

5<sup>TH</sup> ANNUAL  
**GOVERNMENT ENFORCEMENT  
INSTITUTE**

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



September 20–21, 2018  
The Westin Dallas Downtown ■ Dallas, Texas



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5<sup>TH</sup> ANNUAL  
**GOVERNMENT ENFORCEMENT INSTITUTE**

September 20–21, 2018 ■ The Westin Dallas Downtown ■ Dallas, Texas

CO-CHAIRS: Steve Korotash and Barrett R. Howell

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Texas Legal Specialization Approved for Administrative Law, Civil Appellate Law, Civil Trial Law, Criminal Appellate Law, and Criminal Law

13.20 Hours of CPE Credit Available (TX Accounting CPE)

**THURSDAY MORNING, SEP. 20, 2018**

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

**7:30 a.m. Registration Opens**  
Includes continental breakfast.

**THANK YOU TO OUR SPONSOR**



**8:20 a.m. Welcoming Remarks**

**8:30 a.m. .50 hr**  
**Opening Keynote Presentation**

Stephanie Avakian, Co-Director, Division of Enforcement, U.S. Securities and Exchange Commission, Washington, DC

**9:00 a.m. 1.00 hr**  
**In-House Perspective: Changes in the Enforcement Space**

The panel explores the changes detected in the new administration's enforcement and regulatory priorities, and discuss the implications that any shifts in emphasis may have for corporations and executives.

**Moderator:**  
Kit Addleman, Partner, Haynes and Boone, LLP, Dallas, TX

**Panelists:**  
Audrey T. Andrews, Senior Vice President and General Counsel, Tenet Healthcare Corporation, Dallas, TX  
Leonard C. Sherer, Vice President, Associate General Counsel – Employment & Compliance, Sabre Corporation, Southlake, TX  
Richard C. Vint, Assistant General Counsel, Corporate and Compliance, Exxon Mobil Corporation, Irving, TX

**10:00 a.m. Break**

**10:15 a.m. 1.00 hr | .50 hr ethics**

**Effective Management of Internal Investigations**

Hear practical considerations for scoping, conducting, and managing internal investigations. The discussion focuses on working with Audit Committees and collaborating with external counsel when responding to government inquiries, potential whistleblowers, and other complaints, with particular emphasis on achieving cost effectiveness and ethical considerations.

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

**Panelists:**  
Brent Benoit, Vice President, Chief Compliance Officer, National Oilwell Varco, Houston, TX  
Kurt Drake, Vice President, Chief Ethics and Compliance Office, Kimberly-Clark Corporation, Irving, TX  
Additional Panelist TBD

**11:15 a.m. 1.00 hr**

**Financial Fraud Enforcement Trends: A Conversation with the SEC and DOJ**

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

**Moderator:**  
Jason S. Flemmons, Senior Managing Director, Ankura Consulting Group, Washington, DC

**Panelists:**  
Brian K. Kidd, Assistant Chief, Securities and Financial Fraud Unit, U.S. Department of Justice, Washington, DC  
Benjamin D. Singer, Partner, O'Melveny & Myers LLP, Washington, DC  
Eric R. Werner, Associate Regional Director, U.S. Securities and Exchange Commission, Fort Worth, TX

**THURSDAY AFTERNOON**

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

**LUNCHEON with Remembrance and Tribute to Scott W. Friestad**

**12:15 p.m.**

Please join us as we remember the life, career and accomplishments of Scott Friestad, a long-serving associate director of the SEC's enforcement division. Scott's memory provides a shining example of all that's best in public service. He was a member of the Institute's planning committee and a frequent panelist at our conference.

**THANK YOU TO OUR LUNCH SPONSOR**



**1:00 p.m. 1.00 hr | .75 hr ethics**

**International Enforcement and Investigations**

Review the latest international developments concerning various governments' enforcement efforts and hear updates on key substantive issues such as cross-border discovery and privilege issues. In addition, the panel offers insights regarding GDPR considerations.

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

**Panelists:**  
Casey Kaplan, Assistant General Counsel - Litigation and Investigations, NIKE, Inc., Beaverton, OR  
Jason Rose, Enforcement Attorney, U.S. Securities and Exchange Commission, Fort Worth, TX  
Kelly Thorman, Senior Managing Counsel, Global Compliance, Parker Drilling, Houston, TX

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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 3.25 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#179).

