

2015 Government Enforcement Institute
May 13-14, 2015 • Belo Mansion • Dallas, TX

Wednesday Morning, May 13, 2015

Presiding Officer:

Steve Korotash, Partner, Morgan, Lewis & Bockius LLP - Dallas, TX

8:00 am	Registration Opens Includes continental breakfast.
8:50 am	Welcoming Remarks

OPENING KEYNOTE PRESENTATION

9:00 am 0.75 hr	The SEC's Cooperation Program: Reflections on Five Years of Experience A look at the Enforcement Division's cooperation program, including how the Division has made use of its cooperation tools, what individuals and entities have to gain by cooperating, and what to expect from the Division in the future. Andrew Ceresney, Director of Enforcement, U.S. Securities and Exchange Commission - Washington, DC
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9:45 am 1.00 hr 0.50 hr ethics	The Company in Crisis: Talking to Investors, Regulators and the Media Best practices for crisis communication, including strategies for dealing with the media, investors and the public, plus a discussion of both the legal requirements and strategic considerations pertaining to required disclosures in company filings. Moderator: Audrey T. Andrews, Senior Vice President and General Counsel, Tenet Healthcare Corporation - Dallas, TX Panelists: Kit Addleman, Partner, Haynes and Boone, LLP - Dallas, TX Paul A. Castanon, Vice President, Deputy General Counsel and Corporate Secretary, Tenet Healthcare Corporation - Dallas, TX Paul E. Coggins, Partner, Locke Lord LLP - Dallas, TX Erik Hotmire, Partner, Brunswick Group, LLP - Washington, DC
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10:45 am	Break
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11:00 am
1.00 hr

SEC and DOJ Financial Fraud Investigations

An update on the SEC's and DOJ's recent enforcement efforts involving accounting fraud investigations and related litigation.

Moderator:

Jason S. Flemmons, Senior Managing Director, FTI Consulting, Inc. - Washington, DC

Panelists:

David King, Enforcement Accountant, U.S. Securities and Exchange Commission - Fort Worth, TX

Jason S. Varnado, Deputy Criminal Chief-Major Fraud, United States Attorney's Office, Southern District of Texas - Houston, TX

David R. Woodcock, Regional Director, U.S. Securities and Exchange Commission - Fort Worth, TX

Wednesday Afternoon, May 13, 2015

Presiding Officer:

Steve Korotash, Partner, Morgan, Lewis & Bockius LLP - Dallas, TX

NETWORKING LUNCHEON

12:00 pm

Networking Lunch

Interact and network with faculty and fellow colleagues. Buffet lunch included in registration.

12:45 pm

Break

1:00 pm
1.00 hr
0.50 hr ethics

The Corporate Board and Its Role in Government Investigations

An examination of the legal responsibilities, regulator expectations and best practices for corporate board members in connection with government investigations and in authorizing and responding to internal investigations.

Moderator:

Alan J. Berkeley, Partner, K&L Gates - Washington, DC

Panelists:

Holly L. Clarke, Senior Vice President and General Counsel, L-3 Communications Integrated Systems, L.P. - Rockwall, TX

Matthew D. Orwig, Partner, Jones Day - Dallas, TX

Robb L. Voyles, Executive Vice President and General Counsel, Halliburton - Houston, TX

The Lightning Round: Agency Recent Developments and Current Priorities

2:00 pm
0.25 hr

Consumer Financial Protection Bureau

David Hendricks, Attorney Advisor, Office of Enforcement's Field Litigation Team, Consumer Financial Protection Bureau - Chicago, IL

