



THOMSON REUTERS

Defending Corporations and Individuals in Government Investigations

The Pre-Eminent Forum on White Collar Defense and Government Investigations

December 11, 2013

Thomson Reuters Corporate Headquarters
Three Times Square, New York, NY

Co-Chairs:

Daniel J. Fetterman – Partner, Kasowitz Benson Torres & Friedman
Mark P. Goodman – Partner, Debevoise & Plimpton

About the Event:

Government enforcement agencies are investigating corporate conduct with unprecedented vigor and creating a regulatory environment that poses enormous risk to companies and their executives. This conference will provide (i) an overview by federal and state enforcement officials of the current regulatory landscape and of their enforcement priorities and (ii) the invaluable insight and expertise of leading white collar practitioners, including former prosecutors and government officials, on how best to deal with the substantive, procedural and logistical challenges that inevitably arise in complex white collar and regulatory investigations and enforcement actions. The moderators and panelists will describe strategies and best practices in significant areas of interest in this difficult environment, including corporate compliance, insider trading, the FCPA, internal investigations, DOJ, SEC and Congressional investigations, and many others, and will offer practical analyses of hypothetical scenarios that participants will find incredibly useful.

Key Benefits of Attending Include:

- **Learning from senior government officials:** Attend this event and hear directly from a number of senior prosecutors and enforcement lawyers currently serving at federal and state agencies.
- **Learning from leading white collar lawyers:** Speakers will include a number of highly prominent in-house and outside defense lawyers who contributed chapters to West Publishing's bestseller "Defending Corporations and Individuals in Government Investigations"—lawyers who literally wrote the book on cutting edge white collar defense.
- **Networking:** Meet and discuss the issues with in-house regulatory and white collar lawyers from other public and private companies and with outside counsel from some of world's leading law firms.

Who Will Attend:

- Corporate Counsel
- In-House/General Counsel
- Compliance Officers
- Law Firm Partners

PROGRAM AGENDA
Up to 8.0 CLE Credits Available*

8:15 Registration and Networking Continental Breakfast

9:00 Co-Chairs' Welcome

Daniel J. Fetterman – Partner, Kasowitz Benson Torres & Friedman
Mark P. Goodman – Partner, Debevoise & Plimpton

9:05 REGULATORS' ROUNDTABLE: WHITE COLLAR LANDSCAPE AND PRIORITIES

- Government's current priorities in investigating white collar crime
- Recent trends in enforcement actions
- Future outlook regarding the focus and goals of government agencies

Moderators:

Daniel J. Fetterman – Partner, Kasowitz Benson Torres & Friedman
Mark P. Goodman – Partner, Debevoise & Plimpton

Panelists:

Amelia A. Cottrell – Associate Regional Director for Enforcement, SEC
David Meister – Former Director of Enforcement, CFTC
Lorin L. Reisner – Chief of the Criminal Division, U.S. Attorney's Office for the Southern District of New York

10:05 INSIDER TRADING AND SEC INVESTIGATIONS

- Background and structure of the securities laws
- Current developments in the field and priorities of the government
- Best practices and tips regarding compliance with the securities laws
- Frequently used strategies/theories and proven defenses
- Relevant, hypothetical situations relating to insider trading

Moderators:

Daniel J. Fetterman – Partner, Kasowitz Benson Torres & Friedman
Mark P. Goodman – Partner, Debevoise & Plimpton

Panelists:

Reid M. Figel - Partner, Kellogg, Huber, Hansen, Todd, Evans & Figel
Christopher L. Garcia – Partner, Weil, Gotshal & Manges
Boyd M. Johnson III – Partner, Wilmer Cutler Pickering Hale and Dorr

11:05 Networking Refreshment Break

11:20 FOREIGN CORRUPT PRACTICES ACT

- Current developments and priorities of the government
- Developing an effective compliance program, internal controls, and code of conduct that is cognizant of FCPA-related issues
- Developing a strategy and framework to successfully address bribery and other illegal activity
- U.K. Bribery Act (a counterpart to the FCPA)
- Relevant, hypothetical situations relating to the risks of conducting business abroad

Moderators:

Daniel J. Fetterman – Partner, Kasowitz Benson Torres & Friedman

Mark P. Goodman – Partner, Debevoise & Plimpton

Panelists:

Samuel Goldstein – CEO, Capsicum Group

Sean Hecker – Partner, Debevoise & Plimpton

Edward E. McNally – Partner, Kasowitz, Benson, Torres & Friedman

12:20 Networking Luncheon featuring Keynote Address

Keynote Speaker – The Honorable Joseph I. Lieberman of Kasowitz, Benson, Torres & Friedman

1:20 A VIEW OF WHITE COLLAR TRIALS AND PRACTICE FROM THE BENCH

Moderators:

Daniel J. Fetterman – Partner, Kasowitz Benson Torres & Friedman

Mark P. Goodman – Partner, Debevoise & Plimpton

Panelists:

Hon. Paul A. Engelmayer - United States District Judge, Southern District of New York

Hon. Cathy Seibel - United States District Judge, Southern District of New York

Hon. Richard J. Sullivan - United States District Judge, Southern District of New York

2:20 DEVELOPING EFFECTIVE COMPLIANCE PROGRAMS

- Proven processes and strategies to detect illegal activity
- Developing internal policies and procedures to effectively monitor misconduct and train employees
- Establishing a reporting system to effectively document and track misconduct
- Scope and breadth of programs dependent on the size, needs, and priorities of company

Moderators:

Daniel J. Fetterman – Partner, Kasowitz Benson Torres & Friedman

Mark P. Goodman – Partner, Debevoise & Plimpton

Panelists:

Bruce M. Bettigole – Partner, Sutherland Asbil & Brennan

Douglas M. Lankler - Chief Compliance Officer, Chief Risk Officer and Executive Vice President, Pfizer

Ellen Zimiles – Managing Director, Global Investigations and Compliance, Navigant

3:20 Networking Break

3:35 STATE AGS AND ENFORCEMENT ACTIONS

- Differences in State AGs and other state agencies' enforcement powers
- Priorities and landscape of white collar enforcement by State AGs and enforcement agencies
- How to effectively deal with the State AGs' offices
- Handling parallel state and federal investigations

Moderators:

Daniel J. Fetterman – Partner, Kasowitz Benson Torres & Friedman

Mark P. Goodman – Partner, Debevoise & Plimpton

Panelists:

Eric R. Dinallo – Partner, Debevoise & Plimpton

Clarine Nardi Riddle – Counsel, Kasowitz, Benson, Torres & Friedman

4:25 CONDUCTING INTERNAL INVESTIGATIONS

- Best practices and strategies for responding to regulators, including the Department of Justice and the Securities & Exchange Commission
- Government's view on the role of effective internal investigations
- Duties and responsibilities of management and the board during an investigation
- Timing and scope of an internal investigation
- Joint privilege issues and defense strategies
- Relevant, hypothetical situations warranting an internal investigation

Moderators:

Daniel J. Fetterman – Partner, Kasowitz Benson Torres & Friedman

Mark P. Goodman – Partner, Debevoise & Plimpton

Panelists:

Lev L. Dassin – Partner, Cleary Gottlieb

Mark A. Kirsch – Partner, Gibson Dunn & Crutcher

Jonathan S. Kolodner – Counsel, Cleary Gottlieb

Jeffrey Robertson – Special Counsel, Schulte, Roth & Zabel

5:25 Closing Comments

5:30 Conclusion of Conference

*Varies by state