

### Credit Hours.

This seminar has been approved for up to ten (10) substantive credit hours and two (2) ethics hours by the Continuing Legal Education Board of the Supreme Court of Pennsylvania. CLE reporting fees are included in the seminar price.

**Registration.** Mail or fax your completed registration form with your payment no later than October 26, 2017. Address it to: PACDL, 115 State Street, Harrisburg, PA 17101 or Fax to: 717.234.7462. Only pre-paid attendees are guaranteed seating. At-the-door registrations are permitted if space and materials are available.

### Cancellations and Substitutions.

All cancellation and refund requests must be made via email before 4:00 p.m. on October 26, 2017 to receive a refund of the full conference fee less a \$75 administrative fee. There are no refunds granted for requests dated or received after October 26. Instead, you may substitute a colleague, request the materials be mailed to you or request your registration be transferred to another PACDL 2017 course less the \$75 administrative fee.

**Photographic Images.** Registration, attendance and participation in PACDL courses constitute your agreement to the use and distribution of your image or voice in photographs, videotapes, brochures, magazines, websites, and electronic or audio reproductions by PACDL without further written permission. No names or personal identifying information will be used. By participating you agree to release, defend, hold harmless, and indemnify PACDL from any and all claims involving the use of your photograph, likeness or voice.

**Questions:** Please contact us at [pacdl@pacdl.org](mailto:pacdl@pacdl.org) or 717.234.7403

**PACDL Membership.** Check out [www.pacdl.org](http://www.pacdl.org) for our membership application.

PRESET STD  
US POSTAGE  
PAID  
COMMUNICATION  
CONCEPTS, LLC

**PACDL**  
PENNSYLVANIA ASSOCIATION OF  
CRIMINAL DEFENSE LAWYERS  
  
115 State Street, Harrisburg, PA 17101

# WHITE COLLAR PRACTICE



## November 2 and 3, 2017

The Ritz-Carlton Philadelphia, Philadelphia, PA

**12**  
CLE CREDIT  
HOURS  
Including 2  
Ethics Hours

Presented by the

 **PACDL**  
PENNSYLVANIA ASSOCIATION OF  
CRIMINAL DEFENSE LAWYERS

## Thank You Sponsors

### PLATINUM SPONSORS

Montgomery McCracken Walker  
& Rhoads, LLP

Stradley Ronon Stevens & Young LLP

### GOLD SPONSORS

Elliot L. Atkins Associates

Cozen O'Connor

The Law Offices of Arthur T. Donato, Jr.

Robert J. Donatoni & Associates, P.C.

Drinker Biddle & Reath LLP

Fried, Frank, Harris, Shriver & Jacobson LLP

McMonagle, Perri, McHugh & Mischak

Morgan, Lewis & Bockius, LLP

Pepper Hamilton LLP

Welsh & Recker

### SILVER SPONSORS

Ballard Spahr L.L.P.

Buchanan, Ingersoll & Rooney PC

Cleary, Josem & Trigiani, LLP

Conrad O'Brien

DeForest Koscelnik Yokitis & Berardinelli

Farrell & Reisinger, LLC

Fox Rothschild LLP

Law Offices of Philip Gelso

Kroll

Stanton D. Levenson, P.A., Law Offices

MacElree Harvey, Ltd.

Marcum LLP

The Law Offices of Lisa A. Mathewson, LLC

Law Offices of F. Michael Medway

Morvillo Abramowitz Grand Iason & Anello, PC

Myers Brier and Kelly, LLP

Post & Schell, PC

Schnader Harrison Segal & Lewis LLP

Tucker Arensberg, PC



## 2017 White Collar Practice Seminar

Every year, PACDL's course planners curate relevant and engaging education sessions that tackle the most pressing issues in the white collar defense field. This year is no different. The 2017 White Collar Practice Seminar offers a strategic lens for practitioners who want to keep their skill set fresh and competitive. It is like no other regional white collar conference for influencers who seek a premium conference experience with content taught by some of the best thought leaders in the Greater Philadelphia-New York City-Washington, D.C. corridor. Mark your calendar and register now so we can reserve your seat. This is a 12 credit seminar providing all of the annual credits required for Pennsylvania lawyers at a convenient location and at a top-shelf venue.

### Course Planners:

Michael Engle, Stradley Ronon Stevens & Young  
Arthur Donato, Law Offices of Arthur T. Donato

## Welcome Reception

Join us for cocktails and appetizers.

Wednesday, November 1, 2017 • 5:30 p.m.

