

# IRI Government, Legal & Regulatory Conference 2013



**PUBLIC POLICY: PROMOTING LIFETIME INCOME**

June 17-18, 2013 | Grand Hyatt Washington | Washington, DC

## **IRI Litigation Summit 2013 – Agenda**

*Co-moderated by Sutherland Asbill & Brennan LLP and Jordan Burt LLP*

### **Tuesday, June 18**

7:30 am – 8:15 am **Breakfast**

8:15 am – 8:30 am **Welcome Remarks**

**Markham Leventhal**, Partner, Jordan Burt LLP

**Phillip E. Stano**, Partner, Sutherland Asbill & Brennan LLP

8:30 am – 9:45 am **Unclaimed Property – Navigating the Quagmire**

Moderator: **Phillip E. Stano**, Partner, Sutherland Asbill & Brennan LLP

Panelists: **Stuart H. Thomsen**, Partner, Sutherland Asbill & Brennan LLP

In recent years, insurers have become the subject of significant regulatory activity as well as lawsuits involving state unclaimed property laws and related issues. This session will provide a comprehensive review of all unclaimed property regulatory, legislative and litigation developments. Panelists will focus on unclaimed property audit trends and defenses, related multi-state market examinations, and recent lawsuits against and by insurers.

9:45 am – 11:00 am **Latest Developments and Trends in Significant Annuity and Life Insurance Litigation**

Moderator: **Roland C. Goss.**, Partner, Jordan Burt LLP

Panelists: **Stephen Jordan**, Partner, Jordan Burt LLP

Recent annuity and life insurance market conduct and sales practices actions have involved individual and class claims such as the suitability of sales to seniors, "illusory bonus" claims, retained asset account claims, and cost of insurance and related mortality charge claims. This session will address the various products and substantive claims that have been the subject of these actions. Panelists also will examine the evolving regulatory and litigation landscapes that insurers face when confronted with stranger-originated life insurance and annuity transactions.

11:00 am – 11:15 am **Break**

11:15 am – 12:30 pm **FINRA Arbitration and Enforcement Actions**

Moderators: **Phillip E. Stano**, Partner, Sutherland Asbill & Brennan LLP  
**Markham Leventhal.**, Partner, Jordan Burt LLP

Panelists: **W. Glenn Merten**, Partner, Jordan Burt LLP  
**S. Lawrence Polk**, Partner, Sutherland Asbill & Brennan LLP  
**Brian L. Rubin**, Partner, Sutherland Asbill & Brennan LLP  
**Noah Sorkin**, General Counsel, AIG Advisor Group

2012 saw many new developments in FINRA arbitration and enforcement actions. This session will provide a comprehensive review of recent arbitration rule changes and enforcement actions. Panelists will focus on issues including suitability, due diligence, class action bars and advertising claims.

12:30 pm – 1:45 pm **Lunch On Your Own**

1:45 pm – 3:00 pm **Class Action Litigation and Supreme Court Decisions**

Moderators: **Markham Leventhal.**, Partner, Jordan Burt LLP  
**Phillip E. Stano**, Partner, Sutherland Asbill & Brennan LLP

Panelists: **Thomas W. Curvin**, Partner, Sutherland Asbill & Brennan LLP  
**Wilson G. Barmeyer**, Associate, Sutherland Asbill & Brennan LLP

The U.S. Supreme Court continues to be active in developing significant class action jurisprudence. This panel will explore the latest Supreme Court decisions, and will discuss recent Circuit Court rulings affecting class action procedure, and cutting edge issues involving use of expert witnesses, Rule 23(b)(2) classes, issue certification, and class action settlements.

3:00 pm – 3:15 pm **Break**

3:15 pm – 4:30 pm **Recent Developments and Trends in Retirement Plan Litigation**

Moderators: **Phillip E. Stano**, Partner, Sutherland Asbill & Brennan LLP  
**Markham Leventhal.**, Partner, Jordan Burt LLP

Panelists: **W. Mark Smith**, Partner, Sutherland Asbill & Brennan LLP  
**Michael A. Valerio**, Partner, Jordan Burt LLP

Developments continue in revenue sharing and excessive fee class actions involving ERISA-governed retirement plans, including decisions in existing actions and newly docketed matters. This session will provide a timely update on these and other types of fiduciary breach cases brought against retirement product and service providers, as well as address recent regulatory developments affecting the industry.

4:30 pm – 4:45 pm **Closing Remarks**

**\*Panelists are subject to change**