

8th Annual Government Enforcement Institute
September 15-16, 2022 • Hotel ZaZa Dallas Uptown • Dallas, TX
September 15-16, 2022 • Live Webcast

Thursday Morning, Sep. 15, 2022

Presiding Officer:
Steve Korotash, Dallas, TX

8:00 am In Dallas Only	<p>Registration Opens</p> <p>Includes breakfast (to be served at 8:30 a.m.)</p> <p>Thank You to Our Breakfast Sponsor</p> <p style="text-align: center;">HAYNES BOONE</p>
9:00 am	<p>Welcoming Remarks</p>
9:15 am 1.00 hr	<p>Consumer Financial Protection Bureau: Non-Financial Firms Now in the Crosshairs?</p> <p>The Consumer Financial Protection Bureau is a powerful enforcement agency with aggressive leadership. Banks and other financial institutions are rightly focused on understanding the Bureau’s evolving priorities, objective, and strategies, but a key part of the Bureau’s stated enforcement and supervision strategy is expanding its reach into “non-financial” firms that have a significant role in the financial lives of consumers, with an emphasis on the technology industry. This panel discusses where the Bureau is headed, the legal theory underpinning its strategy, and what non-financial firms can do to prepare.</p> <p>Moderator: David I. Monteiro, Partner, Morgan, Lewis & Bockius LLP - Dallas, TX</p> <p>Panelists: Donna Daniels, Managing Director, EY - New York, NY David A. Tallman, Member, McGlinchey - Houston, TX</p>
10:15 am 1.00 hr	<p>Emerging Compliance Programs and Issues</p> <p>This panel discusses ESG, new supply chain rules, Russia, sanctions, and so much more.</p> <p>Moderator: Patrick K. Craine, Chief Legal and Administrative Officer, Gulfport Energy Corporation - Oklahoma City, OK</p> <p>Panelists: Brent Benoit, Vice President, Chief Compliance Officer, National Oilwell Varco - Houston, TX John J. Sardar, Global Head of Compliance, AB InBev - St. Louis, MO</p>

11:15 am

15-Minute Break

Thank You to Our Thursday Coffee and Breaks Sponsor



11:30 am
1.25 hrs

SEC: Developments and Current Priorities

An update on the SEC's recent enforcement efforts involving financial fraud, corporate disclosure, SPACs and ESG.

Moderator:

Jason S. Flemmons, Senior Managing Director, Ankura Consulting Group - Washington, DC

Panelists:

Jina Choi, Partner, Morrison Foerster - San Francisco, CA

Rebecca Fike, Partner, Vinson & Elkins LLP - Dallas, TX

Kurt Gottschall, Partner, Haynes Boone, LLP - Denver, CO

David Peavler, Regional Director, U.S. Securities and Exchange Commission, Fort Worth Regional Office, U.S. Securities and Exchange Commission - Fort Worth, TX

Thursday Afternoon, Sep. 15, 2022

Presiding Officer:

Jason S. Flemmons, Senior Managing Director, Ankura Consulting Group - Washington, DC

12:45 pm
In Dallas Only

Networking Luncheon (45 Minutes)

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1:30 pm
1.00 hr
0.50 hr ethics

FCPA: Key Updates and Strategic Responses

This panel discusses takeaways from recent resolutions in Glencore, Stericycle and Tenaris in the context of existing policies, and what both DOJ and SEC pronouncements portend in the corporate white collar space generally. Additionally, the panel members examine how "agency" is being interpreted by the government in the FCPA context in the ongoing quest to identify and manage third party risks.

Moderator:

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

Panelists:

Lisa Miller, Deputy Assistant Attorney General, U.S. Department of Justice - Washington, DC

Jason Rose, Senior Counsel, U.S. Securities and Exchange Commission - Fort Worth, TX

2:30 pm
1.00 hr

Responding to the Government’s Expectations around eDiscovery, Data Production and Ephemeral Communications

Now you see it, now you don’t. Hear about case studies regarding challenges and best practices when managing ephemeral communications, particularly when responding to government production requests.

Moderator:

Brooke Hopkins, Managing Director, AlixPartners - Dallas, TX

Panelists:

Nick Chambers, Director, AlixPartners LLP - Washington, DC

Cory E. Jacobs, Assistant Chief, U.S. Department of Justice Criminal Division, Fraud Section - Washington, DC

Shamoil T. Shipchandler, Chief Counsel, Risk and Regulatory Legal Group, Charles Schwab Corporation - Dallas, TX

Nikolay Vydashenko, Assistant Director, U.S. Securities and Exchange Commission, Division of Enforcement - Fort Worth, TX

3:30 pm

15-Minute Break

3:45 pm
1.00 hr
0.50 hr ethics

Cybersecurity and Ransomware: Updates and Best Practices

As ransomware and cyber attacks against critical infrastructure continue to make headlines around the world, companies are left to wonder if they are doing enough to stay safe. Examine evolving ransomware trends and cybersecurity best practices, as well as the SEC's proposed cybersecurity rules and the anticipated impact.

