that its Regulation FD guidance given in 2008, directed mainly towards disclosure on company websites, is the standard to use for communications made through social media.

Authors: [Nancy R. Grunberg](#), [Thomas D. Washburne, Jr.](#), [Trezure R. Johnson](#), [Eric R. Smith](#), [George Kostolampros](#), and [Parker B. Morrill](#)

[NIST Holds First Workshop on Executive Order Cybersecurity Framework](#)

The NIST offered a sneak preview of the Cybersecurity Framework required under the recently-issued Executive Order on critical infrastructure cybersecurity. They hosted five panel discussions as well as several additional speakers and covered many of the varying considerations and perspectives that will play a role in the development of the Framework.

Authors: [Michael J. Baader](#), [Retired Rear Admiral Jamie Barnett](#), [Dismas Locaria](#), [Anthony J. Rosso](#), [Brian M. Zimmet](#), [Jason R. Wool](#), and [Sejal C. Shah](#)

[Jumpstart Our Business Startups \(JOBS\) Act](#)

President Obama signed the Jumpstart Our Business Startups (JOBS) Act, which Congress passed with broad bipartisan support. This legislation seeks to expand access to capital markets by making initial public offerings more attractive to “emerging growth companies” and expanding the ability of companies to raise capital in private and limited public offerings without registration with the Securities and Exchange Commission.

Author: [Thomas W. France](#)

[Association Health Plans and Health Care Reform: A Trap for the Unwary](#)

Trade and professional associations that sponsor health plans for their members, and organizations participating in such plans, need to be aware of an important issue arising under the Patient Protection and Affordable Care Act. Depending on how the association health plan is structured, insurance coverage might need to comply with the “small group market” provisions of PPACA, even though the AHP covers hundreds, if not thousands, of participants.

Authors: [Harry I. Atlas](#) and [Thora A. Johnson](#)

[EPA Finalizes Vessel General Permit](#)

The EPA issued a final National Pollutant Discharge Elimination System General Permit for Discharges Incidental to the Normal Operation of a Vessel. The Vessel General Permit provides the practices and procedures for vessels to comply with NPDES requirements.

Authors: [Margaret N. Strand](#), [David G. Dickman](#), [Monica Derbes Gibson](#), and [Megan M. Roberts-Satinsky](#)

[EPA Revises Effluent Guidelines and Standards for Construction and Development](#)

The EPA proposed changes to the Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category. The Proposed Rule withdraws controversial numeric turbidity limits adopted for discharges from most construction sites in 2009. The Proposed Rule suggests the use of Best Management Practices in lieu of the turbidity limit.

Authors: [Gregory S. Braker](#), [Thomas M. Lingan](#), [Margaret N. Strand](#), [M. Rosewin Sweeney](#), and [Megan M. Roberts-Satinsky](#)

[Federal Grant & Contract News for Nonprofits - April 2013](#)

April was a particularly active month in terms of grant and procurement news specific to nonprofits. The

White House issued guidance on reducing the administrative burden related to grants and other forms of financial assistance in the wake of the sequester, as well as a proposed budget for fiscal year 2014, which includes specific efforts aimed at strengthening nonprofits and other organizations. The National Council of Nonprofits issued a report that provides recommendations for streamlining the government-nonprofit contracting process. And the U.S. Supreme Court heard oral arguments on a case that may have significant ramifications on the strings that the government can attach to grants.

Authors: [Dismas Locaria](#), [Melanie Jones Totman](#), [Elizabeth A. Buehler](#), and [Jeffrey S. Tenenbaum](#)

Federal Maritime Commission Announces New Chairman Cordero

The U.S. Federal Maritime Commission announced that Commissioner Mario Cordero will replace Commissioner Richard A. Lidinsky as Chairman, effective April 1, 2013. Lidinsky submitted his resignation as Chairman to President Obama after holding the position since September 2009. He plans to continue to serve the FMC as a Commissioner.

Authors: [Ashley W. Craig](#), [David G. Dickman](#), [Amanda C. Blunt](#), [Elizabeth K. Lowe](#), and [Matthew R. Rabinowitz](#)

IP Buzz - April 2013

Featuring articles about Federal Circuit appeals, permissible changes to design patent claims, safe harbor provisions of the Digital Millennium Copyright Act, patents for human genes, and smartphone design patents.

Advertising News & Analysis

- [April 11, 2013](#)
Featuring articles about product demonstrations and disclosures, design patents, and the USDA's draft guidance.
- [April 18, 2013](#)
Featuring articles about AAF's Advertising on the Hill Day, bringing a legal challenge, doctor-recommended claims, opting out of .com disclosures, and the FTC's top three consumer protection priorities.
- [April 25, 2013](#)
Featuring articles about an FTC survey on fraud, a new Florida law on charitable promotions and cause marketing, and how to respond to CFPB investigations.

