



ACI
American Conference Institute
Business Information in a Global Context

This year marks 30 years since the inception of C5 Group.
It is time to match our brand with the dynamic strides we have made.
See inside for details...

July 26-27, 2016 | The Carlton Hotel on Madison Avenue | New York, NY



American Conference Institute's 20th National Forum on

Directors & Officers and Management Liability

Inquire about special rates for groups,
government, academia, insurers and brokers

Coverage, Underwriting, and Claims Strategies for Managing Liability Risk Through Market Changes and Increased Scrutiny

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Diane Parker
Allied World



Robert Stern
Orrick



Kara Altenbaumer-Price
USI Southwest

Featuring speakers from SEC and DOJ including:

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SEC

Alexander Vasilescu
SEC

Vincente Martinez
SEC

Richard Hayes
DOJ

R. Stephen Stigall
DOJ

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Sessions Include:

- Cooperation Agreements Tools, Shifts in Corporate Civil and Criminal White Collar Investigations, Prosecuting Corporate Misconduct and Holding Individuals Accountable, and the Impact of It All on D&O
- The Yates Memo and the New Individual Accountability Landscape: An In-Depth Analysis of How the Prosecution of Individuals in Corporate Investigations Will Impact Securities Litigation and Side A D&O Policies
- The D&O and Management Liability Marketplace: The Latest Products, Coverage Issues Including Coverage for Regulatory Investigations, Claims and Underwriting Trends, Predictions for Expanded Coverage Past Traditional Areas, and the Effect of P&C Consolidation and Suits Against Foreign Defendants on D&O
- Developments in Delaware Law Including Disclosure Only Settlements in Merger Objection Cases, Fee-Shifting Bylaws, and Other Issues Impacting the D&O Liability Landscape
- Private and Non-Profit D&O: New Exposures and Concerns, Claims Frequency, Unique and Evolving Claims that Arise, Comparison with Public Company D&O, and Underwriting Issues
- Impact of Legal Trends and Developments in Key Securities Class Actions, Corporate Governance and D&O Claims, Including IPO Litigation and the Effect of the *Omnicare* Decision
- Shareholder Activism and Derivative Litigation, Including M&A Litigation brought Derivatively, and Side A Implications
- The Latest on Cyber Oversight Needed at the Board Level and Trends in Cyberbreach-Related D&O Cases (Public and Private)
- D&O Considerations for Private Equity and Hedge Funds
- D&O in the World of Financial Institutions

Be Sure to also book for the
Pre-Conference Fiduciary Liability Boot Camp

Tuesday, July 26, 2016 | 10:30 a.m. – 12:30 p.m. | *See page 6 for details.*

Register Now | 888 224 2480 | AmericanConference.com/DandO

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Business Information in a Global Context

ACI is pleased to introduce its 20th National Forum on Directors & Officers and Management Liability- the premier event for leading brokers, underwriters, claims professionals and attorneys to benchmark coverage, underwriting, and claims strategies. No other event can match the practical and detailed analysis of the entire D&O and Management Liability landscape, including the impact of litigation, regulatory action, and market conditions in today's tumultuous environment. Sessions include:

- View from Speakers at DOJ and SEC: Cooperation Agreements Tools, Shifts in Corporate Civil and Criminal White Collar Investigations, Prosecuting Corporate Misconduct and Holding Individuals Accountable, and the Impact of It All on D&O
- The Yates Memo and the New Individual Accountability Landscape: An In-Depth Analysis of How the Prosecution of Individuals in Corporate Investigations Will Impact Securities Litigation and Side A D&O Policies
- The D&O and Management Liability Marketplace: The Latest Products, Coverage Issues Including Coverage for Regulatory Investigations, Claims and Underwriting Trends, Predictions for Expanded Coverage Past Traditional Areas, and the Effect of P&C Consolidation and Suits Against Foreign Defendants on D&O
- Developments in Delaware Law Including Disclosure Only Settlements in Merger Objection Cases, Fee-Shifting Bylaws, and Other Issues Impacting the D&O Liability Landscape
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- The Latest on Cyber Oversight Needed at the Board Level and Trends in Cyberbreach-Related D&O Cases (Public and Private)
- Achieving Reasonable Expectations and Employing Effective Tactics in a Securities Class Action Mediation
- Closing Deals with Reps and Warranties Insurance: Can This Product Co-Exist with D&O, Plus Trends, Challenges and What's Next?
- D&O Considerations for Private Equity and Hedge Funds
- D&O in the World of Financial Institutions

