

Tuesday, October 14, 2014: Professional Development Meeting

Strategies to Avoid Common Deadly Sins Found in Procurement Contracts

To properly protect a business' profit, flexibility, brand and reputation, sourcing teams need to anticipate issues and take proactive steps in a rapidly changing landscape and increasingly global marketplace. To accomplish these long-term strategic objectives we must properly manage the risks inherent in outsourcing, licensing technology, contract manufacturing and a host of other issues. To accomplish your goals you need to be able to strategize each opportunity from both your perspective and your suppliers before drafting the agreement. What problems can you anticipate and protect against in advance? How can the agreement protect you against warranty, quality regulatory and other liability mishaps? Might you be better off without having a formal contract?

Attendees to this presentation will have an opportunity to work in teams to identify select fact patterns and problem contract language and suggest possible solutions to better protect the purchaser.

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Gary J. Van Domelen



Gary is a De Pere native and graduate of St. Norbert College and Marquette University Law School. While at Marquette, he served as Managing Editor of the Law Review. Gary began his legal career as a litigator for Kasdorf, Lewis & Swietlik, S.C. A Milwaukee based insurance and product liability and insurance defense firm. In 1986, he joined S.C. Johnson & Son, Inc. to manage the company's worldwide product liability litigation. During the ten years he spent at Johnson Gary also drafted and negotiated a variety of agreements, assisted with regulatory matters and investigations and was the lead lawyer for the worldwide air care business. In 1998, he accepted the position of Vice President & General Counsel of Fisher Scientific Company, L.L.C. in Pittsburgh, PA. While at Fisher Gary also worked in a number of acquisitions and co-managed the quality assurance function. In 2001, Gary and his family moved back to LaCrosse, Wisconsin where he accepted a position as Chief Legal Counsel, the Trane Company, and a division of American Standard Companies, Inc.

In 2003, Gary accepted an invitation from American Standard to move to New Jersey and serve as Vice President, Chief Corporate Counsel and assistant secretary. In that capacity, Gary managed the legal-SEC reporting issues, M&A and the law department budget. In 2005, Gary joined Wagner, Falconer & Judd, and a Minneapolis firm. Gary was named a partner in 2010 and led the firm's business practice group. In May 2014 Gary opened his own law firm in Southeastern, MN where he assists corporations in Georgia, Minnesota, Pennsylvania and Wisconsin with their procurement and technology contract drafting and negotiating needs.

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John David Schrager, Business Attorney

Schrager Legal PLLC



At Schrager Legal PLLC, we represent both large and small companies throughout the US. Our services include commercial transactions, distribution of products/services, supply chain management, marketing and advertising, trademark and brand management, and in-house services for closely held companies. Prior to opening Schrager Legal PLLC in 2013, John practiced with Wagner, Falconer & Judd, Ltd. For 13 years where he advised businesses on intellectual property/business transactions, employment law, trademark protection, licensing intellectual property, formation of corporations and business structures, product and service distribution, and privacy policies. Schrager Legal PLLC is growing and opening a branch office in Los Angeles, California in October 2014!

John is involved in the community holding leadership positions for the Rotary Club of Minneapolis (positions include Club Secretary, Membership Director, Club Service Director, and Friday Frat Co-Chair).

Education

Stanford University (BA Economics, Political Science)
University of Wisconsin—Madison

Association Memberships

Minnesota State Bar Association
Wisconsin Bar Association

Location

The MARQ
3177 French Road
De Pere, WI 54115

PDM Schedule of Events:

7:00 a.m.—7:30 a.m. Breakfast & Registration
7:30 a.m.—9:00 a.m. Presentation

Menu:

Denver style eggs with ham, cheese, onions and green peppers, hash brown potatoes, breakfast pastries, chilled orange juice, coffee, milk and water.

Registration Details:

Event Cost: Member (Pre-Pay): \$20.00 | Member (Pay at Event): \$25.00
Student: \$15.00 | Non-Member: \$25.00

To register: Visit <http://ism-newwisconsin.org> to register online and pay for the meeting via PayPal.
-OR-

If you have pre-paid for PDMs, sign up by emailing ISM.NE.WISC@gmail.com *

*The registration email is different for this month only!

Note: Anyone making a reservation that doesn't attend the meeting and hasn't paid will be charged for the meeting as ISM must pay for any reservations that are made.

Registration Deadline: Friday, October 10, 2014—cutoff at noon

NO CANCELLATIONS. This is necessary to enable coordination with the facility for seating and meal arrangements.

President's Letter



Dear ISM Member,

There are two equinoxes every year – in September and March – when the sun shines directly on the equator and the length of day and night is nearly equal. The autumn equinox can signal a need to pursue balance, as well.

As Joan Gurvis stated in the January 2009, *Inside Supply Management*® Vol. 20, No. 1, page 34, “**Learning how to align what you do with what you value is an important part of keeping it all in perspective both at work and at home.** Time and energy spent away from the job can enhance your productivity and your capacity to deal with work challenges.