The Ritz-Carlton Philadelphia



## Thursday, November 2, 2017

5 Substantive and 1 Ethics CLE Credit Hours

- 8:30 a.m. **Registration and Continental Breakfast**
- 8:55 a.m. **Welcome and Announcements**
- 9:00 a.m. **Sentencing: Standards of Federal Sentencing Practice/Appeals and Mass Incarceration in 2017**  
*Moderator:* Lawrence S. Lustberg, *Gibbons P.C.*  
*Presenters:* David Rudovsky, *Kairys, Rudiovsky, Messing & Feinberg* and Robert Zauzmer, *U.S. Attorney's Office, EDPA and Office of the Pardon Attorney, DOJ*
- 11:00 a.m. **Break**
- 11:15 a.m. **Bridgagate: Post Mortem Musings.** An overview of the Bridgagate investigation and trial.  
*Moderator:* Catherine M. Recker, *Welsh & Recker, P.C.*  
*Presenter:* Henry E. Klingeman, *Krovatin Klingeman, LLC*
- 12:15 p.m. **Lunch Program: Whistleblowing and the Federal Government: Where Do We Go From Here?**  
*Moderator:* Ellen Brotman, *Brotman Law.*  
*Presenter:* Carolyn Lerner, *Chief of Mediation for the D.C. Circuit* (Eff. Sep. 2017)
- 1:45 p.m. **Two Years After Yates: What Does Cooperation and Individual Accountability Really Look Like?** The panel will focus on the impact the September 2015 "Yates Memorandum" has had on companies seeking to limit or mitigate criminal and civil liability through cooperation, and whether that cooperation has actually translated into the government bringing more criminal and/or civil cases against individuals for corporate wrongdoing.  
*Moderator:* Zane David Memeger, *Morgan, Lewis & Bockius LLP*  
*Presenters:* Louis D. Lappen, *U.S. Attorney's Office, EDPA and Jon Smollen, Temple Law Center for Compliance and Ethics*
- 2:45 p.m. **Successful Defenses in Countering the Government's Overreaching in the Public Corruption Context** Discussion of the successful defense arguments and strategies employed by counsel in the litigation of *U.S. v. Ireland* and *U.S. v. Farnese*.  
*Moderator:* Arthur T. Donato, Jr., *Law Offices of Arthur T. Donato, Jr.*  
*Presenters:* Mark B. Sheppard, *Montgomery McCracken Walker & Rhoads, LLP* and Reid H. Weingarten, *Steptoe & Johnson LLP*
- 3:45 p.m. **Break**
- 4:00 p.m. **Can't We All Just Get Along? Issues and Considerations in Joint Defense Agreements and Common Interest Privileges (Ethics)** This panel will examine the purpose, justification, and appropriate use of a Joint Defense Agreement ("JDA") and the Common Interest Privilege during multiple-defendant criminal investigations.  
*Moderator:* Mark M. Lee, *Blank Rome LLP*  
*Presenters:* Daniel R. Walworth, *Duane Morris LLP* and Angie Halim, *Halim Drossner, P.C.*
- 5:00 p.m. **Cocktail Reception at The Ritz-Carlton**