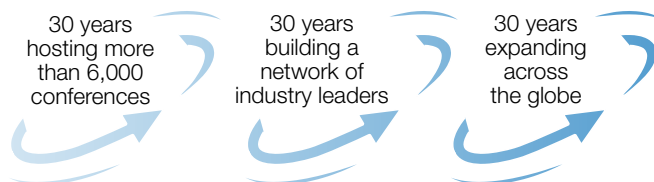
Here are just some of the agencies, companies and firms participating:

- | | |
|--|---|
| • DOJ | • Clyde & Co US LLP |
| • SEC | • Orrick |
| • Alabama Securities Commission | • Proskauer Rose LLP |
| • Blue Cross and Blue Shield Association | • Wiley Rein LLP |
| • Marsh & McLennan Companies, Inc. | • Jenner & Block LLP |
| • ConvaTec | • Locke Lord LLP |
| • Travelers | • King & Spalding LLP |
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| • U.S. Risk Brokers, Inc. | • White and Williams |
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Business Information in a Global Context

This year marks 30 years since the inception of C5 Group.



It is time for a brand, logo and language in keeping with the dynamic strides we have made as a company. It is time for a brand that will take us forward for the next 30 years.

C5 Group, comprising American Conference Institute, The Canadian Institute and C5 in Europe, will unite under one central brand image, appropriately a globe. See how bringing together the power of people and the power of information can accelerate your growth and success.

Our new brand look and language will be fully revealed soon. Stay tuned for more exciting changes.



Be Sure to also book for the
Pre-Conference
Fiduciary Liability Boot Camp
Tuesday, July 26, 2016 | 10:30 a.m. – 12:30 p.m.
See page 6 for details.

Day One: Tuesday, July 26, 2016

10:30 a.m. - 12:30 p.m.

Pre-Conference Fiduciary Liability Boot Camp

(separate registration required; see page 6 for details)

1:10 - Main Conference Registration

1:30

Chairs' Welcoming Remarks

Diane M. Parker, Esq.

Vice President, North American
Claims Group

Allied World Insurance Company

Kara Altenbaumer-Price, Esq.

SVP, Corporate Risk & Governance
USI Southwest

Robert Stern

Partner

Orrick, Herrington & Sutcliffe LLP

1:35

View from Speakers at DOJ and SEC: Cooperation Agreements Tools, Shifts in Corporate Civil and Criminal White Collar Investigations, Prosecuting Corporate Misconduct and Holding Individuals Accountable, and the Impact of It all on D&O

Simona Suh

Branch Chief
Division of Enforcement

**U.S. Securities & Exchange
Commission**

Alexander Vasilescu

Regional Trial Counsel
New York Office

**U.S. Securities & Exchange
Commission**

Richard Hayes

Assistant U.S. Attorney

**United States Attorney's Office,
Eastern District of NY**

R. Stephen Stigall

Attorney-in-Charge
Camden Branch Office

**United States Attorney's Office,
District of NJ**

Vincente Martinez

Chief, Office of Market Intelligence,
Division of Enforcement

**U.S. Securities & Exchange
Commission**

Co-Moderators:

Jonathan S. Sack

Partner

Morvillo Abramowitz

Joseph Borg

Director

Alabama Securities Commission

3:05 - Break

3:10

The Yates Memo and the New Individual Accountability Landscape: An In-Depth Analysis of How the Prosecution of Individuals in Corporate Investigations Will Impact Securities Litigation and Side A D&O Policies

R. Damian Brew

Managing Director/FINPRO
Marsh USA, Inc.

Gregory S. Bruch

Partner

Bruch Hanna LLP

Joseph P. Monteleone

Partner

Rivkin Radler LLP

Carol A.N. Zacharias

Senior Vice President, Counsel
QBE North America

- With DOJ's new policy and focus on individual actors responsible for corporate wrongdoing, what will be the impact on future securities litigation?
- Important D&O questions raised
- How will the relationship between the carrier/client change, and how will the process be managed?

4:05

The D&O and Management Liability Marketplace: The Latest Products, Coverage Issues Including Coverage for Regulatory Investigations, Claims and Underwriting Trends, Predictions for Expanded Coverage Past Traditional Areas, and the Effect of P&C Consolidation and Suits Against Foreign Defendants on D&O

John C. Minett

SVP and Counsel - Professional
Liability Claims Manager
Endurance Insurance

Machua Millett

Chief Innovation Officer,
FINPRO US

Marsh USA, Inc.