2:00 p.m. 1.00 hr | .25 hr ethics

### Whistleblower Developments and Current Best Practices

An exploration of the myriad challenges posed for companies by whistleblowers, as well as viable strategies for successfully negotiating the difficult obstacles presented.

**Moderator:**

Kevin Edmundson, Partner, Brophy Edmundson Shelton & Weiss PLLC, Austin, TX

**Panelists:**

Ann Marie Arcadi, Arcadi Jackson, LLP, Dallas, TX  
Sean X. McKessy, Partner, Phillips & Cohen LLP, Washington, DC  
Jordan A. Thomas, Partner, Labaton Sucharow LLP, New York, NY

3:00 p.m. Break

3:15 p.m. 1.00 hr

### Coping with Data Management: Tips for In-House Counsel

Penny wise but pound foolish? Learn how to avoid common pitfalls with e-discovery and data management during internal investigations and litigation. Hear discussion on topics relating to data retention, outsourcing, collaboration, technology assisted review, and cost management.

**Moderator:**

Todd C. Ranta, Partner, PwC, Dallas, TX

**Panelists:**

Kevin M. Clark, Litigation Support Manager, Thompson & Knight LLP, Dallas, TX  
Jeaneen M. Kappell, Associate, Morgan, Lewis & Bockius LLP, Dallas, TX  
Richard T. Robinson, eDiscovery and Information Manager, JCPenney, Plano, TX  
Eric J. Schwarz, Principal eDiscovery Services, Ernst & Young LLP, Dallas, TX

4:15 p.m. 1.00 hr

### Continuity of Operations Following Disasters: Confronting Legal Challenges in Energy, Law Enforcement, Environment, Commerce and Beyond

**Moderator:**

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

**Panelists:**

Nadira Clarke, Partner, Katten Muchin Rosenman LLP, Washington, DC  
Additional 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.

#### THANK YOU TO OUR SPONSOR

**BUTLER SNOW**

FRIDAY MORNING, SEP. 21, 2018

#### Presiding Officer:

**Barrett R. Howell, Katten Muchin Rosenman LLP, Dallas, TX**

8:00 a.m. Conference Room Opens

Includes continental breakfast.

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**BAKER BOTTS**

9:00 a.m. .50 hr

#### Meet the New U.S. Attorney

A conversation with the United States Attorney for the Northern District of Texas, sworn in on November 17, 2017, on current priorities and processes.

Erin Nealy Cox, U.S. Attorney, Northern District of Texas, U.S. Department of Justice, Dallas, TX

**Commentator:**

Paul E. Coggins, Partner, Locke Lord LLP, Dallas, TX

9:30 a.m. 1.00 hr ethics

#### Ethical Considerations in Government Investigations

More often than not, white collar practitioners find themselves in gray areas implicating ethics obligations without a road map or precedential case law. Explore some of these difficult situations.

**Moderator:**

Jay Dewald, Partner, Jackson Walker LLP, Dallas, TX

**Panelists:**

David Peavler, Vice President and General Counsel, H.D. Vest, Inc., Irving, TX  
Gil M. Soffer, Managing Partner, Katten Muchin Rosenman LLP, Chicago, IL

10:30 a.m. Break

#### E-CONFERENCE AVAILABLE

Can't attend the Institute in person this year? While nothing can replace the experience and networking opportunities of the live event, you can still catch up on all the latest enforcement developments with the video eConference, available 6-8 weeks following the conference. Pre-order yours today!

#### RESEARCH AND SELF-STUDY

Did you know that the quality presentations and papers attendees receive at our conferences are available for self-study as part of our eLibrary? Purchase individual pieces a la cart or subscribe annually for just \$295. See the Registration Form or email [service@utcle.org](mailto:service@utcle.org) for more details.

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

#### False Claims Act Developments

A look at the implications of newly-issued Justice Department memoranda—the Granston and Brand Memos—as well as updates in the law and the government's enforcement efforts in connection with the False Claims Act.

**Moderator:**

Danny S. Ashby, Partner, Morgan, Lewis & Bockius LLP, Dallas, TX

**Panelists:**

Christopher Babbitt, Partner, WilmerHale, Washington, DC  
Scott Hogan, Civil Chief, Northern District of Texas, U.S. Department of Justice, Dallas, TX  
Susan Strawn, Assistant US Attorney, United States Attorney's Office, Western District of Texas, San Antonio, TX

11:45 a.m. 1.00 hr | .25 hr ethics

#### Cybersecurity: The Latest Strategies for Responding to Ransomware and Other Cybersecurity Incidents

An examination of ransomware, business email compromises, insider threats, and other prominent cybersecurity threat vectors and vulnerabilities, as well as best practices and recommendations from a government enforcement perspective for addressing threats and minimizing liability.