Moderator:

Chase Przilas, Director Cybersecurity, PwC - Dallas, TX

Panelists:

Shardul Desai, Partner, Holland & Knight - Washington, DC

Derek Kleinmann, Enforcement Attorney, U.S. Securities and Exchange Commission - Fort Worth, TX

Kristina Littman, Partner, Willkie Farr & Gallagher LLP - Washington, DC

4:45 pm
0.75 hr

Tales from Trial: The Boeing Case is Shot Down

Defense attorneys for the Boeing test pilot, the only individual indicted in connection with the Boeing 737 Max crashes, discuss details of the trial and their successful defense strategy.

Panelists:

David Gerger, Partner, Gerger Hennessy & Martin LLP - Houston, TX

Cory E. Jacobs, Assistant Chief, U.S. Department of Justice Criminal Division, Fraud Section - Washington, DC

Ashlee Martin, Partner, Gerger Hennessy & Martin LLP - Houston, TX

5:30 pm

Adjourn to Networking Reception

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

Thank You to Our Reception Sponsor



Friday Morning, Sep. 16, 2022

Presiding Officer:

Kit Addleman, Partner, Haynes Boone, LLP - Dallas, TX

8:30 am In Dallas Only	Conference Room Opens
9:00 am 0.50 hr	Keynote Presentation: The Department's Efforts to Combat Financial and Corporate Crime Through its policies and its prosecutions of individuals and corporations, the Department of Justice is focused on encouraging corporations to proactively target misconduct, empower corporate compliance officers, and incentivize individuals to come forward to report potential misconduct as soon as it is identified. The Department of Justice's Criminal Division has used a combination of cutting-edge data analytics techniques, traditional law enforcement tools, and a focus on compliance to root out fraud and corrupt conduct. Kenneth A. Polite Jr., Assistant Attorney General, Criminal Division, The United States Department of Justice - Washington, DC
9:30 am 1.25 hrs	Department of Justice: Critical Criminal Developments This program highlights past, present, and future developments in government enforcement. The discussion will include high-profile DOJ investigations and indictments over the past two years, pandemic-induced changes to investigations, white collar litigation across the country, and the key enforcement topics in 2022 and beyond. Moderator: Kip Mendrygal, Partner, Locke Lord LLP - Dallas, TX Panelists: Elisha Kobre, Partner, Bradley Arant Boult Cummings LLP - Dallas, TX Chad Meacham, U.S. Attorney's Office, Northern District of Texas - Dallas, TX Lisa Miller, Deputy Assistant Attorney General, U.S. Department of Justice - Washington, DC Gil M. Soffer, Managing Partner, Katten Muchin Rosenman LLP - Chicago, IL
10:45 am	15-Minute Break
11:00 am 1.00 hr	A Boardroom View to Preventing and Resolving Investigation Issues Members of Boards of Directors discuss approaches to difficult situations including government and internal investigations, including working with disclosure committees and the financial team to identify issues; internal investigation experiences and board expectations; the roles of the audit committee and full board in responding to or overseeing investigations; crisis management; DOJ and SEC expectations for the Board; and board member responses to seeing actions from those agencies against companies in their industries. Moderator: Kit Addleman, Partner, Haynes Boone, LLP - Dallas, TX Panelists: Rhys J. Best, Chairman of the Board at Arcosa and Director at Texas Pacific Land Trust - Dallas TX, Arcosa, Inc. - Dallas, TX Donna Epps, Director, SAIA, Texas Pacific Land Trust, and Texas Roadhouse - Dallas, TX Sylvia J. Kerrigan, Board of Directors, Hornbeck Offshore Services, Inc. - Covington, LA

12:00 pm
1.00 hr ethics

Ethical Issues Facing In-House Counsel

In-house counsel are facing increasingly complicated ethical issues arising from internal and government investigations. Hear discussion on ethics issues faced by in-house counsel, including how to navigate through investigations of key officers and executives, balancing when to report to the Board where management is reluctant to act, and recent developments regarding waiver of privilege during reporting out of investigation results.

Moderator:

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

Panelists:

Brent Basden, Partner, Koning Rubarts LLP - Dallas, TX

Erica Benites Giese, Partner, Jackson Walker LLP - San Antonio, TX

Michael Jackman, Director, Senior Counsel/Compliance, Hudson Advisors L.P. - Dallas, TX

1:00 pm

Adjourn