



 **FEDERAL
ENFORCEMENT
FORUM**

**Fifth Annual Federal Enforcement Forum Agenda
Wednesday, December 5, 2018
Washington, DC**

11:00 a.m. – 11:05 a.m.

Welcome

11:05 a.m. – 11:55 a.m.

Keynote Address: Artificial Intelligence: A Look at the Future

The evolution of artificial intelligence and other tech innovations holds significant promise for all. These innovations are also sparking a revolution in many area of society. The legal profession is no exception. Professor Srihari will explore the implication of these innovations on the legal profession.

Special guest lecturer:

Rohini Srihari, Chief Data Scientist, PeaceTech Lab, Professor of Computer Science, State University of New York

12:00 p.m. – 12:50 p.m.

Panel I: SEC Enforcement: Key Issues Facing the Division

SEC enforcement has, in many ways been battered by the Supreme Court. First there was *Kokesh*, applying the statute of limitations to disgorgement awards and reserving the question as to whether the agency can seek disgorgement. Then there was *Lucia*, holding that ALJs are Officers under the Constitution's Appointment Clause but not addressing the venue selection issue that sparked the suit. Now the Court is poised to decide *Lorenzo*, which will consider the line between primary and liability, a division the agency has sought to obliterate for years according to the dissent in the DC Circuit in this case by now Justice Kavanaugh. This panel will explore the implications of these decisions and their impact on SEC Enforcement.

Moderator: **Tom Gorman**, Partner, Dorsey & Whitney; former official in the Enforcement Division, SEC

J David Jackson, Partner, Dorsey & Whitney

Special guest speakers:

Brian P. O'Shea, Senior Director at the Center for Capital Market Competitiveness, U.S. Chamber of Commerce

Urska Velikonja, Professor, Georgetown University Law School specializing in SEC enforcement

1:00 p.m. – 1:50 p.m.

Panel II: Broker “Raiding” in the Protocol World

A panel of outside and in-house counsel will explore the latest developments in “raiding” litigation, minimizing risks to broker dealers, the benefits and pitfalls of membership in the broker protocol, and the decision by larger broker dealers to withdraw from the protocol.

Moderator: [Edward B. Magarian](#), Partner, Dorsey & Whitney

[Daniel Baich](#), Of Counsel, Dorsey & Whitney

Special guest speaker:

Gail Van Horn, Corporate Counsel and Vice President, U.S. Bank

2:00 p.m. – 2:50 p.m.

Panel III: Investment Management: Critical Issues with OCIE and Enforcement

This panel will discuss recent trends in SEC exams and enforcement. The discussion will include overview of OCIE’s exam process and common compliance deficiencies as well as enforcement priorities and recent developments.

Moderator: [Genna Garver](#), Of Counsel and Chair of the Investment Management Group, Dorsey & Whitney

Special guest speakers:

L. Allison Charley, Senior Principal Consultant, ACA Compliance Group

Paul D. Glenn, Senior Special Counsel, Investment Adviser Association

3:00 p.m. – 3:50 p.m.

Panel IV: Regulators, Enforcement and ICOs

As the furor over cryptocurrencies subsides, legal exposure remains from governmental agencies exercising jurisdiction over compliance with several legal obligations, the application of which has not kept pace with the cryptocurrency revolution. Panelists will describe the legal exposure, recent enforcement actions and anticipated future regulatory developments.

Moderator: [Joe Lynyak](#), Partner, Dorsey & Whitney

Speakers:

[Genna Garver](#), Of Counsel and Chair of the Investment Management Group, Dorsey & Whitney

[Tom Gorman](#), Partner, Dorsey & Whitney; former official in the Enforcement Division, SEC

[Kim Severson](#), Partner, Dorsey & Whitney

4:00 p.m. – 5:00 p.m.

Closing Address: Cybersecurity and Internal Controls

The SEC recently issued a report addressing the intersection of cyber security and internal controls, critical reading for all public companies and in fact, any firm. Mr. Stark, the founder of the SEC’s Office of Internet Surveillance, will discuss the implications of that report at a time when every firm is facing significant issues regarding cyber security.

Special guest lecturer:

John Reed Stark, President of John Reed Stark Consulting, the author of “The Cybersecurity Due Diligence Handbook” and the former Head of the SEC’s Cybersecurity Enforcement Unit