

AGENDA | IRI RETIREMENT PLAN SUMMIT

Moderators: **C. Frederick Reish**, *Partner*, Drinker, Biddle & Reath LLP
W. Mark Smith, *Partner*, Sutherland Asbill & Brennan, LLP

WEDNESDAY, JUNE 19, 2013

8:00 AM – 9:00 AM

REGISTRATION AND BREAKFAST
WILSON/ROOSEVELT

9:00 AM – 10:00 AM

THE VIEW FROM WASHINGTON
WILSON/ROOSEVELT

Moderator: **W. Mark Smith**, *Partner*, Sutherland Asbill & Brennan LLP
Panelists: **Sean Cassidy**, *Vice President, Federal Government Affairs*, ING Retirement
J. Lee Covington II, *Senior Vice President and General Counsel*, Insured Retirement Institute
Vanessa Scott, *Partner*, Sutherland Asbill & Brennan LLP

After a quiet election year, Congress and the Administration have quickly resumed consideration of a variety of policy initiatives, starting with possible tax and spending reform, that could potentially change the shape of the retirement market. Our panel of government relations insiders will provide an up-to-the-minute briefing on the policy trends and dynamics in Washington that could affect retirement products and services, with prognostications for 2013-2014.

10:00 AM – 11:00 AM

INSURANCE CONTRACTS AND FIDUCIARY RISKS
WILSON/ROOSEVELT

Panelists: **Mike Kavanagh**, *Managing Counsel*, Great-West Life & Annuity Insurance Company
C. Frederick Reish, *Partner*, Drinker, Biddle & Reath LLP

ERISA governed retirement plans, including both pooled plans and participant directed plans, can be funded with both group and individual annuity contracts. Many practices in drafting and managing insurance contracts that are common in the retail market present fiduciary and prohibited transaction issues when the contracts involve ERISA plan assets. This session will address those provisions—such as the amendment provision, discretion in administration, and ability to set and change fees—in the ERISA context and suggest approaches to avoid problems.

11:00 AM – 11:15 AM

BREAK
WILSON/ROOSEVELT

11:15 AM – 12:15 PM

FIDUCIARIES IN THE DISTRIBUTION CHANNEL
WILSON/ROOSEVELT

Moderator: **W. Mark Smith**, *Partner*, Sutherland Asbill & Brennan LLP
Panelists: **Edward Duch III.**, *Assistant Vice President and Counsel*, MassMutual Financial Group
Michelle M. Kelly, *Senior Vice President, Associate Counsel*, LPL Financial

After forty years of assiduously avoiding it, the market is asking and more companies are considering whether representatives in the various distribution channels should be allowed to act as either ERISA 3(21) fiduciaries or even 3(38) investment managers. This trend constitutes a sea change in legal relationships, business models, and the terms and conditions on which the industry's products and services can be offered in the retirement market. A panel experienced in these arrangements will explore the practical consequences of proceeding down this path.

12:15 PM – 1:45 PM

LUNCH ON YOUR OWN

1:45 PM – 2:45 PM

LITIGATION AND ENFORCEMENT

WILSON/ROOSEVELT

Panelists: **Bruce Ashton**, *Partner*, Drinker Biddle & Reath LLP
C. Frederick Reish, *Partner*, Drinker Biddle & Reath LLP
Abigail Pancoast, *Chief Counsel*, Retirement Plan Services, Lincoln Financial Group
Steuart Thomsen, *Partner*, Sutherland Asbill & Brennan LLP

The Department of Labor has been active in investigating insurance company plan services and the activities of insurer partner broker-dealers. And, as always, there is litigation involving the retirement services of insurance companies and affiliated broker-dealers. This session will cover new and pending litigation, as well as possible future claims, and DOL investigations affecting insurance companies and affiliated broker-dealers.

2:45 PM – 3:45 PM

HOT TOPICS AND LIGHTNING ROUND WITH THE EXPERTS

WILSON/ROOSEVELT

Moderators: **C. Frederick Reish**, *Partner*, Drinker Biddle & Reath LLP
W. Mark Smith, *Partner*, Sutherland Asbill & Brennan LLP

The summit will conclude with a robust discussion of other topics important to companies and firms in the retirement plan business. This session will cover the latest in 408(b)(2) developments, lifetime income projections, and other hot topics. Also, participants will have the opportunity to pose their most pressing questions to the panel of experts.

3:45 PM - 4:00 PM

CLOSING REMARKS