## Friday, November 3, 2017

5 Substantive and 1 Ethics CLE Credit Hours

- 8:30 a.m. **Registration and Full Breakfast Buffet**
- 8:55 a.m. **Welcome and Announcements**
- 9:00 a.m. **The Changing Landscape of the False Claims Act.** The case law regarding the False Claims Act has changed dramatically in the last few years. Learn more about the government's prosecution of off-label cases and the takeaways from Escobar and its progeny.  
*Moderator:* Beth Moskow-Schnoll, *Ballard Spahr LLP*  
*Presenters:* Charlene Keller Fullmer, *U.S. Attorney's Office, EDPA*; Virginia A. Gibson, *Hogan Lovells*
- 10:30 a.m. **Break**
- 10:45 a.m. **SEC Enforcement in the Trump Era.** This panel will discuss SEC enforcement statistics, trends and key developments, including highlights in public company, investment adviser and broker-dealer enforcement, with an eye towards determining what, if anything, has changed and what has remained the same since President Trump's inauguration.  
*Moderator:* Gregory D. DiMeglio, *Stradley Ronon Stevens & Young, LLP*  
*Presenters:* J. Bradley Bennett, *Baker Botts LLP* and Ivan B. Knauer, *Pepper Hamilton LLP*
- 12:15 p.m. **Lunch Program with Special Guest Speaker** (TBA)
- 1:45 p.m. **White Collar Defense Developments in the Second Circuit and Beyond.** In this panel, we will address the: political corruption investigations past, present, and future; extraterritoriality and the reach of U.S. law under increasingly divergent legal standards; false statements in the marketplace and continuing uncertainty regarding the practical impact of materiality standards; the (over) criminalization of business failures; and SEC administrative enforcement.  
*Moderator:* Stephen M. Juris, *Fried, Frank, Harris, Shriver & Jacobson LLP*  
*Presenters:* Elkan Abramowitz, *Morvillo Abramowitz Grand Iason & Anello PC* and Christopher J. Morvillo, *Clifford Chance US LLP*
- 2:45 p.m. **Your Annual Check-up: Healthcare Fraud Enforcement Update** This panel will look at some of the hot enforcement trends – for example, cases involving the Medicaid Advantage plan and home hospice care, and discuss what areas qui tam relators and the government may focus on next. It will also examine two recent high-profile criminal trials of healthcare executives – *U.S. v. Vascular Solutions* and *U.S. v. Acclarent* – and the key takeaways for both the government and the defense bar.  
*Moderator:* Megan S. Scheib, *Cozen O'Connor*  
*Presenters:* Matthew T. Newcomer, *Post & Schell, P.C.* and M. Beth Leahy, *U.S. Attorney's Office, EDPA*
- 3:45 p.m. **Break**
- 4:00 p.m. **I've Got Your Back: The Ethics of Indemnified Representations. (Ethics).** This panel will focus on the ethical implications of a party other than one's client paying for legal fees and costs.  
*Moderator:* Douglas K. Rosenblum, *Pietragallo Gordon Alfano Bosick & Raspanti, LLP*  
*Presenters:* Seth C. Farber, *Winston & Strawn LLP* and Harvey Bartle, IV, *Morgan, Lewis & Bockius LLP*

## PACDL 2017 White Collar Practice Seminar November 2-3, 2017

Return with payment no later than October 26, 2017.  
Make checks payable to PACDL, 115 State Street, Harrisburg, PA 17101  
Fax to: 717.234.7462 • Email to: [pacdl@pacdl.org](mailto:pacdl@pacdl.org)

### Registration fee includes breakfast, lunch, social events, seminar material and CLE reporting fees.

Mail or fax your completed registration form along with your payment no later than October 26, 2017 to PACDL, 115 State Street, Harrisburg, PA 17101 or Fax: 717-234-7462. Only prepaid attendees are guaranteed seating. Door registrations are permitted only as space and material are available.

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Attorney ID \_\_\_\_\_ Year Admitted to PA Bar \_\_\_\_\_  
Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
Email \_\_\_\_\_  
Special Dietary Needs \_\_\_\_\_  
CLE Compliance Group \_\_\_\_\_

Please pick one: Thumb drive or hard copy materials (Circle One). If none selected, a thumb drive will be provided.

### Registration Fees

(includes breakfast, lunch, social events, seminar materials and CLE fees)

### Seminar Registration

	Nonmember	PACDL Member	PACDL New Lawyers* & Public Defenders (Full-time)
<input type="checkbox"/> Thursday and Friday (12 credits)	\$795	\$695	\$600
<input type="checkbox"/> Thursday only (6 credits)	\$525	\$450	\$450
<input type="checkbox"/> Friday only (6 credits)	\$525	\$450	\$450

Please indicate the following that you will attend (social events included with registration fee):

- Wednesday Welcome Reception at The Ritz-Carlton Philadelphia (5:30 p.m.)  
 Thursday Cocktail Reception – The Ritz-Carlton Philadelphia (5:00 p.m.)  
 Thursday Lunch Program with Special Guest Speaker  
 Friday Lunch Program with Special Guest Speaker

### Social Events Only Tickets (for guests or individuals not registering)

- Wednesday Welcome Reception at The Ritz-Carlton Philadelphia \$75.00  
 Thursday Cocktail Reception – The Ritz-Carlton Philadelphia \$75.00  
 Friday Lunch Program with Special Guest Speaker \$75.00

### Payment Information (payment must be included with registration)

Enclose check payable to PACDL and return to:  
115 State Street, Harrisburg, PA 17101  
Pay by Credit Card and email to [pacdl@pacdl.org](mailto:pacdl@pacdl.org) or fax to: 717.234.7462

Name on Card \_\_\_\_\_  
Card Number \_\_\_\_\_  
Card Type \_\_\_\_\_  
Card Verification Code\* \_\_\_\_\_ Exp. Date \_\_\_\_\_  
Card Billing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

\*New lawyers are those admitted within the past 3 years to the PA Bar.

**Join PACDL Today and Save on Registration!**