

9th Annual Government Enforcement Institute
September 28-29, 2023 • Hotel ZaZa Dallas Uptown • Dallas, TX

Thursday Morning, Sep. 28, 2023

Presiding Officer:

Steve Korotash, Dallas, TX

7:20 am	<p>Registration Opens</p> <p>Includes continental breakfast.</p> <p>Thank You to Our Breakfast Sponsor</p> <p style="text-align: center;">HAYNES BOONE</p>
8:20 am	<p>Welcoming Remarks</p>
8:30 am 1.00 hr	<p>Meet the New U.S. Attorneys</p> <p>Get to know some of the new U.S. Attorneys and hear from all four Texas U.S. Attorney's offices on their offices' priorities and challenges, including in the white-collar realm, and more.</p> <p>Moderator: Ryan Patrick, Partner, Haynes Boone, LLP - Houston, TX</p> <p>Panelists: Jaime Esparza, United States Attorney, U.S. Attorney's Office, Western District of Texas - El Paso, TX Damien Diggs, United States Attorney, U.S. Attorney's Office, Eastern District of Texas - Beaumont, TX Jennifer Lowery, First Assistant, U.S. Attorney's Office, Southern District of Texas - Houston, TX Leigha Simonton, United States Attorney, U.S. Attorney's Office, Northern District of Texas - Dallas, TX</p>
9:30 am 1.00 hr	<p>DOJ Hot Topics and Recent Developments</p> <p>Panelists discuss recent enforcement trends by the DOJ and how announced priorities are playing out in the real world.</p> <p>Moderator: Jennifer S. Freel, Partner, Jackson Walker LLP - Austin, TX</p> <p>Panelists: Hon. Gregg J. Costa, Partner, Gibson, Dunn & Crutcher LLP - Houston, TX Tiffany Eggers, Chief, Criminal Division, United States Attorney's Office, Northern District of Texas - Fort Worth, TX Lisa Miller, Deputy Assistant Attorney General, U.S. Department of Justice - Washington, DC Ephraim "Fry" Wernick, Partner, Vinson & Elkins LLP - Washington D.C. and Dallas, TX</p>

10:30 am

15-Minute Break

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10:45 am
1.00 hr

Current Compliance Trends and Issues

This panel discusses select current issues impacting compliance programs including recent DOJ and SEC guidance, generative AI, and evolving risks.

Moderator:

D. Dee Raibourn III, Chief Compliance Officer, Avidity Partners - Dallas, TX

Panelists:

Eric F. Hinton, Southern Methodist University Dedman School of Law - Dallas, TX

Elizabeth Jones, Senior Managing Director, FTI Consulting, Inc. - Dallas, TX

Betty Ellsworth Ungerman, Lennox International Inc. - Richardson, TX

11:45 am
0.75 hr

Executive Compensation, Claw Backs, and Other Compensation Concerns

Gain practical guidance surrounding the recent SEC Clawback Rule, NYSE/Nasdaq listing requirements, DOJ guidance, enforcement actions, and potential unintended consequences.

Moderator:

Patrick K. Craine, Chief Legal and Administrative Officer, Gulfport Energy Corporation - Oklahoma City, OK

Panelists:

Brooke Hopkins, Managing Director, AlixPartners - Dallas, TX

Vanessa Salinas Beckstrom, Partner, PwC - Dallas, TX

Sarah S. Mallett, Assistant Director, U.S. Securities and Exchange Commission - Fort Worth, TX

Thursday Afternoon, Sep. 28, 2023

Presiding Officer:

Todd C. Ranta, PwC - Dallas, TX

12:30 pm

Networking Luncheon (45 Minutes)

