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DRI delivers resources to build your practice

Cybersecurity and Data Privacy

Emerging Technology, Current Laws, and New Regulatory Frameworks

- Industry-leading speakers on data security and privacy
- Advanced cyber threats and how to mitigate them
- Implications of cutting-edge technology, including blockchain, the Internet of Things, and autonomous vehicles
- Interactive discussions on hot topics in cybersecurity
- Guidance on regulatory landscape with privacy and security
- Topics in government enforcement and corporate compliance





September 5-7, 2018 Loews Chicago Hotel Chicago, IL Recent developments in technology have spurred issues never before imagined. Cyber threats now include not just hacking, but ransomware attacks, social engineering, and other schemes. Advanced technologies such as blockchain and cryptocurrencies bring a world of questions to previously traditional structures in marketing, banking, and sales. Interconnected and "smart" devices create new concerns about privacy within the "Internet of Things" (IOT), especially in the healthcare world. And autonomous vehicles, once available only to the Jetsons, are now a reality that bring with them a host of concerns that demand the attention of cyber professionals. Governmental regulations on data privacy and security are responding to these new issues and evolving every day. The seminar will appeal to a diverse audience of professionals: in-house counsel, firm attorneys, IT personnel, insurance professionals, and anyone who must understand developments in cybersecurity and data privacy law.



Stephen E. **Reynolds** Program Chair



James H. **Kallianis**, Jr. Committee Chair



Cinthia Granados **Motley** Program Vice Chair



Alexander E. (Alex) Potente Committee Vice Chair



Mark A. Fahleson Law Institute

PRESENTED BY DRI's Cybersecurity and Data Privacy Committee IN CONJUNCTION WITH DRI's Government Enforcement and Corporate Compliance Committee

What You Will Learn



- Advanced cyber threats and how to mitigate them
- Implications of cutting-edge technology, including blockchain, the Internet of Things, and autonomous vehicles
- Guidance on regulatory landscape with privacy and security
- The role of insurance in data security and privacy
- Trends in data breach class action litigation
- How to build a data security practice at your law firm

Members Get More

- Access to LegalPoint ▶[™] at dri.org: Committee newsletters, seminar course materials, and other publications.
- Access to the DRI Cybersecurity and Data Privacy and Government Enforcement and Corporate Compliance Committees communities: Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Access to dri circles, where lawyer-to-lawyer connections happen. Search dri circles in your app store:





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1:00 p.m. Welcome and Introduction

1:10 p.m. Cloud Computing

What is cloud computing? Is it safe? Learn about Software as a Service (SaaS) licensing and delivery model options, as well as Infrastructure as a Service (IaaS) and Platform as a Service (PaaS) operating systems that can help with data management and security and remove the complexity involved in the development, operation, and management of applications.

Marc Duncan, *NetDocuments Software Inc.*, San Clemente, CA

Michael Kraft, Kraft & Kennedy, Inc., New York, NY

Nathan Leong, Microsoft US Health & Life Sciences Legal, Chicago, IL

2:00 p.m. Future Proof: Artificial Intelligence in Practice

You've read some of the hype about artificial intelligence and robot lawyers, but where and how is Al actually coming into play in legal services? This session will introduce and demystify the application of artificial intelligence technologies to legal practice.

David Curle, Thomson Reuters, Eagan, MN

2:50 p.m. **Break**

WEDNESDAY, SEPTEMBER 5 1:00 p.m.-5:00 p.m.

Attendees of the DRI Cybersecurity and Data Privacy Seminar are welcome to register early and attend a complementary session where you will hear leading experts in the field discuss the most important emerging technology issues facing defense lawyers and their clients. (*If you plan to attend the DRI Tech Summit, please check box on registration form.*)

3:20 p.m. How Can I Make More Money?

Learn about the desktop and SaaS applications that you already have and how to take advantage of the potential that they offer for business-savvy, efficiency gains.

Michael Kraft, Kraft & Kennedy, Inc., New York, NY

Joy Heath Rush, Litera Microsystems, Chicago, IL

4:05 p.m. Law Firm Security: Keeping You and Your Firm Information Safe

Cybercrime has become the norm. Attacks are constant and law firms are prime targets. Clients are asking for more and more assurances that their information is safe and that firms have implemented the necessary safeguards for protection. There are a number of things that firms must do including on-going training of users and staff, patching, regular back-ups, etc. We will also discuss the various types of attempts to gain access to information through spoofing, phishing, etc.

