

THE COMPANY IN CRISIS: TALKING TO INVESTORS, REGULATORS AND THE MEDIA

**GOVERNMENT ENFORCEMENT
INSTITUTE**

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PANELISTS

Moderator:

- Audrey T. Andrews, SVP and General Counsel, Tenet Healthcare Corporation, Dallas, TX

Panelists:

- Kit Addleman, Partner, Haynes and Boone, LLP, Dallas, TX
- Paul A. Castanon, VP, Deputy General Counsel and Secretary, Tenet Healthcare Corporation, Dallas, TX
- Paul E. Coggins, Partner, Locke Lord LLP, Dallas, TX
- Erik Hotmire, Partner, Brunswick Group, LLP, Washington, DC

OUTLINE OF DISCUSSION

- Preparing for an emergency and potential crisis
- Identifying the problem and determining the crisis
- Managing the crisis and communications
 - Internally to management and the Board
 - Shareholders, customers, other stakeholders
 - Government regulators

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MAJOR RISK AREAS

- Conduct a Vulnerability Audit/Assessment
- Identify likely or potential risks your company faces
- Get departmental input on potential vulnerabilities
- What could disrupt the business?
- Short-term and long-term
- Look to issues facing competitors
- Look to what's in the news
- Review/analyze past crises faced

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POSSIBLE CRISIS EVENTS

- Types of crises covered by the plan could include:
 - Consumer/environmental advocacy group attacks
 - Consumer injuries/fatalities
 - Criminal allegations
 - Cybersecurity breaches or data theft
 - Employee injuries/fatalities
 - Executive/employee misbehavior
 - Financial difficulties
 - Government investigations (ongoing or concluded with sanctions)
 - Leadership departures and changes
 - Man-made or natural disasters
 - Media investigations
 - Litigation (actual or threatened)
 - Product deficiencies/recalls
 - Social media slip-ups
 - Whistleblower allegations

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OUR LITTLE COMPANY!

- DFW-based Food Manufacturing and Distribution Co.
 - Publicly traded company
 - Primarily manufacturers snack packs
 - Product is geared towards children
 - Includes small toys manufactured by a subsidiary in China

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