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<p>1:15 pm 1.00 hr 0.50 hr ethics</p>	<p>Judicial Panel</p> <p>Learn about the decisions that determine our client’s lives from the judges who preside over our trials and settlements. What is expected from the defense and the prosecution? What do we do that works (and doesn’t work)? Hear insights on jury selection through sentencing from this highly distinguished panel.</p> <p>Moderator: David Gerger, Partner, Gerger Hennessy & Martin LLP - Houston, TX</p> <p>Panelists: Hon. Ada Brown, U.S. District Court, Northern District of Texas - Dallas, TX Hon. Reed O'Connor, U.S. District Court, Northern District of Texas - Fort Worth, TX Hon. Karen Gren Scholer, U.S. District Court, Northern District of Texas - Dallas, TX</p>
<p>2:15 pm 1.00 hr 0.25 hr ethics</p>	<p>Doing Business Extraterritorially</p> <p>In a world of increasing international opportunities, the risks associated with pursuing business across borders also continue to rise. Both public and private multinational companies and their executives are facing heightened concern over potential regulatory inquiries and enforcement actions related to anti-money laundering, the FCPA and global anti-corruption, and export controls and sanctions laws. This session discusses recent enforcement trends and practical compliance strategies for mitigating business and legal risks in this ever-changing environment.</p> <p>Moderator: Charles E. Duross, Partner, Morrison & Foerster LLP - Washington, DC</p> <p>Panelists: Brent Benoit, Vice President, Chief Compliance Officer, NOV, Inc. - Houston, TX Samantha Martin, Assistant Regional Director, U.S. Securities and Exchange Commission - Fort Worth, TX Michelle Schulz, Managing Partner, Schulz Trade Law PLLC - Dallas, TX Bernard Woolfley, Senior Managing Director, Ankura Consulting Group - Washington, DC</p>
<p>3:15 pm</p>	<p>15-Minute Break</p>
<p>3:30 pm 1.00 hr 0.50 hr ethics</p>	<p>False Claims Act Developments</p> <p>The U.S. Department of Justice describes the False Claims Act as one of its most important tools to fight fraud. Yet, no statute is under greater scrutiny by the Courts, Congress, or Counsel. Two momentous decisions from the U.S. Supreme Court this year, along with other important appellate court decisions, have significantly altered this enforcement landscape. Our panelists discuss the most recent decisions and the practical effects on their practices.</p> <p>Moderator: Jay Dewald, Partner, Norton Rose Fulbright - Dallas, TX</p> <p>Panelists: Danny S. Ashby, Partner, O'Melveny - Dallas, TX Holly Clarke, Head of Legal Defense, GKN Aerospace - Westlake, TX Taryn McDonald, Partner, Haynes Boone, LLP - Dallas, TX</p>
<p>4:30 pm 1.00 hr 0.50 hr ethics</p>	<p>In-House Counsel Panel</p> <p>The panel explores current enforcement and regulatory priorities and their implications for corporations and executives.</p> <p>Moderator: David R. Woodcock, Partner, Gibson Dunn - Dallas, TX</p> <p>Panelists: Arielle Tobin, Director - Risk and Regulatory Legal Group, Charles Schwab & Co., Inc. - Westlake, TX Kelly Vickers, Associate General Counsel--International and Regulatory, Kimberly Clark Corp. - Irving, TX John C. Wander, General Counsel and Corporate Secretary, Talen Energy - Houston, TX Bruce Wark, Senior Vice President and Deputy General Counsel, American Airlines Inc. - Fort Worth, TX</p>

5:30 pm

Adjourn to Networking Reception

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

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Friday Morning, Sep. 29, 2023

Presiding Officer:

Kit Addleman, Haynes Boone, LLP - Dallas, TX

8:30 am

Conference Room and Breakfast Opens

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9:00 am
0.50 hr

Fireside Chat with David Hirsch

The current head of the SEC Enforcement Division's Crypto Assets and Cyber Unit sits down with his former colleague for a fireside chat to discuss hot topics in both the crypto asset and cybersecurity enforcement arena.

David L. Hirsch, Chief, Crypto Assets and Cyber Unit, Division of Enforcement, U.S. Securities and Exchange Commission - Washington, DC

Moderator:

Scott Mascianica, Partner, Holland & Knight LLP - Dallas, TX

9:30 am
1.00 hr

SEC Developments and Current Priorities

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

Moderator:

Steve Richards, Senior Managing Director, Ankura Consulting Group - Washington, DC

Panelists:

Lara Shalov Mehraban, Partner, Sidley - Austin, TX

David Peavler, Partner, Jones Day - Dallas, TX

Eric R. Werner, Regional Director, U.S. Securities and Exchange Commission - Fort Worth, TX

10:30 am

15-Minute Break

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Vinson & Elkins LLP

10:45 am
1.00 hr

Exploring the Expansion of Criminal Antitrust Enforcement and What Recent Criminal Investigations and Trials Tell Us About the Government's Tools, Tactics, and Targets

Panelists discuss the expansion of criminal antitrust enforcement and recent investigations that delve into the government's tools, tactics and targets.

Moderator:

Jennifer McCoy, Locke Lord LLP - Dallas, TX

Panelists:

Edwin Buffmire, Partner, Jackson Walker LLP - Dallas, TX

Emma Burnham, Acting Director of Criminal Enforcement for the Antitrust Division, U.S. Department of Justice - Washington, DC

Richard A. Powers, Partner, Fried Frank - New York, NY

11:45 am
1.00 hr ethics

Ethical Issues in Government Enforcement Cases

This panel explores some of the ethical and practical considerations to be confronted when our clients face government enforcement. Audience participation is encouraged as the panel tackles issues like data preservation, conflicts of interest, joint representation, parallel investigations, cooperation, reporting known violations, and independent investigation counsel turned defense counsel.

Moderator:

Jessica B. Magee, Partner, Holland & Knight - Dallas, TX

Panelists:

Chris Davis, Partner, Gray Reed - Dallas, TX

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

Matthew G. Nielsen, Partner, Bracewell LLP - Dallas, TX

12:45 pm

Adjourn