2:15 pm
0.25 hr

Federal Trade Commission

Dama J. Brown, Regional Director, Federal Trade Commission - Dallas, TX

2:30 pm 0.25 hr	<p>Commodity Futures Trading Commission</p> <p>Richard Foelber, Chief, Office of Cooperative Enforcement, U.S. Commodity Futures Trading Commission - Washington, DC</p>
2:45 pm 0.25 hr	<p>Federal Bureau of Investigation</p> <p>Michael Costanzi, ASAC, Federal Bureau of Investigation - Dallas, TX</p>
3:00 pm 0.25 hr	<p>Securities and Exchange Commission</p> <p>David L. Peavler, Associate Regional Director, U.S. Securities and Exchange Commission - Fort Worth, TX</p>
3:15 pm	<p>Break</p>
3:30 pm 0.50 hr ethics	<p>Professionals in the Cross-Hairs: Update on the Government's Gatekeeper Focus</p> <p>Recent developments in the crusade for greater accountability of officers, directors, attorneys and accountants, plus a survey of recent cases and trends with a discussion of the SEC's focus on disciplining attorneys involved in representing clients in SEC investigations.</p> <p>Scott W. Friestad, Associate Director, Division of Enforcement, U.S. Securities and Exchange Commission - Washington, DC Jim Letten, Former U.S. Attorney, EDLA and Assistant Dean, Tulane University Law School - New Orleans, LA</p>
4:00 pm 0.75 hr	<p>D&O Insurance: What You Absolutely Need to Know</p> <p>Understand policy selection criteria, coverage notices, negotiations, demands and litigation.</p> <p>Moderator: Paul E. Pelletier, Member, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. - Washington, DC</p> <p>Panelists: Jane Njavro, Vice President, Woodruff Sawyer & Company - San Francisco, CA Jeffrey M. Schumm, Chief Administrative Officer, General Counsel, and Corporate Secretary, Orthofix International N.V. - Lewisville, TX Jonathan A. Shapiro, Member, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C - San Francisco, CA</p>
4:45 pm 0.75 hr	<p>The Forensic Auditor: A Key Witness in the Defense Arsenal</p> <p>Explore the numerous and critical contributions that a forensic auditor can provide in conducting internal investigations and preparing to defend a government action.</p> <p>Moderator: Eric W. Sitarchuk, Partner, Morgan, Lewis & Bockius LLP - Philadelphia, PA</p> <p>Panelists: Robert P. Gray, Partner, Forensic, Litigation & Valuation Services, Baker Tilly Virchow Krause, LLP - Dallas, TX Julie L. Nielsen, Director, Berkeley Research Group, LLC - Tampa, FL Todd C. Ranta, Partner, PwC - Dallas, TX</p>
5:30 pm	<p>Adjourn to Reception</p> <p>Join Institute faculty and attendees for drinks and hors d'oeuvres. THANK YOU TO OUR SPONSOR Navigant Consulting, Inc.</p>

Thursday Morning, May 14, 2015

Presiding Officer:

Barrett R. Howell, Partner, K&L Gates LLP - Dallas, TX

8:00 am	Conference Room Opens Includes continental breakfast.
8:30 am 0.75 hr	False Claims Act Update The government reports a continued inflow of new FCA actions and billions of dollars in FCA judgments and settlements. These high stakes and the courts' acceptance of novel theories of FCA liability continue to mold the landscape for FCA enforcement. Review current FCA enforcement and investigations and what it means for government contractors. Moderator: B. Scott McBride, Partner, Baker & Hostetler LLP - Houston, TX Panelists: Jeremy D. Kernodle, Partner, Haynes and Boone, LLP - Dallas, TX Clay B. Scheitzach, Senior Vice President & Group Counsel, Xerox Business Services, LLC - Dallas, TX Susan Strawn, Assistant U.S. Attorney, United States Attorney's Office, Western District of Texas - San Antonio, TX
9:15 am 1.00 hr	Government Investigations and the External Auditor Review the critical considerations involved in the company-auditor and defense counsel-auditor relationship during the pendency of an internal investigation or government probe. Moderator: Dale E. Barnes, Partner, Morgan, Lewis & Bockius LLP - San Francisco, CA Panelists: Timothy R. McCormick, Partner, Thompson & Knight LLP - Dallas, TX Claudius B. Modesti, Director, Public Company Accounting Oversight Board - Washington, DC Sarah Simpson, Associate General Counsel, Deloitte, LLP - Stamford, CT
10:15 am	Break
10:30 am 1.00 hr 0.50 hr ethics	Cyber Security: Proactive Steps to Minimize Liability Under the assumption that no steps will guarantee freedom from an intrusion, analyze the steps that a company should take to minimize the likely liability when an intrusion occurs. Moderator: Mark L. Krotoski, Partner, Morgan, Lewis & Bockius LLP - Silicon Valley, CA Panelists: Ronald W. Breaux, Partner, Haynes and Boone, LLP - Dallas, TX Erin Nealy Cox, Executive Managing Director, Stroz Friedberg - Dallas, TX Tracy M. Preston, SVP & General Counsel, The Neiman Marcus Group - Dallas, TX

11:30 am
1.00 hr

Current Trends in Criminal and Civil Investigations

Review investigative strategies and tactics that the government is using and related legal issues that counsel may face.

Moderator:

Alan M. Buie, Assistant United States Attorney, United States Attorney's Office, Western District of Texas, Austin Division - Austin, TX

Panelists:

Peter J. Henning, Professor of Law, Wayne State University Law School - Detroit, MI

Benjamin D. Singer, Deputy Chief, Fraud Section, U.S. Department of Justice - Washington, DC

Robert L. Webster, Partner, Fitzpatrick Hagood Smith & Uhl LLP - Dallas, TX

12:30 pm

Adjourn