Steve Boughal, CFA, FRM

Vice President, Chief Underwriting
Officer

Hartford Financial Products

Brian E. Botkin

Global Head of Multinational
Financial Lines

AIG Property Casualty

Marc London

Management Liability/Specialty
Lines

Beazley Group

Todd M. Greeley, Esq.

Senior Vice President
Executive & Professional Lines
Claim

**Berkshire Hathaway Specialty
Insurance**

Jennifer Odrobina

Assistant Vice President, Executive
Assurance Claims

Arch Insurance Company

Ty Sagalow

CEO, Founder

Innovation Insurance Group

Shanda Davis

D&O Product Manager, Bond &
Specialty Insurance

Travelers

Moderator:

Mary Craig Calkins

Partner

Kilpatrick Townsend & Stockton LLP

- Evolution of D&O: What's new in the D&O and management liability marketplace for both public, private and non profit companies?
- Coverage for regulatory investigations: do we need more specific claim definitions, or the evolution of separate insurance products to cover these investigations?
- What coverages are being offered in policies?
- Coverage Considerations; coordination of coverage; relatedness provisions
- What non-traditional areas may be covered in D&O policies? What about TCPA violations? government investigation following a cyber breach? FCPA charges and investigations? Qui Tam/False Claim actions? Fair Labor Standards Act claim? PNP claims? Others?
- What are the current underwriting trends?
- Aligning the policy to match risk profile of the company
- The latest claims issues: evergreen and new
- The effect of consolidation on the D&O market

5:40

Developments in Delaware Law Including Disclosure Only Settlements in Merger Objection Cases, Fee-Shifting Bylaws, and Other Issues Impacting the D&O Liability Landscape

Diane M. Parker, Esq.

VP, N. Amer. Claims
Group

Allied World

David Wales

Partner
BLB&G

Michael Bongiorno

Partner
WilmerHale

- Disclosure-only settlements in merger objection cases
- Rejecting the once standard practice of settling lawsuits challenging mergers and acquisitions transactions through "disclosure-only" settlements?
- How will this change the landscape of M&A litigation in Delaware?

- Forum selection and fee shifting issues
- Bylaws requiring mandatory arbitration
- Minimum stake and interest claim
- Possible effects of these developments on strike suits
- Other key developments in Delaware law and practice
- A look at the increasing severity of the M&A suits rather than volume of these cases

6:30 - Conference Adjourns

Day Two: Wednesday, July 27, 2016

7:30 - Continental Breakfast

8:00

Private and Non-Profit D&O: New Exposures and Concerns, Claims Frequency, Unique Claims that Arise, Comparison with Public Company D&O, and Underwriting Issues

Dave Perkins
Executive Vice President
U. S. Risk Brokers, Inc.

Matthew L. Jacobs
Partner
Jenner & Block LLP

Steven Anderson
CEO & Founder
Tipping Point Insurance

- Claims frequency in the private non-profit sector increasing?
- Unique and evolving claims and underwriting issues?
- For private companies: entity coverage
- Comparison with public company D&O policies
- Different venues
- Which industry sectors have been appearing?

8:55

Impact of Legal Trends and Developments in Key Securities Class Actions, Corporate Governance and D&O Claims, Including IPO Litigation and the Effect of the *Omnicare* Decision

Alex J. Kaplan
Partner
Sidley Austin LLP

John W. Shaw
Partner
Berkowitz Oliver

Angelo G. Savino
Chair, Professional Liability Practice
Cozen O'Connor

Robert Stern
Partner
Orrick, Herrington & Sutcliffe LLP

- Year's highlights
- Decisions and trends
- Increasing regulatory environment and its impact on securities litigation
- Key coverage issues
- Uptick in securities class action filing trends this past year
- Surge in IPO-related securities litigation
- *Omnicare*: standards of liability for statements of opinion in registration statements are likely to come into play in IPO related lawsuits
- Securities litigation trends in life sciences companies

9:55 - Morning Break

10:05

Shareholder Activism and Derivative Litigation, Including M&A Litigation brought Derivatively, and Side A Implications

Steven L. White
Senior Vice President
Management Liability Claims
Aspen Insurance