Robert Bryan, *RSA*, *a Dell Technologies Company*, Seattle, WA

John Kogan, Kraft & Kennedy Inc., New York, NY Steven M. Puiszis, Hinshaw & Culbertson, Chicago, IL

5:00 p.m. **Adjourn**

PROGRAM SCHEDULE

WEDNESDAY, SEPTEMBER 5

- 6:00 p.m. **Registration**
- 6:00 p.m. Networking Reception SPONSORED BY Lewis Brisbois Bisgaard & Smith LLP

Selman Breitman LLP

7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner. More details on-site.

THURSDAY, SEPTEMBER 6

- 7:00 a.m. Registration
- 7:00 a.m. Continental Breakfast
- 7:00 a.m. First-Time Attendees Breakfast James H. Kallianis, Jr., Hinshaw & Culbertson LLP, Chicago, IL
- 8:00 a.m. Welcome and Introduction Mark A. Fahleson, *Rembolt Ludtke LLP*, Lincoln, NE

Stephen E. Reynolds, CIPP/US, CISSP, *Ice Miller LLP*, Indianapolis, IN

8:15 a.m. Goats, Worms, and Hammers: Rethinking Data Security

Lysa Myers is a security expert who has worked both within anti-virus research labs, finding and analyzing malware, and within the third-party testing industry to evaluate the effectiveness of security products. This session will provide practical guidance on information security in a way that is relatable to everyday experiences.

Lysa Myers, *ESET Security North America*, San Diego, CA

9:00 a.m. View from the Trenches: Real Life Retelling of a Cyber Attack and Response

At 9:30 p.m. on Thursday, January 11, 2018, a cyber attack on Hancock Health was initiated by a sophisticated criminal group. In this session, the CEO of the healthcare network and their outside counsel will discuss how they responded in accordance with their incident response plan all while protecting patient safety and critical systems.

MODERATOR | **Kirsten E. Small, CIPP/US**, *Nexsen Pruet LLC*, Greenville, SC Click on any speaker name to view bio.

Steven V. Long, MHA, FACHE, Hancock Health, Greenfield, IN

Mark J. Swearingen, Hall Render Killian Heath & Lyman PC, Indianapolis, IN

10:00 a.m. Networking Exercise

A quick, fun way to get to know some of your fellow seminar attendees.

Alexander E. (Alex) Potente, *Clyde & Co US LLP*, San Francisco, CA

10:15 a.m. Refreshment Break SPONSORED BY Morrison Mahoney LLP

10:30 a.m. Mobile Apps and Personal Health Data: Privacy Risks and Current Regulatory Environment

Mobile health apps are available to help individuals with a range of needs, from meeting fitness goals to chronic disease management. But the apps' collection of personal data raises a host of privacy risks. This presentation will provide an overview of the risks and where the law has fallen behind in this evolving technological realm.

Lori B. Andrews, *Chicago-Kent College of Law*, Chicago, IL

11:15 a.m. Digital Transformation: How Blockchain, Artificial Intelligence, and Emerging Technologies Impact Information Security

> Emerging technologies are rapidly changing both business and our everyday lives. Cybersecurity is not immune to these changes. This session will discuss the cybersecurity implications of emerging technologies through reallife applications and examples.

Amanda Craig, Microsoft Corporation, Washington, DC

12:00 p.m. Lunch-Arounds | Join colleagues and friends at selected restaurants for lunch. More details on-site.

1:30 p.m. Insurance for Cyber Risk—and the Disputes About Its Scope: The Good, the Bad, and the Ugly

As insurance for cyber risks becomes increasingly common, so too do disagreements about the scope and application of the coverages available. This panel will examine underwriting and claims challenges, insurance coverage disputes, and regulatory pressures on financial and other institutions regarding cyber insurance.