**Moderator:**

Richard J. Johnson, Partner, Jones Day, Dallas, TX

**Panelists:**

Wendy Elsa Bozzolasco, Deputy Chief Ethics and Compliance Officer, Director Global Litigation, SunPower, Austin, TX  
Miguel Clarke, Special Agent, Federal Bureau of Investigation, Dallas, TX  
Chad M. Pinson, Executive Vice President, Stroz Friedberg, Dallas, TX  
Shamoi T. Shipchandler, Director, Fort Worth Regional Office, U.S. Securities and Exchange Commission, Fort Worth, TX

12:45 p.m. Adjourn

#### OVER THREE HOURS OF ETHICS!

UT Law CLE knows how important your ethics hours are, and it knows how challenging it can be to find interesting, engaging programming. This year's Institute includes 3.25 hours of ethics so you can easily meet your Texas MCLE ethics requirement at one of the premier enforcement programs in the country. Register today!

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### Fax:

512.475.6876

Questions? 512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or [service@utcle.org](mailto:service@utcle.org) at least 10 business days prior to the institute.

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**Before the Institute:** Access course materials—downloadable PDFs of papers and slides—and speaker and attendee roster in "Your Briefcase" approximately 48 hours before the live event.

**After the Institute:** Unlimited access to final, complete course materials—downloadable PDFs of papers and slides—in "Your Briefcase."

**eConference:** Complimentary access to the eConference—with papers, slides, and video—for CLE credit (TX and CA) you may have missed at the live conference. Available in "Your Briefcase" 6–8 weeks after the live event.

**TX MCLE Credit Reporting:** UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track your Texas MCLE credit claimed and reported through UT Law CLE in "Your Account."

**Your Account:** Activate "Your Account" online at [www.utcle.org](http://www.utcle.org). Your UT Law CLE Account is created for you as a first-time conference registrant (mail and fax registrations) with the email address(es) provided.

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### eConference

The online eConference includes papers, slides, and video—and CLE credit (TX and CA)—from this year's live institute. Available in "Your Briefcase" through the user's account at [www.utcle.org](http://www.utcle.org) 6–8 weeks after the live event.

### Comprehensive Course Binders

Containing papers and slides from the live event, eBinders are available for download and printed binders can be ordered for delivery 4–6 weeks after the event date. Shipping included.

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

Special group registration rates available. Call 512.475.6700.

#### Select Registration Type

- Individual registration by September 12 . . . . . \$625
- Individual registration after September 12 . . . . . \$675
- In-House Counsel/Industry registration by September 12 . . . . . \$425
- In-House Counsel/Industry registration after September 12 . . . . . \$475
- Government Attorney registration by September 12 . . . . . \$425
- Government Attorney registration after September 12 . . . . . \$475

#### Printed course binder available for an additional fee through September 12

*Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase" at [www.utcle.org](http://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)*

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##### Printed Course Binder<sup>†</sup>—For Research and Self-Study

Comprehensive Binder with papers and slides from the live event. Available for delivery 4–6 weeks after conference date. Shipping included.

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**DALLAS**

September 20–21, 2018

**CONFERENCE LOCATION**



**The Westin Dallas Downtown**  
1201 Main Street  
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972.584.6650  
1.800.228.3000 (reservations)

**Special Room Rate: \$199**  
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(subject to availability)

**Parking:**  
Self-parking \$8 daily; \$15 overnight  
Valet \$12 daily; \$30 overnight  
(subject to change)

**KEY DATES**

**September 12, 2018**

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

**September 14, 2018**

*Last day for full refund cancellation*

**September 17, 2018**

*Last day for partial refund cancellation*  
\$50 processing fee applied

**September 20, 2018 8:20 a.m.**

*Institute begins*

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- The nation's most prominent authorities speaking about key issues and strategies for protecting companies and executives in government investigations.
- Opening Keynote Presentation by Stephanie Avakian, Co-Director of the SEC's Division of Enforcement.
- In-depth, practical and timely discussions on a variety of topics.
- Invaluable networking opportunities to interact with speakers and attendees, including the Thursday Networking Luncheon and Evening Reception.