

Compliance & Legal Sections Annual Meeting



July 11–13, 2018

THE GREENBRIER
White Sulphur Springs, WV

PROGRAM

(as of July 9, 2018)

TUESDAY, JULY 10

5:00-6:30 PM

OPTIONAL EVENT: Private Bunker Tour

The declassified Bunker at The Greenbrier is a must-see experience that takes you behind the scenes and walks you through a fascinating period in the resort's history. Carved deep into the mountainside beneath the hotel is an emergency Cold War fallout shelter. Once a top-secret U.S. government relocation facility for Congress, The Bunker is now open to anyone interested in reliving a legendary piece of The Greenbrier history.



5:15-6:45 PM

OPTIONAL EVENT: Private Bunker Tour

See description listed above.

WEDNESDAY, JULY 11

9:00 AM-4:30 PM

REGISTRATION

10:00 AM

WELCOME AND OPENING REMARKS

John Guyot, ACLI Legal Section Chair and Senior Vice President, General Counsel & Secretary, Security Benefit Life Insurance Company

Sharon Pacheco, ACLI Compliance Section Chair and Vice President & Chief Compliance Officer, Pacific Life Insurance Company

10:15-11:15 AM

NAIC Regulatory Roundup

Panelists will discuss critical issues facing insurance regulators and companies, including a best interest standard of care for marketing insurance products, state-run retirement plans, long-term care insurance, use of "Big Data" and predictive analytics and genetic testing. Panelists will also discuss innovation in the highly-regulated insurance industry through the use of "regulatory sandboxes," RegTech and InsurTech, and the shifting dialogue regarding state regulation of insurance and its impact on future regulatory efforts.

Moderator:

Jana Lee Pruitt, Regional Vice President, State Relations, ACLI

Speakers:

Jane C. Cline, Director of Public Policy, Spilman, Thomas & Battle

Elizabeth Dwyer, Deputy Director and Superintendent of Banking and Insurance, Department of Business Regulation

Mary Jo Hudson, Counsel, Squire Patton Boggs (US) LLP

11:15 AM-12:05 PM

Privacy/GDPR

This panel will discuss the EU's General Data Protection Regulation, its requirements, and what life insurers should do to prepare.

Moderator:

Jigar Gandhi, Counsel, ACLI

Speaker:

D. Reed Freeman, Jr., Partner, WilmerHale

Ashley Street, Senior Attorney, FASG Life Counsel, USAA

12:15-1:45 PM

LUNCH SESSION: The Story of The Greenbrier: Two Centuries as America's Resort

Over 234 years of history is covered in this informative lecture with Dr. Conte. From its first documented event in 1778 through its existence in the Civil War and up to the present award-winning resort fame, our history is breathtaking to all guests. Dr. Conte is author of the book, *The History of the Greenbrier: America's Resort*, and has been interviewed frequently about The Greenbrier's



famous secret bunker, on NPR's *All Things Considered*, A&E's *America's Castles*, CBS's *Good Morning America*, as well as the History Channel, the Travel Channel, the Discovery Channel, National Geographic Channel and NBC's *Today Show*. His comments have appeared in the *New York Times*, the *Washington Post* and the *Wall Street Journal*.

Speaker: **Dr. Robert S. Conte**, Resident Historian, The Greenbrier

Lunch sponsored by:



2:00-3:00 PM

Receiverships and Guaranty Associations

After a brief overview of the receivership and guaranty association systems, the panel will discuss the recent revisions to the NAIC's Life and Health Insurance Guaranty Association Model Act and the status of conforming state legislation. It will then discuss developments relating to the NAIC's Receivership and Insolvency Task Force, International Association of Insurance Supervisors and Financial Stability Board, as well as potential improvements to the receivership and guaranty association systems and corporate division legislation.

Moderator:

Wayne Mehlman, Senior Counsel, Insurance Regulation, ACLI

Speakers:

Mark J. Backe, Vice President, Insurance & Operations Counsel, The Northwestern Mutual Life Insurance Company

Deborah Long, Executive Vice President, Chief Legal Officer & Secretary, Protective Life Corporation

Doug Wheeler, Senior Vice President, Office of Governmental Affairs, New York Life Insurance Company

3:00-3:30 PM

REFRESHMENT BREAK

Sponsored by:



3:30-4:30 PM

CONCURRENT SESSIONS

LEGAL CONCURRENT - Hot Topics in Litigation

The session will cover such topics as the lapse litigation, age 100 litigation, non-guaranteed elements litigation, etc.