MODERATOR | **Emily Myers Ruzic**, *Bradley Arant Boult Cummings LLP*, Birmingham, AL

Michael Carr, Brit Global Specialty USA, Chicago, IL

Anna M. Stafford, Travelers, Hartford, CT

2:15 p.m. Breakout Sessions (see below)

3:15 p.m. Refreshment Break SPONSORED BY Ice Miller LLP

3:30 p.m. **Regulatory Initiatives on the Cybersecurity Frontline**

This session will discuss the latest regulatory initiatives to combat cyber crime in the financial services industry.

MODERATOR | Laurie A. Kamaiko, Saul Ewing Arnstein & Lehr LLP, New York, NY

Steven J. Levine, US Securities and Exchange Commission, Chicago, IL

Jennifer M. McAdam, National Association of Insurance Commissioners, Kansas City, MO

Christopher K. Veatch, *Perkins Coie LLP*, Chicago, IL

BREAKOUTS Thursday, September 6

2:15 p.m. to 2:45 p.m. (choose one)

Conducting Effective Internal Investigations

Internal investigations are crucial to any incident response, and effective internal investigations can minimize the risk or effect of an enforcement action or civil action. This panel will discuss tips for conducting an effective internal investigation.

Terrance P. Flynn, *Harris Beach PLLC*, Buffalo, NY Richik Sarkar, *McGlinchey Stafford PLLC*, Cleveland, OH

RICHIK Sarkar, McGillichey Stanord PLLC, Cleveland, OH

David S. Weinstein, *Hinshaw & Culbertson LLP*, Coral Gables, FL

Data Security and Privacy Trivia

Test your knowledge as a team, learn about data security and privacy laws and recent litigation trends (with a little pop culture thrown in), network with your fellow attendees, and show off your trivia skills through this interactive session that promises to be both informative and entertaining. There will be prizes!

Brandi L. Burke, Thompson Coburn LLP, Saint Louis, MO

2:45 p.m. to 3:15 p.m. (choose one)

Cyber Spycraft and the Hacker Mindset

Hacking may be perceived to be a greater concern today with daily headlines of cybersecurity threats, but information security has been an arms race for decades for intelligence services and the military. Guillermo Christensen, a former CIA intelligence officer and diplomat with the State Department, will discuss the ways in which lawyers focused on cybersecurity must account for the mindset of the hacker.

Guillermo S. Christensen, *Brown Rudnick LLP*, Washington, DC

Failing to Prepare Equals Preparing to Fail: Proactive Steps to Reduce Chances and Costs of Cyber Incidents

The strongest weapon against a data breach is preparation. Learn from a computer forensic expert about proactive strategies to reduce the chances and severity of security incidents through real-world examples.

David E. Aberman, CFE, PI, Grant Thornton LLP, Chicago, IL

Employee Issues in Cybersecurity: Vulnerability or Threat?

Often the weakest links in the cybersecurity chain are persons within the organization that already have legitimate access to systems. Using a combination of lessons learned, profiles of cyber criminals, and recommendations from the NIST Cybersecurity Risk Management Framework's control families, how to minimize or eliminate employee-based risks to an enterprise's most valuable electronic assets will be discussed.

Barry S. Herrin, CHPS, FAHIMA, FACHE, *Herrin Health Law PC*, Atlanta, GA

4:15 p.m. The Threat of Cyber Warfare: Future or Reality?

Due to the evolutionary leap of technology, cyber weapons and cyber crimes have sharply increased since 1990. State-sponsored cyber attacks are on the rise. Is cyber warfare a potential future threat or reality? What does a cyber war look like? How can states and companies prepare? This program will offer projections and recommendations.

Bert Weingarten, PAN AMP, Hamburg, Germany

- 5:00 p.m. **Adjourn**
- 5:15 p.m. Cybersecurity and Data Privacy Committee Meeting (open to all)
- 6:00 p.m. Networking Reception SPONSORED BY Segal McCambridge Singer & Mahoney Ltd
- 7:30 p.m. For the Win Chicago | Spend an evening networking with your colleagues while enjoying state-of-the-art gaming and great food and craft libations in one innovative venue. For more information and to sign up, please contact Kristin A. Shepard at KShepard@carltonfields.com.