Balance isn't an issue of time; it's an issue of choice. As a busy supply management professional, you choose how to use your resources and what you do with your time, energy and passion. To feel more balanced, you must align your behavior with what you believe is really important.”

We hope that you think ISM NE-WI is important, and that you continue to find value in participating in the Professional Development Meetings (PDMs) and in being a member. When you become a member of ISM NE-WI, you are investing in yourself. The Northeast Wisconsin affiliate of the Institute for Supply Management (ISM-NE-WI) is comprised of a strategic network of approximately 300 supply management professionals throughout Northeast Wisconsin and the Upper Peninsula of Michigan representing over 75 organizations. Established in 1975, ISM-NE-WI has been helping business professionals get the most out of their careers, and we can help you too.

One way ISM can help is through Accreditation Support. Right now, Certified Purchasing Managers (C.P.M.s) have an advantage: Active C.P.M.s only need to take one Bridge Exam, instead of three separate exams, to become a Certified Professional in Supply Management® (CPSM®). Any active C.P.M. may apply for a CPSM®, as there is no longer a requirement for holding a degree. In addition to being a C.P.M. in good standing and passing the Bridge Exam, candidates must have five years of professional supply management experience or three years of professional experience plus a bachelor's degree (or international equivalent).

Don't miss out: The Bridge Exam registration deadline is coming up fast. The last day you can register for the Bridge Exam is December 31, 2014. You have one year from the date of purchase, or December 31, 2015, to take your exam, whichever comes first. ISM® will no longer offer the CPSM® Bridge Exam after December 31, 2015. Beginning in 2015, C.P.M.s will need to pass three exams to obtain the CPSM® certification. If you have questions about the CPSM® Exams or the Bridge Exam, please visit the ISM Certification website, www.ism.ws/certification, or email certification@ism.ws.

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President's Letter (continued)

Our next PDM will be a breakfast meeting at The Marq in De Pere on October 14th, 2014. The speakers for the event are Gary Van Domelen and John Schragger, both lawyers each owning their own firms. (We'll try to keep the lawyer jokes to a minimum, guys!). Gary spoke to ISM Madison last fall, and Gary and John just wrapped up a half day seminar for the Twin Cities ISM Affiliate in MN in September, 2014, as well (link to details here: <http://www.vandomelenlaw.com/new.html>). Gary and John's Advanced Contract Drafting and Negotiation presentation will be about managing risk, how to strategize before drafting an agreement and problems can you anticipate and protect against in advance. A presentation like this that is clearly relevant to sourcing positions generated much attention in ISM NE-WI's annual survey, as was the need to engage top-notch experts in the field to enhance the quality of our PDMs. Your board has listened – and responded.

The October PDM will be one that generates much interest. Please help promote this event by bringing a guest or sharing this newsletter with someone that may be interested.

Please feel free to contact me with any questions or feedback for improvement to ISM NE-WI.

See you on October 14th!

Kind Regards,
Cindy Goller, C.P.M.
President, ISM Northeast Wisconsin
cindy.goller@pcmc.com
(920) 339-7615



Future Meetings & Events

ISM NE-WI PROFESSIONAL DEVELOPMENT MEETINGS		
Date Meeting Format	Event / Topic Speaker	Location
October 14, 2014 Breakfast	Strategies to Avoid Common Deadly Sins Found in Procurement Contracts Gary Van Domelen & John Schragger	The MARQ Banquet & Catering Hall 3177 French Road DePere, WI 54115
November 11, 2014	CEO Roundtable	Liberty Hall 800 Eisenhower Drive Kimberly, WI 54136
December 9, 2014	Networking 40th Anniversary Celebration	Liberty Hall 800 Eisenhower Drive Kimberly, WI 54136
January 13, 2015	Best Practices	The MARQ Banquet & Catering Hall 3177 French Road DePere, WI 54115
February 10, 2015	TBD	Liberty Hall 800 Eisenhower Drive Kimberly, WI 54136
March 10, 2015	TBD	TBD
April 14, 2015	Logistics	The MARQ Banquet & Catering Hall 3177 French Road DePere, WI 54115
May 12, 2015	Tour Annual Elections	Liberty Hall 800 Eisenhower Drive Kimberly, WI 54136

ISM Northeast Wisconsin Affiliate Membership Summary

September 2014	
Regular Members:	154
Associate Members:	13
Lifetime:	9
Student Members:	41
Total Members:	217

If you have not yet renewed your membership for the 2014—2015 please consider doing so as we have a great year planned for our members!

If you need a copy of your invoice, please email ism.membershipnew@gmail.com.

Thank you!

Membership inquiries can be directed to: **Vicki Edinger**, Director of Membership
ism.membershipnew@gmail.com

Continuing Education Opportunities



ISM® presents numerous free web-based seminars throughout the year. Join us to learn about new trends that affect your role in supply management, and participate from any location.