Anne Foster
Director
Richards, Layton & Finger, PA

Kara Altenbaumer-Price, Esq.
SVP, Corporate Risk & Governance
USI Southwest

John E. Failla
Partner
Proskauer Rose LLP

- Have we seen an increase in shareholder derivative litigation?
- Are shareholder suits unrelated to a securities class action on the rise?
- Characteristics of M&A litigation brought derivatively versus brought as a class action
- Impact of derivative suits on Side A
- Novel strategies to settle derivative suits and the D&O insurance implications
- Cybersecurity derivative suits

11:05

The Latest on Cyber Oversight Needed at the Board Level and Trends in Cyberbreach-Related D&O Cases (Public and Private)

Jacqueline A. Waters (Urban), Esq.
Managing Director & Practice Leader
Aon Risk Solutions, Financial Services Group

Thomas Bentz
Partner
D&O and Management Liability Insurance Team
Holland & Knight LLP

Eric C. Scheiner
Partner
Sedgwick LLP

- Handling cyber business interruption and cyber operational risks
- Understanding at the board level what those operational risks are
- Management procedures for preventing and addressing consequences when it does happen
- Ensuring adequacy of a company's cybersecurity measures
- What is the board's role in cybersecurity
- Tracing the evolution of board oversight
- Where are we today?
- What does board preparedness mean for D&O underwriting and claims?
- Predicting where the issues may arise and helping clients understand where the risks are
- What types of cover are out there?
- What are the limits of liability?
- Which policy responds and how?
- The potential for a significant wave of derivative and class action suits stemming out of cyber breaches
- SEC's focus on cybersecurity and cybersecurity disclosures

12:00 - Networking Luncheon for Speakers and Delegates

Shifts in Corporate Civil and Criminal Liability Are Here!

Stay ahead of the curve by attending the most advanced D&O Liability conference -- the one now in its 20th installment.

1:00

In-House Panel on Identifying, Acquiring & Evaluating D&O Policies

Peter Kelly

Deputy General Counsel & Chief
Employee Benefits Counsel
**Blue Cross and Blue Shield
Association**

Michael Von Ohlen

Vice President, Legal Affairs
ConvaTec

Ronnie Brandes

Litigation Counsel
Marsh & McLennan Companies

Moderator:

Carl E. Metzger, Esq.

Partner

Goodwin Procter LLP

2:00

Achieving Reasonable Expectations and Employing Effective Tactics in a Securities Class Action Mediation

Steve Levine, Esq.

First Vice President
Claims Attorney
Executive and Cyber Risk Practice
Alliant Insurance Services

Paul R. Bessette

Co-Chair, Securities Litigation
Group
King & Spalding LLP

Kimberly M. Melvin

Partner

Wiley Rein LLP

- Setting the table: pre-mediation calls and briefing to identify issues likely to impact your negotiating position
- Showing up prepared: the advantages of being able to accurately articulate your counterparties' arguments to show you understand their case
- Managing expectations: when to posture and when to show your cards
- Listening skills: how to draw out the issues and outcome needs that will drive mediation outcome; listening for unspoken signaling from the other parties to the mediation
- Keeping the faith: maintaining trust and confidence through your discussions with the mediators and counterparties
- Defining a successful outcome: how to build consensus towards an outcome everyone can accept

2:55 - Afternoon Break

3:05

D&O Considerations for Private Equity and Hedge Funds

Caroline L. Crichton

Senior Claim Counsel
CNA Specialty Lines

Timothy Burns

Partner
Perkins Coie

- Coverage considerations and strategies
- Developing claims trends and underwriting issues
- Hedge fund D&O

4:00

D&O in the World of Financial Institutions

Uri Dallal

Managing Director
**Aon Risk Solutions, Financial
Services Group**

Evan Shapiro

Principal
Skarzynski Black LLC

Perry S. Granof, Esq.

Managing Director
Granof International Group LLC

- 9 years later: has the insurance landscape changed, or are we going back to a pre-crisis type coverage?
- How the onslaught of litigation brought about by the financial crisis has affected FI's risk management scheme
- Impact of recent changes and developments in policy wordings
- Evaluating current D&O exposures in the post-financial crisis climate
- Are exposures from whistleblower bounties on the rise?

- What types of financial-crisis claims remain?
- What have we learned about underwriting?
- What have we learned about claims management?
- What have we learned about the defense of claims?

4:55

Closing Deals with Reps and Warranties Insurance: Can This Product Co-Exist with D&O, Plus Trends, Challenges and What's Next?

Matthew Heinz

Managing Director
Aon

Maurice Pessio

Partner
White and Williams

Stacy Parker, Esq.