FRIDAY, SEPTEMBER 7

- 7:00 a.m. Registration
- 7:00 a.m. Continental Breakfast
- 8:00 a.m. Announcements Cinthia Granados Motley, Dykema Gossett PLLC, Chicago, IL
- 8:05 a.m. Current Trends in Data Breach Class Action Litigation

This panel will address the current state of standing in data breach class actions, as well as merits-based defenses and potential defenses

to certification if these cases clear Article III's standing hurdle. We will also discuss data breach class action settlements, along with potential D&O litigation and regulatory actions in the wake of large-scale data breaches.

MODERATOR | Kristin A. Shepard, Carlton Fields Jorden Burt PA, Washington, DC

Carrie S. Parikh, Wyndham Hotel Group, Parsippany, NJ

Brandi L. Burke, *Thompson Coburn LLP*, Saint Louis, MO

9:00 a.m. Roads? Where We're Going We Don't Need ... Roads!

We live in the future. Connected cars and autonomous vehicles will change everyday life. Learn about innovations in this area and how data security, privacy, and intellectual property laws intersect with this rapidly developing technology.

Toni Y. Hickey, Cummins Inc., Indianapolis, IN

- 9:45 a.m. Refreshment Break
- 10:00 a.m. Breakout Sessions (see page 6)
- 11:00 a.m. **The Intersection of Data Security and Ethics** This program will discuss how legal ethics play a role in how a lawyer can respond and assist a client in connection with a data breach or cyber attack, including how to work with law enforcement while preserving attorney-client privilege.

MODERATOR | Brittney S. Steele, Information Resources Inc, Chicago, IL

Patrick Hogan, *Department of Homeland Security, US Secret Service*, Chicago, IL

Stephen E. Reynolds, CIPP/US, CISSP, *Ice Miller LLP*, Indianapolis, IN

12:00 p.m. **Adjourn**

Very beneficial information in a rapidly changing area of the law.

BREAKOUTS Friday, September 7

10:00 a.m. to 10:30 a.m. (choose one)

Fingerprints, Voiceprints, and Lawsuits, Oh My! What You Need to Know About the Illinois Biometric Privacy Act (BIPA)

Many companies use fingerprints or other biometric identifiers for employee or customer identification. Yet such activities can open the door to lawsuits based upon the Illinois Biometric Privacy Act (BIPA). Recently, the legal world has seen an avalanche of these lawsuits. Why are BIPA lawsuits suddenly so popular? What can companies do to protect themselves? And if a company is hit by a BIPA suit, what should it do and what should it expect? Join us for this interesting and timely discussion exploring these questions and more.

Martha L. Kohlstrand, Ice Miller LLP, Lisle, IL

Bitcoin? Litecoin? Kittycoins? Everything You Wanted to Know About Cryptocurrencies, but Were Afraid to Ask

Some say that cryptocurrencies will shake up financial markets and change the way that every day consumers transact business. Others claim that they are a passing fad. What's fact? What's fiction? And what does this mean for lawyers? This presentation provides answers to these and other questions.

Hanchen Wang, Deutsche Asset Management, Chicago, IL

The First Steps and Early Days of the General Data Protection Regulation (GDPR)

Since its adoption in April 2016, organizations across the globe have been preparing for compliance with the GDPR's May 25, 2018, effective date. The presentation will discuss issues and challenges that have arisen in the first months of the GDPR's life.

Andrew M. Graap, FIP, CIPP/US/E, CIPT, Deere & Company, Moline, IL

10:30 a.m. to 11:00 a.m. (choose one)

What Is the Internet of Things (IoT), Exactly?

The IoT is the biggest thing since anything. But what is it? Using real world examples, this session will address why the IoT is changing how companies build strategy to compete, how they invest, and who they hire. We'll also talk about how IoT cloud platforms are lowering the barrier of entry so that any company in any vertical, even small businesses, can and are reaping benefits of a datadriven, connected world.

John Annakin, Clear Object, Fishers, IN

Public WiFi War Stories

You didn't read them when you hit accept. Now, let's talk about it.

Nicholas R. Merker, Ice Miller LLP, Chicago, IL

GECC Breakout: Recent Trends in Telephone Consumer Protection Act (TCPA) Enforcement and Litigation

The Telephone Consumer Protection Act is a favorite prosecutorial tool for regulators and plaintiffs to use against telemarketers, debt collectors, and businesses that engage in telemarking or debt collection. This presentation will discuss recent trends in TCPA enforcement and litigation for in-house and outside counsel to consider when creating an effective TCPA compliance program or defending against TCPA claims.