Speakers:

Maureen Henderson, Senior Vice President & Associate General Counsel, Global Atlantic Financial Group

Kristin Shepard, Shareholder, Carlton Fields

Stephen A. Wood, Principal, Chuhak & Tecson, P.C.

COMPLIANCE CONCURRENT - Supervision of Distribution

This panel will go through real world challenges of how to stay ahead of the independent distribution sales model; supervision and oversight.

Moderator:

Cliff Hagler, President and Chief Executive Officer, Aquilan Technologies

Speakers:

Beth Haddock, President, Warburton Advisers

Sarah Jarvis, Assistant Vice President, Compliance, Pacific Life Insurance Company

Cara St. Martin, Senior Compliance Director & Chief Compliance Officer, Allianz Life Insurance Company of North America

5:30-6:30 PM

WELCOME RECEPTION

Sponsored by:



6:30 PM

DINNER ON YOUR OWN

THURSDAY, JULY 12

7:00 AM-5:00 PM

REGISTRATION

7:30-8:30 AM

NETWORKING BREAKFAST

8:30-9:30 AM

Standard of Care/Suitability

While change is certain, questions remain regarding how and when the annuity sales process will change, and to what extent various regulators will harmonize their efforts. The panel will discuss current standard of care and suitability proposals and the potential impact on the industry.

Moderator/Speaker:

Carl Wilkerson, Vice President & Chief Counsel, Securities, ACLI

Speakers:

Charlie Platt, Partner-In-Charge, WilmerHale**Carla A. Strauch**, Director, Insurance Compliance, Thrivent Financial

9:30-10:00 AM

REFRESHMENT BREAK

Sponsored by:



10:00-10:55 AM

Hot Topics in Life Insurance

This session will include discussions on sustainability, lapses, unclaimed property, non-guaranteed elements, and death master file.

Moderator:

Donald J. Walters, President & Chief Executive Officer, The Compliance & Ethics Forum for Life Insurers (CEFLI)

Speakers:

Jeff Butscher, Chief Compliance Officer, The Guardian Life Insurance Company of America**Susan Gittes**, Partner, Debevoise & Plimpton LLP

11:00-11:55 AM

CONCURRENT SESSIONS**LEGAL CONCURRENT - INSIDE THE CORPORATE LEGAL DEPARTMENT – RESOLVING THE COMPETING ROLES OF LEGAL GUARDIAN, CORPORATE LEADERSHIP AND COMPANY CONSCIENCE**

In the past two decades, there has been a revolution within the in-house legal profession. General Counsels and their in-house colleagues have risen in quality, responsibilities, power and status. Not only do legal departments run the legal function (including the engagement of outside advisors) but also they have become an integral part of corporate management and overall leadership. These developments are swiftly evolving, and change continues to be rapid. 2017 was an unprecedented year in terms of litigation, regulatory battles, rapid technology growth and enough scandals to make even the most experienced General Counsel concerned. Legal departments will have to adapt to all of the changes that continue to come their way.

This panel will examine critical issues facing the legal departments of life insurance companies, focusing on lessons learned from recent events affecting companies outside of our industry. In particular, this panel will discuss some of the findings and recommendations from recent published reports examining corporate conduct and the roles of the legal department, including the Sherman & Sterling Sales Practices Investigation Report on Wells Fargo and similar reports produced for Uber and others. The panel will also offer their observations on how to address the expanding role of lawyers as legal resources, company leaders and a lawyer's ethical obligations affect those roles. Topics will include:

- Lessons Learned From the Sherman & Sterling Report on Wells Fargo
- Lessons Learned from Covington & Burling's Report on Uber Technologies
- What's Next and How May the Life Insurance Industry be Impacted?
- Professional Ethics Issues for Legal Departments
- Thoughts on Legal Department Leadership and the Role of the General Counsel

Speakers:

Scott Burton, Partner, Eversheds Sutherland**Sharon Cheever**, Senior Vice President, General Counsel, Law Department, Pacific Life Insurance Company**Patrick C. Fraizer**, Executive Vice President, General Counsel, Pan-American Life Insurance Company**COMPLIANCE CONCURRENT - Modern Day Fraud Warfare: How life insurance companies are not only protecting themselves but are proactively fighting emerging fraud issues**

The insurance annuity and life insurance industry is reporting a continued bombardment of attempts to 'takeover' customers annuity, retirement or life insurance accounts. The panel attempts to breakdown the reasons for this increase but more importantly ways to prevent it from happening. With millions of dollars being lost annually this is a must attend session.

