

4TH ANNUAL
**GOVERNMENT ENFORCEMENT
INSTITUTE**

The Premier In-House Counsel Forum for Protecting
Companies and Executives in Government Investigations



October 26–27, 2017
Hotel Derek ■ Houston, Texas

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THURSDAY MORNING, OCT. 26, 2017

**Presiding Officer: Steve Korotash, Partner,
Morgan, Lewis & Bockius LLP, Dallas, TX**

8:00 a.m. Registration Opens
Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .50 hr
Opening Keynote Presentation

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

9:30 a.m. 1.00 hr
**The Administration's Shifting Priorities:
What's Hot, What's Not, and What You Need
to Know**

The transition to a new administration has predictably yielded priority shifts—some as expected, some not. Examine the changing enforcement landscape, focusing on those aspects affecting corporations from the Yates memo to health care and corporate immigration exposure.

Moderator:
Jim Letten, Partner, Butler Snow LLP,
New Orleans, LA

Panelists:
Joan E. McKown, Partner, Jones Day, Washington, DC
Ronald J. Tenpas, Partner, Morgan, Lewis &
Bockius LLP, Washington, DC

10:30 a.m. Break

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10:45 a.m. 1.00 hr | .25 hr ethics

**Internal Investigations: The Complexities
and Challenges of Multi-National Business
Operations**

In the wake of the recent federal investigations of Volkswagen/Audi, Petrobras and GSK it is more than obvious that the ramifications of a criminal investigation by the Department of Justice are far reaching, consequential and unpredictable. Being prepared to conduct an internal investigation that mitigates and/or defuses the potential fallout from such an investigation is an essential element of every corporate internal investigation practice. Hear practical advice and lessons learned from both in-house and outside counsel who have handled a multitude of these multi-national internal investigations.

Moderator:
Paul E. Pelletier, Partner, Pepper Hamilton LLP,
Washington, DC

Panelists:
Patrick J. Conlon, Compliance Coordinator and
Litigation Counsel, Exxon Mobil Corporation -
Houston, TX
Guy Singer, Partner, Orrick, Herrington & Sutcliffe LLP,
New York, NY
Hank Bond Walthers, Partner, Jones Day,
Washington, DC

11:45 a.m. .75 hr | .25 hr ethics

**The General Counsel and the Independent
Auditor: A Critical Relationship**

Hear tips for legal departments in interacting with independent auditors during an investigation—when do you disclose information, how do you speak with "one voice" with an auditor, and more.

Moderator:
Dale E. Barnes, Associate General Counsel, Deloitte,
San Francisco, CA

Panelists:
Danny S. Ashby, Partner, Morgan, Lewis & Bockius
LLP, Dallas, TX
Ira Raphaelson, Managing Member, Ira H Raphaelson
PLLC, Washington, DC
Todd C. Ranta, Partner, PwC, Dallas, TX

THURSDAY AFTERNOON

**Presiding Officer: Steve Korotash, Partner,
Morgan, Lewis & Bockius LLP, Dallas, TX**

NETWORKING LUNCHEON

12:30 p.m.

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

1:15 p.m. 1.00 hr | .25 hr ethics

**Financial Fraud Enforcement: Public
Companies, the SEC and the DOJ**

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,
Ankura Consulting Group, Washington, DC

Panelists:
Kit Addleman, Partner, Haynes and Boone, LLP, Dallas, TX
Michael F. Maloney, Chief Accountant, Division
of Enforcement, U.S. Securities and Exchange
Commission, Washington, DC
Benjamin D. Singer, Deputy Chief, Fraud Section,
U.S. Department of Justice, Washington, DC

2:15 p.m. 1.00 hr | .25 hr ethics

**False Claims Act: Key Considerations for the
General Counsel**

The Justice Department describes the False Claims Act as "the government's primary civil remedy to redress false claims for government funds and property under government programs and contracts" and recent changes in legislation, case law and government's enforcement priorities all point towards increased prosecution utilizing the False Claims Act. Understanding the heightened risks is imperative to keeping an organization out of harm's way or mitigating the damage when facing potential liability under the False Claims Act.

Moderator:
Robert Wagman, Partner, Bracewell, Washington, DC

Panelists:
Holly Clarke, Partner, FisherBroyles, LLP - Plano, TX
B. Scott McBride, Partner, Baker & Hostetler LLP,
Houston, TX
Susan Strawn, United States Attorney's Office,
Western District of Texas, San Antonio, TX

3:15 p.m. Break

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"Outstanding. Good substance. Knowledgeable faculty and genuine, well-prepared presentations."

"Excellent presentations and real-world advice. This is what UT Law CLE seminars do so well."