[Return to the top](#)

Upcoming Events

[As Nonprofits Expand Their Global Reach, a Special Focus on Tax, Trademarks and the Foreign Corrupt Practices Act](#)

May 14, 2013
12:00 p.m. - 2:00 p.m. ET

A global reach is increasingly the goal for many, if not most, U.S.-based nonprofit organizations. Indeed, it is difficult these days to find a U.S. nonprofit not engaged in or contemplating expansion of its operations and activities overseas. This program will provide an in-depth focus on three areas in particular: tax planning and compliance, trademarks (the law of branding), and compliance with the U.S. Foreign Corrupt Practices Act and its foreign counterparts.

Speakers: [Jeffrey S. Tenenbaum](#), [Lindsay B. Meyer](#), [Andrew D. Price](#), and [Charles K. Kolstad](#)

[Click here to register.](#)

[Filling the Capital Gap - Can Alternative or Non-Bank Lenders Really Add Value?](#)

Opus Connect's New York Chapter May Event

May 22, 2013
12:00 p.m. - 2:00 p.m. ET

Looks like the Leverage Lending market is heating up and hopefully that is good news for getting deals done in 2013. But what alternatives exist when more flexible or customized financing packages are needed? What sources of capital are best to close deals that are complex, time sensitive, have a limited collateral base? Come discuss and explore experiences and opportunities with non-bank or alternative debt funds capable of filling the capital gap. Dealmakers and transactional professionals would benefit from this frank insightful dialogue to explore and better understand this market.

This event is hosted by Venable LLP and co-sponsored by BCMS Corporate, Axial, The Pinehill Group, Anchin Capital Advisors and Ambrose.

[Click here to register.](#)

Honors and Awards

[Chambers Global 2013 features Venable attorneys and practice groups](#)

Venable [Corporate](#) partners [Jim Hanks](#) and [Sharon Kroupa](#), along with other noted Venable attorneys, were ranked in the 2013 edition of *Chambers Global*. The firm was also ranked in Band 1 for Capital Markets: REITs: Maryland Counsel.

An *American Lawyer* 100 law firm, Venable serves corporate, institutional, governmental, nonprofit and individual clients throughout the U.S. and around the world. Headquartered in Washington, DC, with offices in California, Delaware, Maryland, New York, and Virginia, Venable LLP lawyers and legislative advisors serve the needs of our domestic and global clients in all areas of corporate and business law, complex litigation, intellectual property, regulatory, and government affairs. To learn more about Venable's capabilities, please see our complete list of [practice areas](#).

Chambers

- *Chambers USA* recognized 64 Venable attorneys in national and regional categories in their [2012 rankings](#). Fourteen of the ranked attorneys are members of the Corporate Practice Group.
- Two Venable Corporate Group partners were ranked in the [2012 edition of Chambers Global](#).

Super Lawyers

- The Maryland edition of *Super Lawyers 2013* recognized [43 Venable attorneys](#) including 9 attorneys from our Corporate Group.

Legal 500

- *Legal 500* recognized [fourteen attorneys](#) from the Corporate Practice Group in 2012.
- Two Corporate Group attorneys, Charles Morton (M&A: Middle-Market (Sub-\$500m)) and William Russell (Technology: Transactions) were also singled out as Leading Lawyers.
- Venable was nationally recognized by *Legal 500* in the M&A: Middle-Market (Sub-\$500m), Real Estate Investment Trusts (REITs), Technology: Outsourcing, and Technology: Transactions categories.

U.S. News - Best Lawyers

- Sixteen of Venable's Corporate Group attorneys were [selected by their peers](#) for inclusion in *The Best Lawyers in America*® 2012-2013.
- Venable was [top rated nationally](#) in Mergers & Acquisitions Law and Technology Law, and received national second tier rankings in Corporate Law, Private Equity Law, and Venture Capital Law.
- James J. Hanks, Jr., a Partner in Venable's Corporate Practice Group, was named the *Best Lawyers* Baltimore Corporate Governance and Compliance Lawyer of the Year for [2011](#) and [2013](#).
- Charles Morton, Co-Chair of Venable's Corporate Practice Group, was named the [2012 Baltimore Venture Capital Lawyer of the Year](#).

[If you have friends or colleagues who would find this alert useful, please invite them to subscribe at \[www.Venable.com/subscriptioncenter\]\(http://www.Venable.com/subscriptioncenter\).](#)

CALIFORNIA DELAWARE MARYLAND NEW YORK VIRGINIA WASHINGTON, DC

1.888.VENABLE | www.Venable.com