Podcasts/ Videocasts

An ever-expanding library covering a broad spectrum of supply management and general business topics — from the basic to advanced. Download and listen while you work, during your commute or even in your downtime.

Free for ISM® members.

The ISM® Knowledge Center

Eliminate travel expenses. Online courses are a powerful resource for attaining your professional goals. You can choose courses in **business, finance, manufacturing, negotiations, CPSM®/CPSD® review, sustainability and social responsibility, product development, services** and much more. For more information and to register for the ISM® Knowledge Center courses, go to www.ism-knowledgecenter.ws. All courses are active for 12 months from the date of purchase.



Seminars

ISM® public seminars are a great way to get ahead. Each seminar is presented by an expert instructor with the ability to take your knowledge further. In fact, each of our seminars receives consistently high instructor ratings as well as content ratings. In short, our instructors know the material and are committed to getting that information to you so that you can move your career forward. Furthermore, ISM® offers a wide range of topics; whether you want to get in-depth knowledge of transportation or improve your skills in risk management, ISM® has you covered.

**ISM®
Résumé Service**

Free résumé critiques by a career expert. Let Tracy Laswell, JCTC, CPRW, ISM®'s career expert, turn a "typical" résumé into a powerful career marketing document (one free critique per customer).

Special EVENTS



Network with more than **2,000** peers at the **Annual International Supply Management Conference**, devoted exclusively to purchasing and supply management, emerging trends and challenging comprehensive sessions — all conducted by your peers. The Conference attracts distinguished keynote speakers to discuss current national and international issues and features several sessions highlighted by prominent corporate leaders.

ISM® Resources

ISM® Glossary of Key Supply Management Terms (5th Edition)

The *ISM® Glossary of Key Supply Management Terms* is a valuable reference tool for supply professionals, academics, researchers and students. Greatly expanded with more than 2,400 terms, it includes information from all disciplines within supply management.

Connect With Us



With a strong global influence, ISM® connects you with supply chain professionals around the world. Join the conversation, expand your network and get exclusive ISM® insights on Facebook, Twitter, LinkedIn and Google+.



Propurchaser.com

Commodity Tracking — Easy-to-use tools and data to prepare for negotiations to strike better deals. ISM® members are entitled to a 60-day trial membership and savings if they decide to join.

ISM®-ADR School for Supply Management

Delivers world-class professional development programs and consulting services to corporate teams in the U.S. and China.

ISM®'s Purchasing and Supply Sourcing Guide

Tap into the incredible network of the Institute for Supply Management® with the Purchasing and Supply Sourcing Guide. Powered by MultiView, the Guide gives supply management professionals a fast and easy way to find great suppliers. Search today at www.purchasingandsupplysourcingguide.com.

Are There Any Low-Cost Ways to Earn CEHs?

Need to earn Continuing Education Hours (CEHs)? Short on funds to pay for training? Don't despair. ISM has several low-cost options to keep your CPSM[®], CPD[™], C.P.M. or A.P.P. certification current. Some are even *free*.

- The ISM Knowledge Center has four *free* online courses:
 - **ISM Report On Business[®] (ROB) #3967**
 - **Price Analysis, Cost Analysis or Total Cost of Ownership: Determining the Best Approach #3921**
 - **Principles and Standards of Ethical Supply Management Conduct With Guidelines #3972**
 - **The ISM Guide to Sustainability and Social Responsibility #3974**

Register at www.ISM-knowledgecenter.ws.

- ISM presents *free web seminars* throughout the year on trends that affect supply management. You can participate from anywhere in the world and earn one Continuing Education Hour (CEH) each time you attend the live program. Register in the Seminars section of the ISM website.
- Already an ISM member? You earn one CEH for every year you are an active ISM member during your current certification period.
- Attend your ISM affiliate meetings. Most meetings are US\$50 or less and usually you receive at least one CEH each time you attend.
- Did you take or teach any business-related training through your employer?
- Did you take any personal career development courses such as "Effective Communication" or "Microsoft Excel"?
- Was your article published in a supply management-related magazine or journal?
- Did you attend or present at one of ISM's conferences or seminars? Did you attend or present at other industry-related conferences or seminars?

"Low-Cost Ways to Earn CEHs". *ISM - Are There Any Low-Cost Ways to Earn CEHs?* Institute for Supply Management, n.d. Web. 22 Aug. 2014.

<<http://www.ism.ws/content.cfm?ItemNumber=22100>>.

It's the Final COUNTDOWN



Are you registered for the CPSM[®] Bridge Exam?

The last day to register for the CPSM[®] Bridge Exam is December 31, 2014. All active C.P.M.s are eligible to bridge to the CPSM[®] and take their career further. This single exam covers content that wasn't tested on the C.P.M. Exam and lets you demonstrate you're a leader in the profession.

Register today at www.ism.ws/4191.