Moderator:

Chad Eslinger, Chief Compliance Officer, Insurance Division, Voya Financial

Speakers:

Shawn Hall, Director, Fraud Prevention and Strategy, PinDrop**Carmen Hill**, Vice President & Chief Compliance Officer, Security Benefit Life Insurance Company

12:00-1:30 PM

NETWORKING LUNCH

1:35-2:30 PM

CONCURRENT SESSIONS**LEGAL CONCURRENT - Ethical Corporate Culture**

Speakers:

Holly Gregory, Partner & Co-Chair, Global Corporate Governance & Executive Compensation Practice

Jean Wang, Senior Vice President, Deputy General Counsel & Corporate Secretary

COMPLIANCE CONCURRENT - Hot Topics and Advertising Concerns from the Trenches

This session will include discussions on internal structure/ responsibilities/oversight; Social media: concerns/positions/activity; ongoing problematic marketing and emerging risks; and systems of controls (monitoring agents).

Moderator:

C.J. Rathbun, Senior Consultant, First Consulting & Administration, Inc.

Speakers:

Tom Bilello, Chief Compliance Officer, Life Insurance Division, Pacific Life Insurance Company

Phil Blankenfeld, Compliance Manager, Royal Neighbors of America

David Wolfe, General Counsel, Advisors Excel, LLC

2:30-3:00 PM

REFRESHMENT BREAK

Sponsored by:



3:00-3:55 PM

Cybersecurity

2017 was cybersecurity's *annus horribilis*. We suffered through hacktivist Shadow Brokers releasing NSA hacking tools that led to malware WannaCry and Petya, disclosure of Equifax, Uber, and Yahoo's breaches, and the Cambridge Analytica data mining scandal. Our session will examine what the insurance industry can learn from 2017's attacks and what may be anticipated for the rest of 2018. We will focus on the latest in threat intelligence and collaboration, implementation challenges of the various new regulatory requirements, and current best practices in breach preparation and response.

Moderator:

Katie Koelling, Vice President, Deputy General Counsel, Thrivent Financial for Lutherans

Speakers:

Josephine Cicchetti, Shareholder, Carlton Fields Jorden Burt, P.A.

Dennis Gross, Information Security Analyst, Financial Services ISAC

Michael Rohrs, Associate Director, Control Risks

4:00-5:00 PM

CONCURRENT SESSIONS

LEGAL CONCURRENT – Getting Up to Speed on Blockchain, Cryptocurrencies, Biometrics and GDPR

This panel will discuss how innovative technologies and regulations in the digital data environment are presenting new opportunities and challenges for life insurers in the US.

Speaker:

Mary Jane Wilson-Bilik, Partner, Eversheds Sutherland

COMPLIANCE CONCURRENT - Financial Exploitation of Seniors and Vulnerable Adults

This session will cover the following: Rule 4512, Rule 2165, the Senior Safe Act, AML/SAR Reporting – FinCEN, State legislation, cases of financial exploitation, diminished capacity, concerns and resources.

Moderator/Speaker:

Lara Gillett, Director, Individual Markets Compliance, The Guardian Life Insurance Company of America

Speakers:

Ted Holt, Attorney, Maynard, Cooper & Gale, P.C.

Marsha E. Hunt, Senior Liaison Officer, Department of the Treasury Financial Crimes Enforcement Network

6:00-7:00 PM

NETWORKING RECEPTION

7:00 PM

DINNER ON YOUR OWN

FRIDAY, JULY 13

7:30-10:00 AM

REGISTRATION

8:00-9:00 AM

NETWORKING BREAKFAST

9:00-10:00 AM

Technology: The Wave of the Future

This session will cover the legal and regulatory challenges and developments affecting innovation efforts.

Speakers:

David W. Alberts, Partner, Mayer Brown LLP

Larry Hamilton, Partner, Mayer Brown LLP

10:00 AM

ADJOURNMENT

12:00 PM

HOTEL CHECK-OUT