



Reserve Your Space at the
**Seventh National Institute
on Internal Corporate
Investigations and Forum
for In-House Counsel**

April 27-29, 2016
ABA DC Office
1050 Connecticut Ave. NW
Washington, DC 20036



Seventh National Institute on Internal Corporate Investigations and Forum for In-House Counsel

To register, visit
www.ambar.org/2016ici

Program Description

The Seventh National Institute on Internal Corporate Investigations will provide practitioners with expert advice on current topics of interest to regulators, legislators, business leaders, general counsel, and other stakeholders. Using a risk-based approach, this Institute will concentrate on emerging issues.

The upcoming Institute will provide a special emphasis on:

- Establishing and Managing In-House Investigation and Compliance Functions
- Regulators' Roundtable: The Latest in Government Enforcement
- Hot Issues in Compliance
- Crisis Management
- Cross Border Investigations

Join the conversation with #ABAICI16

ABA CLE National Institutes bring you face-to-face with nationally recognized experts on substantive topics — often while fulfilling most of your annual CLE requirements.

Register Now and Save!

	Advance Rate Effective March 29, 2016	Standard Rate Effective March 30, 2016
General Public	\$1,100	\$1,240
ABA Members	\$935	\$1,050
Criminal Justice Section Members	\$825	\$930
Business Law Section Members	\$825	\$930
Health Law Section Members	\$825	\$930
Government Lawyers	\$475	\$515

Fees do not include travel or lodging.

Presented by

Criminal Justice Section
Business Law Section
Health Law Section

Platinum Sponsor



Earn up to 11.75 CLE Credits

Not an ABA Member?
Join Now!
www.ambar.org/join

Faculty

Joel M. Androphy

Berg & Androphy
Houston, TX

Meredith S. Auten

Morgan, Lewis & Bockius LLP
Philadelphia, PA

Stephanie Avakian

Deputy Director of
Enforcement
*Securities and Exchange
Commission*
Washington, DC

Theodore L. Banks

Scharf Banks Marmor LLC
Chicago, IL

Elise J. Bean

Co-Interim Director
*Wayne State University
Law School Levin Center*
Detroit, MI

Kirby D. Behre

Miller & Chevalier Chartered
Washington, DC

A.J. Bosco

Vice President, Assistant
General Counsel
JPMorgan Chase
New York, NY

Reginald J. Brown

Wilmer Hale LLP
Washington, DC

Ralph J. Caccia

Wiley Rein LLP
Washington, DC

Hon. Leslie R. Caldwell

Assistant Attorney
General Criminal Division
US Department of Justice
Washington, DC

Steven A. Cash

Day Pitney LLP
Washington, DC

David B. Chenkin

*Zeichner Ellman & Krause
LLP*
New York, NY

Michael E. Clark

Duane Morris LLP
Houston, TX

Andrew Curtin

Senior Managing Director
*Global Head of Investigations
and Data Analytics AIG*
New York, NY