3:30 p.m. .75 hr

Reading Tea Leaves: Data Analytics and What Your Company's Numbers Are Telling the Government

David R. Woodcock, Partner, Jones Day, Dallas, TX
Scott W. Bauguess, Acting Chief Economist, U.S. Securities and Exchange Commission and Deputy Director, Division of Economic and Risk Analysis, U.S. Securities and Exchange Commission - Washington, DC

4:15 p.m. 1.00 hr

Handling Environmental Actions: The General Counsel's Perspective

Environmental laws and regulations range from the deeply technical to more prosaic record-keeping requirements. Many companies have substantial teams of environmental compliance specialists that combine deep legal and technical understanding without being lawyers. Hear where the General Counsel and outside counsel fit into this compliance and enforcement world.

Moderator:
Ronald J. Tenpas, Partner, Morgan, Lewis & Bockius LLP, Washington, DC

Panelists:
Roger Martella, General Counsel, GE, Boston, MA
Panelist TBD

5:15 p.m. Adjourn to Reception

NETWORKING RECEPTION

5:15 – 6:15 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

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FRIDAY MORNING, OCT. 27, 2017

Presiding Officer: Barrett Howell, Partner, Bracewell, Dallas, TX

8:30 a.m. 1.00 hr

Healthcare Enforcement Issues: Civil and Criminal Developments

An overview of current government healthcare enforcement priorities, including criminal prosecutions for healthcare fraud and the federal anti-kickback statute, as well as trends in civil False Claims Act cases.

Moderator:
Jeffrey J. Ansley, Partner, Bell Nunnally & Martin LLP, Dallas, TX

Panelists:
Audrey T. Andrews, Senior Vice President and General Counsel, Tenet Healthcare Corporation, Dallas, TX
Deborah Gordon, Chief Legal Officer, Memorial Hermann Health System, Houston, TX
Brandon Nelson McCarthy, Partner, Bracewell, Dallas, TX
Julie L. Nielsen, Director, Berkeley Research Group, LLC, Rocky Point, FL

9:30 a.m. 1.00 hr

FCPA: Perspectives from the Top

Hear insights into recent FCPA enforcement trends and major developments in FCPA enforcement in 2017, as well as the basics of the FCPA, and key takeaways from specific FCPA cases resolved in the last few years.

Moderator:
Charles E. Duross, Partner, Morrison & Foerster LLP, Washington, DC

Panelists:
Kara Novaco Brockmeyer, Partner, Debevoise & Plimpton, Washington, DC
Jason Rose, Enforcement Attorney, U.S. Securities and Exchange Commission, Fort Worth, TX

10:30 a.m. Break

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10:45 a.m. 1.00 hr | .50 hr ethics

Cybersecurity: Important Lessons in Breach Response

Data breach trends in 2017 show an increased sophistication of malware, increased targeting of corporate human resources information (W-2 and other personnel information), unique combinations of social engineering and technical subterfuge to acquire sensitive data for criminal monetization, and malicious damage caused by encryption attacks. It is increasingly difficult for businesses to protect their digital environment, and it is more important than ever before to plan for the inevitable. Hear some lessons learned from years of experience in this area, with an emphasis on proactive approaches to data security, including thorough preparation and a rapid response.

Moderator:
Sean B Hoar, CISSP, GISP, CIPP/US, Partner and Chair, Data Privacy & Cyber Security Practice, Lewis Brisbois, Portland, OR

Panelists:
Allen Burzen, Referral Partner Manager, AllClear ID, Austin, TX
Shamoi T. Shipchandler, Regional Director, Fort Worth Regional Office, U.S. Securities and Exchange Commission, Fort Worth, TX
J. Andrew Valentine, Associate Managing Director, Cybersecurity and Investigations, Kroll, Dallas, TX

11:45 a.m. 1.00 hr | .50 hr ethics

The General Counsel and the Compliance Function: A Marriage Made In...

A discussion of how legal, risk, compliance, internal audit, and external audit functions interact in different enterprises, with a focus on governance, ethical, and privilege issues that are mitigated or created by various structures.

Moderator:
Patrick K. Craine, Deputy General Counsel, Chief Risk and Compliance Officer, Chesapeake Energy Corporation, Oklahoma City, OK

Panelists:
Clay B. Scheitzach, Associate General Counsel and Chief Compliance Officer, Conduent, Dallas, TX
Panelist TBD

12:45 p.m. Adjourn

REASONS TO ATTEND THE GOVERNMENT ENFORCEMENT INSTITUTE

The University of Texas School of Law's **4th Annual Government Enforcement Institute (UTGEI)** is one of the premier enforcement programs in the country.