Managing Director
**Aon Risk Services of New York,
FSG Division**

Nancy Adams

Member
**Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.**

- Key drivers for the development of R&W insurance
- Coverage for failed M&A deals
- Key issues to address, including process and structure
- Current market: opportunities and challenges with growth of the product
- Claims: is the product responding?
- What's next: thoughts on the future
- How can this product co-exist with D&O coverage?

5:55 - Conference Ends

Pre-Conference Boot Camp on Fiduciary Liability Coverage: What Carriers, Brokers, Underwriters and Counsel Now Need to Know, Including With Respect to the DOL Fiduciary Rule

Tuesday, July 26, 2016 • 10:30 a.m. – 12:30 p.m.
(Registration opens 10 a.m.; separate registration required)



**Wendy Katherine Von
Wald, Esq.**
VP, Fiduciary Product
Manager
Chubb Insurance



Evan Shapiro
Principal
**Skarzynski Black
LLC**



Kimberly M. Melvin
Partner
Wiley Rein LLP

- Protections against claims of company plan mismanagement
- ERISA compliance basics and how ERISA defines fiduciary responsibilities
- Special nuances and variations with retirement, health and employee welfare plans; and the administration challenges of each
- Working with third-party fiduciaries and service providers, and the fiduciary liability coverage issues that arise
- Unique exposures to fiduciary liability that all brokers, carriers, underwriters and counsel need to know
- Gearing up for the DOL fiduciary rule

12:30 Lunch for Boot Camp Participants

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Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

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ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

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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: Coverage for D&O and its relationship to the business of insurance. Recommended CPE Credit: 16.0 hours.

ACI is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417 or by visiting the web site:

www.nasba.org

The Yates Memo and the New Individual Accountability Landscape

-- Learn the latest on
July 26-27 in NY at the Carlton.



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Over a century ago, our luxury hotel in New York City's Midtown area helped transform the neighborhood into one of Manhattan's most desirable areas. Today, our Midtown Manhattan hotel's new, modernized look makes it a centerpiece of the city's NoMad (North of Madison Square Park) neighborhood located north of the Flatiron building and south of Herald Square.

At The Carlton Hotel in New York City, guests seeking an extraordinary urban getaway will be pleasantly surprised by our luxury hotel's seamless integration of old-world charm and modern flare. Guests of The Carlton can experience the hotel's unparalleled service and luxurious amenities, secluded in a unique urban setting and perfect for a romantic getaway to Manhattan. The Carlton Hotel features intimate spaces where guests can relax, away from the energy of Midtown New York, while also serving as an elegant backdrop for business meetings and special events. We are proud to serve our discerning hotel guests in any way we can and invite you to explore our contemporary retreat on Madison Avenue.

American Conference Institute is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. Please contact The Carlton Hotel directly at **(800) 601-8500** and mention **"ACI's Directors & Officers and Management Liability"** to receive this rate. Online, please log on to:

AmericanConference.com/DandO/Venue--Accommodation

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Director of Sales, American Conference Institute

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June 17, 2016

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Online: AmericanConference.com/DandO/Venue--Accommodation

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Delegate Substitutions and Cancellations

You must notify us by email at least 48 hrs in advance of the conference if you wish to send a substitute participant. If you are unable to find a substitute, please notify us in writing no later than 10 days prior to the conference date. All cancellations received will be subject to a cancellation fee of \$350. Delegates opting to receive a credit voucher will receive a credit for the full amount paid, redeemable against any other American Conference Institute conference in the next 12 months.

No credits or refunds will be given for cancellations received within 10 days of the conference start date. Delegates may not "share" a pass between multiple attendees without prior authorization. No liability is assumed by American Conference Institute for changes in program date, content, speakers or venue. American Conference Institute reserves the right to cancel any conference it deems necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants.

July 26-27, 2016 | The Carlton Hotel on Madison Avenue | New York, NY

American Conference Institute's 20th National Forum on

Directors & Officers and Management Liability

American Conference Institute
45 West 25th Street, 11th Floor
New York, NY 10010

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ACI

American Conference Institute
Business Information in a Global Context

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It is time to match our brand with the dynamic strides we have made.
See inside for details...

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Directors & Officers and Management Liability

Coverage, Underwriting, and Claims Strategies for Managing Liability Risk
Through Market Changes and Increased Scrutiny

CONFERENCE CHAIRS



Diane Parker
Allied World



Robert Stern
Orrick



Kara Altenbaumer-Price
USI Southwest