Alice S. Fisher

Latham & Watkins
Washington, DC

Nicholas C. Harbist

Blank Rome LLP
Princeton, NJ

Lillian S. Hardy

Hogan Lovells US LLP
Washington, DC

Todd R. Harrison

McDermott Will & Emery
New York, NY

William B. Jacobson

*Orrick, Herrington &
Sutcliffe LLP*
Washington, DC

Kathleen Jennings

State Prosecutor
*Delaware Department
of Justice*
Wilmington, DE

Joel Kirsch

Siemens Corporation
New York, NY

John Kropf

Corporate Privacy
Executive
Northrup Grumman
Falls Church, VA

Kwame J. Manley

Paul Hastings LLP
Washington, DC

Annemarie McAvoy

Ernst & Young
New York, NY

Kelley McKinnon

*Gowling Lafleur Henderson
LLP*
Toronto, ON, Canada

Arthur D. Middlemiss

Lewis Baach PLLC
New York, NY

Michael C. Miller

Steptoe & Johnson LLP
New York, NY

Elizabeth Prewitt

Hughes Hubbard & Reed LLP
New York, NY

Jonathan Rusch

Head, Anti-Bribery &
Corruption Risk Management
Wells Fargo
McLean, VA

Ronald A. Sarachan

Drinker Biddle
Philadelphia, PA

Sulakash Shah

Partner
PricewaterhouseCoopers
New York, NY

George A. Stamboulidis

Baker & Hostetler LLP
New York, NY

Sung-Hee Suh

Deputy Assistant Attorney
General
US Department of Justice
Washington, DC

Patricia Sullivan

Americas Head, Financial
Crimes Compliance
Standard Chartered Bank
New York, NY

Morgan Sullivan-Walsh

Attorney Consultant
Axiom
New York, NY

Edward J. Westerman

Senior Managing Director
FTI Consulting
San Francisco, CA

Michael L. Whitlock

Morgan, Lewis & Bockius LLP
Washington, DC

Agenda

Day 1: Wednesday, April 27, 2016

12:00 p.m. **Registration**

2:00 p.m. **Fundamentals in Corporate Investigations**

The panel will discuss developments and trends in class action litigation arising from data breaches. Which causes of action and theories of liability are succeeding (and failing)? What damages are plaintiffs seeking and what success have defendants had challenging standing? How are the increasing number of settlements structured?

Panelists: Michael E. Clark, Ronald A. Sarachan, Edward J. Westerman

Moderator: Meredith S. Auten

3:30 p.m. **Break**

3:45 p.m. **Establishing and Managing In-House Investigations and Compliance Functions**

Establishing and managing an in-house investigative function while meeting today's heightened regulatory compliance expectations is a challenge for any company. This panel, comprised of some of our profession's foremost thought leaders in the area of corporate internal investigations, explores the myriad of unique issues associated with the in-house investigative function, including but not limited to, the effective drafting and implementation of investigation policies and protocols; the management of resource issues—and regulatory expectations regarding compliance resources—in a cost constrained environment; creating an effective ombuds program; responding to whistleblower complaints; and managing representation issues including those relating to the issuance of Upjohn warnings.

Panelists: Joel Kirsch, Andrew Curtin, Lillian S. Hardy, William B. Jacobson

Moderator: Kelley McKinnon

5:00 p.m. **Adjourn**

Day 2: Thursday, April 28, 2016

9:00 a.m. **Regulators' Roundtable: The Latest in Government Enforcement**

What do government officials and agency regulators expect from in-house counsel, directors and the business community? Is cooperation with their investigation going to be helpful to the company? What is the government's view of using in-house corporate resources to conduct investigations rather than outside counsel and consultants? How will they view joint defense agreements? How does the government view company disciplinary decisions?

This panel will explore current trends and areas of particular focus among the key investigative/regulatory agencies. Also to be discussed will be key legislation and pending regulations that are likely to significantly impact how companies must conduct their future operations.

Panelists: Stephanie Avakian, Ralph Caccia, Kathleen Jennings, Sung-Hee Suh

Moderator: Nicholas C. Harbist

10:30 a.m. **Break**

10:45 a.m. **Congressional Investigations**

Representing a corporation that is the subject of a congressional inquiry raises concerns far different from a civil or criminal investigation. This panel focuses on how Congress conducts its investigations, including the scope of its subpoena power and the procedures for congressional hearings. Find out the inside story on representing high-profile clients and how to deal with the corresponding risks associated with House and Senate investigations – civil actions, criminal actions, and attacks on a client's reputation.

Panelists: Elise Bean, Reginald Brown, Steven Cash, Todd Harrison

Moderator: David Chenkin

Agenda (continued)

12:30 p.m. **Keynote Speaker—Leslie R. Caldwell, Assistant Attorney General, Criminal Division**

2:00 p.m. **Hot Issues in Compliance—What You Need to Know to Stay Out of the Government's Crosshairs**

This panel will focus on areas of corporate compliance currently receiving extra attention from the government. The panel will discuss best practices for designing and implementing compliance programs that will withstand government scrutiny.

