

# 4<sup>th</sup> Annual Government Enforcement Institute

## October 26-27, 2017 • Hotel Derek • Houston, TX

### Thursday Morning, Oct. 26, 2017

**Presiding Officer:**

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

8:00 am	<p><b>Registration Opens</b></p> <p>Includes continental breakfast.</p>
8:50 am	<p><b>Welcoming Remarks</b></p>
9:00 am 0.50 hr	<p><b>Opening Keynote Presentation</b></p> <p>Benjamin D. Singer, Deputy Chief, Fraud Section, U.S. Department of Justice - Washington, DC</p>
9:30 am 1.00 hr	<p><b>The Administration's Shifting Priorities: What's Hot, What's Not, and What You Need to Know</b></p> <p>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.</p> <p>Moderator: Jim Letten, Partner, Butler Snow LLP - New Orleans, LA</p> <p>Panelist: Ronald J. Tenpas, Partner, Morgan, Lewis &amp; Bockius LLP - Washington, DC Sarah Levine, Jones Day - Washington, DC</p>
10:30 am	<p><b>Break</b></p> <p><i>Sponsored by Ankura Consulting Group</i></p>
10:45 am 1.00 hr 0.25 hr ethics	<p><b>Internal Investigations: The Complexities and Challenges of Multi-National Business Operations</b></p> <p>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.</p> <p>Moderator: Paul E. Pelletier, Partner, Pepper Hamilton LLP - Washington, DC</p> <p>Panelist: Patrick J. Conlon, Compliance Coordinator and Litigation Counsel, Exxon Mobil Corporation - Houston, TX Hank Bond Walther, Partner, Jones Day - Washington, DC Kelly Thorman, Senior Managing Counsel, Global Compliance, Parker Drilling - Houston, TX</p>

11:45 am  
0.75 hr  
0.25 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, Oct. 26, 2017**

**Presiding Officer:**

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

12:30 pm

**Networking Luncheon**

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

1:15 pm  
1.00 hr  
0.25 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

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

Michael F. Maloney, Chief Accountant, Division of Enforcement, U.S. Securities and Exchange Commission - Washington, DC

2:15 pm  
1.00 hr  
0.25 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:

B. Scott McBride, Partner, Baker & Hostetler LLP - Houston, TX

Susan Strawn, United States Attorney's Office, Western District of Texas - San Antonio, TX

Afsheen S. Davis, Director, Legal Department and Deputy General Counsel, Texas Children's Hospital - Houston, TX

3:15 pm

**Break**

*Sponsored by Ankura Consulting Group*

<p>3:30 pm 0.75 hr</p>	<p><b>Reading Tea Leaves: Data Analytics and What Your Company's Numbers Are Telling the Government</b></p> <p>David R. Woodcock, Partner, Jones Day - Dallas, TX  Scott W. Bauguess, Deputy 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</p>
<p>4:15 pm 1.00 hr</p>	<p><b>Handling Environmental Actions: The General Counsel's Perspective</b></p> <p>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.</p> <p>Moderator:  Ronald J. Tenpas, Partner, Morgan, Lewis &amp; Bockius LLP - Washington, DC  Richard Byrne, ExxonMobil Pipeline Company - Houston, TX  Roger Martella, General Counsel, GE - Boston, MA</p>
<p>5:15 pm</p>	<p><b>Adjourn to Reception</b></p> <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p> <p><b>Thank You to Our Sponsor</b>  Butler Snow LLP</p>

## Friday Morning, Oct. 27, 2017

### Presiding Officer:

**Barrett R. Howell**, Partner, Bracewell - Dallas, TX

<p>8:30 am 1.00 hr</p>	<p><b>Healthcare Enforcement Issues: Civil and Criminal Developments</b></p> <p>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.</p> <p>Moderator:  Jeffrey J. Ansley, Partner, Bell Nunnally &amp; Martin LLP - Dallas, TX</p> <p>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</p>
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<p>9:30 am 1.00 hr</p>	<p><b>FCPA: Perspectives from the Top</b></p> <p>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.</p> <p>Moderator: Charles E. Duross, Partner, Morrison &amp; Foerster LLP - Washington, DC</p> <p>Panelists: Kara Novaco Brockmeyer, Partner, Debevoise &amp; Plimpton - Washington, DC Jason Rose, Enforcement Attorney, U.S. Securities and Exchange Commission - Fort Worth, TX</p>
<p>10:30 am</p>	<p><b>Break</b></p> <p><i>Sponsored by Ankura Consulting Group</i></p>
<p>10:45 am 1.00 hr 0.50 hr ethics</p>	<p><b>Cybersecurity: Important Lessons in Breach Response</b></p> <p>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.</p> <p>Moderator: Sean B. Hoar, CISSP, GISP, CIPP/US, Partner and Chair, Data Privacy &amp; Cyber Security Practice, Lewis Brisbois - Portland, OR</p> <p>Panelists: Allen Burzen, Referral Partner Manager, AllClear ID - Austin, TX Shamoil 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</p>
<p>11:45 am 1.00 hr 0.50 hr ethics</p>	<p><b>The General Counsel and the Compliance Function: A Marriage Made In...</b></p> <p>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.</p> <p>Moderator: Patrick K. Craine, Deputy General Counsel, Chief Risk and Compliance Officer, Chesapeake Energy Corporation - Oklahoma City, OK</p> <p>Panelists: Brent Benoit, Chief Compliance Officer, National Oilwell Varco - Houston, TX Clay B. Scheitzach, Associate General Counsel and Chief Compliance Officer, Conduent - Dallas, TX</p>
<p>12:45 pm</p>	<p><b>Adjourn</b></p>