The Institute brings together a nationally recognized faculty to discuss key issues and strategies for protecting companies and executives in government investigations. It provides a unique collegial forum for in-house counsel and practitioners to engage with high-level current and former government officials from the SEC, DOJ, and other authorities with an enforcement mandate. This year's program features presentations by top current and former officials, as well as General Counsel from major companies including:

- Keynote Presentation by **Benjamin D. Singer**, Deputy Chief of the DOJ's Fraud Section
- **Audrey T. Andrews**, SVP and GC for Tenet Healthcare Corporation
- **Kara Novaco Brockmeyer**, Partner with Debevoise & Plimpton, and former Chief of the SEC Enforcement Division's FCPA Unit

- **Patrick K. Craine**, Deputy GC and Chief Risk and Compliance Officer for Chesapeake Energy Corporation
- **Charles E. Duross**, Partner with Morrison & Foerster LLP, and former Deputy Chief of the DOJ's Fraud Section
- **Jason S. Flemmons**, Sr. Managing Director with Ankura Consulting Group, and former Deputy Chief Accountant for the SEC's Division of Enforcement
- **Jim Letten**, Senior Counsel with Butler Snow LLP, and longest consecutively-serving U.S. Attorney
- **Michael F. Maloney**, Chief Accountant for the SEC's Division of Enforcement
- **Paul E. Pelletier**, Partner with Pepper Hamilton LLP, and former Principal Deputy Chief of the DOJ's Fraud Section
- **Shamoi T. Shipchandler**, Regional Director of the SEC's Fort Worth Office

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Acting Chief Economist, U.S. Securities and Exchange
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Economic and Risk Analysis, U.S. Securities and
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U.S. Securities and Exchange Commission
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SHAMOIL T. SHIPCHANDLER

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BENJAMIN D. SINGER

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RONALD J. TENPAS

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Morgan, Lewis & Bockius LLP
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J. ANDREW VALENTINE

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*Dietary requirements or Accessibility needs?
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GOVERNMENT ENFORCEMENT INSTITUTE ACCREDITATION

CALIFORNIA—11.00 hrs | 2.00 hrs ethics
The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944).

LOUISIANA—11.00 credits | 2.00 credits ethics
This course has been approved for 11.00 credits, including 2.00 Ethics credits by the Committee on Mandatory Continuing Legal Education of the Supreme Court of Louisiana.

NEW JERSEY—13.00 hrs | 2.50 hrs ethics
As The University of Texas School of Law is a State Bar of Texas approved MCLE provider (Sponsor #13), our courses are presumptively approved for MCLE credit based on a 50-minute credit hour, and in accordance with the Regulations of the Supreme Court of New Jersey Board on Continuing Legal Education.

NEW YORK—13.00 hrs | 2.50 hrs ethics
As The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), our courses are presumptively approved for MCLE credit based on a 50-minute credit hour, and in accordance with the Program Rules and the Regulations and Guidelines of the New York State Bar Association.

OHIO—10.50 hrs | 2.00 hrs ethics
This course has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 10.50 total CLE hours, with 2.00 of attorney professional conduct instruction.

OKLAHOMA—13.00 hrs | 2.50 hrs ethics
This course has been approved for Minimum Continuing Legal Education credit by the Oklahoma Bar Association in the amount of 13.00 hours, of which 2.50 hours will apply to legal ethics credit.

TEXAS—11.00 hrs | 2.00 hrs ethics
This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 11.00 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit.

TX Legal Specialization credit approved for Administrative Law, Civil Appellate Law, Civil Trial Law, Criminal Appellate Law, and Criminal Law.

OTHER STATES

Many jurisdictions accept conferences offered by The University of Texas School of Law, and approved by the State Bar of Texas, for CLE credit. Please check with your jurisdiction's regulatory authority. A Certificate of Attendance and credit reporting documentation will be provided at the conference.

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REGISTRATION—Includes Electronic Course Materials, Thursday Networking Luncheon, and Thursday Evening Reception

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- In-House Counsel registration by October 18, 2017 \$425
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Printed course binder available for an additional fee through October 18, 2017

Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase" at www.utcle.org.

- Printed Course Binder. \$37.89
Price includes 8.25% Sales Tax
- Printed Course Binder for tax exempt registrants \$35
(e.g., government employees and nonprofits)

ECONFERENCE—For Texas MCLE Credit

Complete eConference package includes all conference materials for download from "Your Briefcase" at www.utcle.org. Available 6–8 weeks after the live conference date.

- Individual eConference \$575
Call 512.475.6700 to register additional participants.

COMPLETE CONFERENCE MATERIALS[†]—For Research and Self-Study

Comprehensive Binder and Audio products from the live conference. Available for delivery 4–6 weeks after conference date. Shipping included.

- eBinder Download (PDF) \$225
- Printed Binder. \$275
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HOUSTON

October 26–27, 2017

CONFERENCE LOCATION



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Parking:

Daily Self-Parking: \$10
Overnight Self-Parking: \$14
Valet Parking: \$30
(subject to change)

KEY DATES

October 18, 2017

last day for early registration
add \$50 for registrations
received after this time

October 20, 2017

last day for cancellation (full refund)

October 23, 2017

last day for cancellation (partial refund)
\$50 processing fee applied

October 26, 2017, 8:50 a.m.

Institute begins

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