Panelists: Theodore L. Banks, A.J. Bosco, Elizabeth Prewitt, Kwame Manley, Sulakash Shah

Moderator: Michael L. Whitlock

3:30 p.m. **Break**

3:45 p.m. **International Panel: Best Practices on Conducting International Investigations**

This panel will discuss issues about whether the attorney-client privilege applies to communications with in-house counsel located outside of the United States and the critical impact that different laws in foreign countries have on multi-national companies involved in investigations, prosecutions and litigation here and abroad, including data privacy differences. It will provide an overview of how different legal systems handle counsel for multi-national companies and offer suggestions to increase the likelihood that critical communications will be deemed privileged. It will also address other important differences when representing an entity or individuals and cross-border issues are involved including interacting with multiple regulatory bodies as well as language and cultural differences.

Panelists: Kirby D. Behre, John Kropf, Morgan Sullivan-Walsh

Moderator: Michael C. Miller

4:45 p.m. **Adjourn**

4:45 p.m. **Cocktail Reception**

Day 3: Friday, April 29, 2016

8:15 a.m. **Registration**

9:00 a.m. **Financial Crimes Overview: AML, FCPA and More**

This panel will focus on current trends in regulations, enforcement of economic crimes. It will also cover key compliance concerns, including internal monitoring and self-reporting.

Panelists: Annemarie McAvoy, Jonathan Rusch, Patricia Sullivan

Moderator: Arthur D. Middlemiss

10:30 a.m. **Break**

10:45 a.m. **Crisis Management**

Corporate internal investigations may need to be launched as a result of adverse publicity, such as the execution of a search warrant, the unsealing of charges, or a regulatory agency's actions. Such internal investigations are one part of an overall crisis management plan. This interactive panel will address some best practices for general counsel and outside counsel advising businesses to consider in developing and exercising a crisis management plan—including, among other things, privilege waiver considerations; the ethical considerations and the do's and don'ts when making disclosures to company employees, investors, lenders, regulatory agencies and others; and tactical considerations for who should be making such disclosures.

Panelists: Joel Androphy, Alice Fisher, George Stamboulidis

Moderator: Michael E. Clark

12:00 p.m. **Adjourn**

ETHICS



Visit www.ambar.org/2016ici



Call (800) 285-2221



Complete and mail this form:



Fax this form to (312) 988-5850

The American Bar Association
Financial Services Dept. CE16041C1
P.O. Box 109078
Chicago, IL 60654-7598

Join the conversation with #ABAICI16

Step 1: Registration Rates

	Advance Rate Effective March 2, 2016	Standard Rate Effective March 30, 2016
General Public	\$1,100	\$1,240
ABA Members	\$935	\$1,050
Criminal Justice Section Members	\$825	\$930
Business Law Section Members	\$825	\$930
Health Law Section Members	\$825	\$930
Government Lawyers	\$475	\$515

Step 2: Section Membership

- Enroll me in the Criminal Justice Section - \$45. Enter your \$45 fee on line 4C1.
- Enroll me in the Business Law Section - \$55. Enter your \$55 fee on line 4C2.
- Enroll me in the Health Law Section - \$50. Enter your \$50 fee on line 4C3.

Step 3: Course Materials*

Electronic course materials are provided on-site as part of your registration.

Step 4: Your Total Amount Due

Registration Rate (from Step 1)	\$ _____
Three or More People Registering (from Step 1) <i>(\$50/person discount. Applicants must register together to receive discount. Not applicable to government rates.)</i>	\$ - _____
ABA Criminal Justice Section Enrollment - \$45 (from Step 2)	\$ + _____
ABA Business Law Section Enrollment - \$55 (from Step 2)	\$ + _____
ABA Health Law Section Enrollment - \$40 (from Step 2)	\$ + _____
Printed Course Materials - \$50 (from Step 3)	\$ + _____
	\$ _____

Step 5: Your Information

Name		
Law Firm/Organization		
Address		Suite/Apt.
City	State	Zip Code
Telephone		
Email	ABA Member ID	

The ABA and many of its entities provide content through email. We do not share email addresses with anyone outside the ABA.

