

April 19–20, 2017 | The Millennium Broadway | NYC

National Advanced Forum on

LIFE INSURANCE

LITIGATION, REGULATORY ENFORCEMENT & ERM

Expert strategies on navigating litigation and enterprise risk management challenges and preparing for new and emerging government initiatives

Distinguished Co-Chairs:



James F. Jorden
Shareholder
Carlton Fields Jorden Burt



James R. Carroll
Partner
Skadden



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American Council of Life Insurers

Sessions for 2017 Include:

- » Enterprise Risk Management and Regulatory Roundtable
- » Litigation Forecast: Status of the Department of Labor's Fiduciary Rule
- » Product and Sales Practice Class Actions and Complex Litigation: Update on Latest Filings and Theories
- » Excessive Fee Litigation
- » Individual Product Litigation Roundup: Life Insurance, Annuities and More
- » Social Media Discovery
- » The View From the Bench: A Unique Opportunity to Hear How Federal and State Judges Interpret Evidence and Arguments Specifically in the Life Insurance Litigation Context

Federal judicial panel led by:



Hon. Roslyn O. Silver
U.S. Dist. Ct., D. Ariz.



Hon. David J. Waxse
U.S. Dist. Ct., D. Kan.



Hon. Mildred E. Methvin
U.S. Dist. Ct., W.D. La.



Hon. Richard S. Schmidt
U.S. Bankr. Ct., S.D. Tex.



Hon. Tonianne J. Bongiovanni
U.S. Dist. Ct., D.N.J.



Hon. F.A. Gossett, III
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ACI is pleased to present its 2nd Annual Life Insurance Litigation, Regulatory Enforcement & Enterprise Risk Management Summit – the only conference of its kind that goes the extra mile and brings you the highest level government and judicial insights and maximum networking opportunities with in-house industry experts.

In addition to maximum networking opportunities, the conference will provide attendees with the latest insights and expert advice from our exceptional faculty on:

- » Enterprise Risk Management and Regulatory Roundtable
- » Litigation Forecast: Status of the Department of Labor's Fiduciary Rule
- » Product and Sales Practice Class Actions and Complex Litigation: Update on Latest Filings and Theories
- » Excessive Fee Litigation
- » Individual Product Litigation Roundup: Life Insurance, Annuities and More
- » Social Media Discovery
- » The View from the Bench: A Unique Opportunity to Hear How Federal and State Judges Interpret Evidence and Arguments Specifically in the Life Insurance Litigation Context

This event will fill up quickly, so register now by calling 1-888-224-2480, faxing your registration form to 1-877-927-1563, or registering online at www.AmericanConference.com/LifeInsurance.

Who You Will Meet:

Insurance Industry

Professionals Including:

- In-House Counsel
- Compliance Officers
- Risk Managers
- Litigation Specialists

Attorneys Specializing In:

- Life Insurance (retirement and individual)
- Annuity Claims
- Mutual Funds
- Variable Funds
- Variable Products
- Bank products in the retirement space

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American Conference Institute (ACI) will apply for Continuing Professional Education credits for all conference attendees who request credit. There are no pre-requisites and advance preparation is not required to attend this conference.

Course objective: To provide key insights and best practices to insurance and reinsurance professionals in order to assist them in their efforts to maintain compliant Life Insurance programs. Recommended CPE Credit: XX hours.

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Day 1

WEDNESDAY, APRIL 19, 2017

Distinguished Co-Chairs:



James F. Jorden
Shareholder
Carlton Fields Jorden Burt



James R. Carroll
Partner
Skadden

- » Planning for Changes Under the New Administration
- » Preparing For Enhanced Litigation Risks
- » Defining and Demonstrating Compliance With Fiduciary Duties
- » SEC's Proposed Uniform Fiduciary Rule For Brokers and Advisers

7:30 Continental Breakfast and Registration

8:00 Co-Chairs' Welcome Remarks & Opening Keynote

8:40 Enterprise Risk Management and Regulatory Roundtable Regulatory Priorities and Responses for 2017 and Beyond

Richard Ford
Chief Examiner
Alabama Department of Insurance

Marguerite Salazar
Insurance Commissioner
State of Colorado

John G. Franchini
Superintendent of Insurance
State of New Mexico

Adam Hamm
Former Chair
NAIC Cybersecurity Task Force

Stephen C. Taylor
Commissioner
District of Columbia
Department of Insurance,
Securities and Banking

Moderator:
Josephine Cicchetti
Shareholder
Carlton Fields Jorden Burt, PA

- » Cybersecurity and data breaches
 - What concerns regulators?
 - The NAIC's Cybersecurity Task Force
 - Mitigation of Critical Risks
- » Data Breach Litigation
- » Focus on "Big Data" issues
- » Market conduct examination priorities
- » SEC enforcement and investigation priorities
- » Multiple regulators: Cooperators or competitors?
- » Disclosure issues with variable products in a low interest rate environment