Ross B. Hofherr, Harris Beach PLLC, New York, NY Kellie Mitchell Bubeck, Copilevitz & Canter LLC, Kansas City, MO

Amy E. Richardson, *Harris Wiltshire & Grannis LLP*, Washington, DC

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"This is a continually changing field and the content is relevant to my area of practice."

GENERAL INFORMATION

In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember in-house counsel may utilize this offer** only once. This offer excludes the DRI Annual Meeting and the DRI Business Management Principles for Lawyers Seminar.

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Claims professionals are eligible for free registration to DRI seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Annual Meeting**.

CLE Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **10** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Credit availability and requirements vary from state to state; please **check the DRI website** at **dri. org** for the latest information for your state.

Registration Policy

Save \$100 when you register by August 7, 2018. (See the registration form for pricing.) The registration fee includes course materials, continental breakfasts, refreshment breaks, networking receptions, and access to the DRI App. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by August

14, 2018 (*please allow 10 days for processing*). Registrations received after **August 14, 2018**, will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **August 14**, **2018**. Cancellations received after **August 14** and on or before **August 21**, **2018**, will receive a refund, less a \$100 processing fee. Cancellations made after **August 21** will not receive a refund, but a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri.org) to DRI's Accounting Department. Processing of refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

Discounts

Group Discount The first and second registrations from the same firm or company are subject to the fees outlined previously. The registration fee for additional registrants from the same firm or company is
\$775, regardless of membership status if received on or before August
7, 2018. After August 7, the group rate is \$875. All registrations must be received at the same time to receive the discount.

Travel Discounts DRI offers discounted meeting fares on various major air carriers for DRI Cybersecurity ad Data Privacy Seminar attendees. To receive these discounts, please contact Direct Travel, DRI's official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- A small portion of your room rate offsets the costs of the seminar.
 DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at the **Loews Chicago Hotel**, **455 North Park Drive, Chicago**, **IL 60611**. (click here to view hotel photos).

Take advantage of the group rate of **\$239 Single/Double** in one of two ways:

- Reserve online: Click here or visit dri.org and go to the DRI Cybersecurity and Data Privacy Seminar page and click on the "Book hotel" button.
- Or contact the hotel directly at 877.868.8232 and mention the DRI Cybersecurity and Data Privacy Seminar.

The hotel block is limited and rooms and rates are available on a firstcome, first-served basis. You must make reservations by **August 7, 2018**, to be eligible for the group rate. Requests for reservations made after **August 7** are subject to room and rate availability.

FACULTY Click on any name to view bio.

David E. Aberman, CFE, PI, Grant Thornton LLP, Chicago, IL Lori B. Andrews, Chicago-Kent College of Law, Chicago, IL John Annakin, Clear Object, Fishers, IN

Kellie Mitchell Bubeck, Copilevitz & Canter LLC, Kansas City, MO

Brandi L. Burke, Thompson Coburn LLP, Saint Louis, MO

Michael Carr, Brit Global Specialty USA, Chicago, IL

Guillermo S. Christensen, Brown Rudnick LLP, Washington, DC

Amanda Craig, Microsoft Corporation, Washington, DC

Mark A. Fahleson, Rembolt Ludtke LLP, Lincoln, NE Terrance P. Flynn, Harris Beach PLLC, Buffalo, NY

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Martha L. Kohlstrand, Ice Miller LLP, Lisle, IL

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Jennifer M. McAdam, National Association of Insurance Commissioners, Kansas City, MO Nicholas R. Merker, Ice Miller LLP, Chicago, IL Cinthia Granados Motley, Dykema Gossett PLLC, Chicago, IL Lysa Myers, ESET Security North America, San Diego, CA

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Christopher K. Veatch, Perkins Coie LLP, Chicago, IL

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View faculty bios on the Cybersecurity and Data Privacy Seminar webpage; click on "View speakers" button.

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Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, if a variance a diverse a diverse a diverse and the second seco

backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

Cybersecurity and Data Privacy Seminar

September 5-7, 2018 Loews Chicago Hotel | Chicago, IL



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Registration fee includes seminar attendance, networking receptions, course materials, and access to the DRI App. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar.

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