Step 6: Payment Information


- ABA Credit Card from Bank of America
 Check Payable to American Bar Association
- Visa
 Mastercard
- American Express


Name as it appears on Card	
Account Number	Expiration Date
Signature	
Billing Zip Code	

Step 7: 4 Easy Ways to Register

 Visit <http://www.shopaba.org/2016ici>

 Call **(800) 285-2221**

 Fax this form to **(312) 988-5850**

 Complete and mail this form:

The American Bar Association
Financial Services Dept. CE1604ICI
P.O. Box 109078
Chicago, IL 60654-7598



MCLE

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 11.75 CLE credit hours in 60-minute states and 14.10 credit hours in 50-minute-hour states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit www.ShopABA.org/2016internal.

Scholarships

For more information on scholarships, visit www.americanbar.org/groups/cle/scholarship.

Attire

Business casual attire is appropriate for all activities.

Cancellations

Cancellations received five business days or more before the program will receive a full refund, less a \$50 cancellation fee. No refunds will be provided for cancellations after that date; however, substitute registrants are welcome at any time. To cancel your registration or substitute another individual, please call the ABA at (800) 285-2221 or fax your request to (312) 988-5850. Registrants who do not cancel within the allotted time period and who do not attend the program will receive a copy of the course materials after program completion.

Services for Persons with Disabilities

If special arrangements are required, please contact Donna Williams at (312) 988-6210 or donna.williams@americanbar.org. Reasonable advance notice is requested.

In-Person Registration

If you plan to register in person, please call the ABA at least 24 hours in advance to confirm that the program is being held as scheduled and that space is available. Cash payments will not be accepted.

Program Confirmation

Written confirmation of your registration will be sent to you upon receipt. If you do not receive the confirmation notice prior to the program, please call the ABA at (800) 285-2221 at least 24 hours in advance to confirm that your registration was received and that the program is being held as scheduled.

Program Location

April 27-29, 2016
ABA DC Office
1050 Connecticut Ave., NW Suite 400
Washington, DC 20036

Hotel Information

ABA members should visit www.americanbar.org/travel and click under the Preferred Rate Hotel Program link to check for ABA rates at Washington, DC hotels.

ABA Negotiated Airfare Discounts—Available Online!

ABA Orbitz for Business* enables you to purchase the best airfare at the time of booking, by providing you with the ability to search for and compare fares from virtually every airline serving the destination. Reservations with ABA Orbitz for Business can be made online or offline. For offline reservations, call 877-222-4185. ABA Orbitz for Business is available online via **ABA Travel Services***. ABA airfare discounts on some carriers may also be obtained by purchasing your tickets under the ABA Discount Codes directly from the airline or through your travel agent.

American Airlines ABA Discount only available at **ABA Orbitz for Business**

United Airlines 800-426-1122 Agreement Code: **PENDING**

Discount available at www.united.com

Delta Airlines 800-328-1111 ABA File Meeting Code Domestic: **NMM4N**

Discount available at www.delta.com

SWABIZ.com Code: 99422890

Southwest Airlines

*A Travel Profile is required when booking airline reservations with ABA Orbitz for Business, Visit www.americanbar.org/travel for more information.

Standing Committee on Continuing Legal Education

Under the guidance of the Standing Committee on Continuing Legal Education, the Center for Professional Development administers and produces National Institutes, webinars, teleconferences, other technology-based products and written course materials to assist lawyers' continuing legal education efforts.



Seventh National Institute on Internal Corporate Investigations and Forum for In-House Counsel

AMERICAN BAR ASSOCIATION
321 N CLARK STREET
CHICAGO, ILLINOIS 60654

Presort
Non-Profit
U.S. Postage
PAID
American Bar
Association

Look inside for
Course Curriculum,
Faculty Roster, Early Bird
Savings and more!



Like Us
www.facebook.com/americanbarassociation



Follow Us
www.twitter.com/abaesq