10:20 Morning Networking Break

10:40 Litigation Forecast: Status of The Department of Labor's Fiduciary Rule

Steve Toretto
Associate General Counsel
Pacific Life Insurance Company

James F. Jorden
Shareholder
Carlton Fields Jorden Burt, PA

Thomas Christenson
Assistant General Counsel
The Northwestern Mutual Life
Insurance Company

James Szostek
Vice President
Taxes and Retirement Security
American Council of
Life Insurers

Erik Askelsen
Senior Vice President General
Counsel & Corporate Secretary
Athena USA

12:00 Networking Luncheon

1:00 Product and Sales Practice Class Actions and Complex Litigation: Update on Latest Filings and Theories

Paul Gallagher
VP & Chief Counsel
Complex Litigation
John Hancock Life Insurance Co.

Stephen J. Jorden
Shareholder
Carlton Fields Jorden Burt, PA

Maeve O'Connor
Partner
Debevoise & Plimpton

Andrew Friedman
Shareholder
Bonnett, Fairbourn,
Friedman & Balint

James Carroll
Partner
Skadden Arps

- » Cost of insurance cases: New filings, theories, and developments
- » Other developments in complex life insurance and annuity litigation, including shadow insurance cases, fixed annuity class actions, and unclaimed property
- » Views from the plaintiffs' bar

2:10 Afternoon Break

2:30 Excessive Fee Litigation

Patrice Sabach
Assistant Vice President &
Counsel
MassMutual Financial Group

James E. Miller
Partner
Shepard, Finkelman,
Miller & Shah, LLP

Eben Colby
Partner
Skadden Arps, Slate,
Meagher & Flom, LLP

John Longwell
Chief Counsel, Litigation
Regulatory and Employment
VOYA Financial

James F. Jorden
Shareholder
Carlton Fields Jorden Burt, PA

Jason A. Tucker
Associate General
Counsel - Litigation
Putnam Investments

- » Latest filing trends
- » New 401K Theories of Liability
- » Update on cases filed in 2015-2016

4:30 Co-Chairs' Day One Closing Remarks and Conference Adjourns

Day 2 THURSDAY, APRIL 20, 2017

8:00 Co-Chairs' Opening Remarks

8:10 Individual Product Litigation Roundup: Life Insurance, Annuities, Mutual Funds and More

Jodi Hyde
Vice President
Deputy General Counsel
Fidelity & Guaranty Life

Erik Askelsen
SVP, General Counsel &
Corporate Secretary
Athene USA

David McDowell
Partner
Edison, McDowell &
Hetherington

Andrew Friedman
Shareholder
Bonnert, Fairbourn, Friedman
& Balint

Shaunda Patterson Strachan
Shareholder
Carlton Fields Jorden Burt, PA

- » STOLI: Case law developments, strategies, detecting and proving fraud, underwriting lessons
- » Litigation Risks Presented By Parallel Market Conduct Activity
- » Updates on Significant Non-Class Life, Annuity, and Long-term Care Cases

10:00 Morning Networking Break

10:20 The View From the Bench: A Unique Opportunity to Hear How Federal Judges View Life Insurance and Annuity Cases and Issues

Hon. Roslyn O. Silver
U.S. Dist. Ct., D. Ariz.

Hon. David J. Waxse
U.S. Dist. Ct., D. Kan.

Hon. Mildred E. Methvin
U.S. Dist. Ct., W.D. La.

Hon. Richard S. Schmidt
U.S. Bankr. Ct., S.D. Tex.

Hon. Tonianne J. Bongiovanni
U.S. Dist. Ct., D.N.J.

Hon. F.A. Gossett, III
U.S. Dist. Ct., D. Neb.

Co-Moderators:

James F. Jorden
Shareholder
Carlton Fields Jorden Burt, PA

James R. Carroll
Partner
Skadden Arps, Slate, Meagher
& Flom, LLP

The Judge's Panel will discuss recent trends and key cases in the world of class certification trends and developments, particularly in the life and annuity context.

11:50 Break

12:00 Social Media Discovery

Stephen Jorden
Shareholder
Carlton Fields Jorden Burt, PA

Robert "Bo" Phillips
Partner
Reed Smith, LLP

- » Duty to Use Social Media and Ethical Limitations
- » Evidentiary Considerations
- » Preservation/Spoilation Issues
- » Advising Clients on Social Media Use
- » Investigating Judicial Officers and Jurors

1:00 Co-Chairs' Closing Remarks and Conference Ends

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LIFE INSURANCE

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