



Institute for  
**LAW AND  
TECHNOLOGY**



2018  
**4/12 - 4/13**

## **2nd Cybersecurity and Data Privacy Law Conference**

THE CENTER FOR AMERICAN AND  
INTERNATIONAL LAW  
PLANO, TEXAS, USA

**Highlight:** Autopsy of an Incident  
Response Plan



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**THE CENTER FOR AMERICAN  
AND INTERNATIONAL LAW**

### **Highlights:**

Designed to provide concrete advice and guidance to attorneys and other professionals regarding mitigation of risks and responding to an incident, this conference will include more than a generic update on current laws and regulations.

- Threat Analysis: A Review of Attack Vectors and Mitigation Techniques
- Third Party Management: Who's Watching Your Vendors?
- PR and Crisis Management: An Examination of Past Breach Announcements

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## SCHEDULE

4/12 - 4/13

# 2nd Cybersecurity and Data Privacy Law Conference

## Conference Co-Chairs

Emily Westridge Black  
Haynes and Boone, LLP  
Austin, TX

Jay Johnson  
Jones Day  
Dallas, TX

Louis Bladel  
EY  
Washington, D.C.

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## THURSDAY, APRIL 12

### 8:45 Welcome and Introductory Comments

### 9:00 Threat Analysis: A Review of Attack Vectors and Detection/Mitigation Techniques (.75 hr)

The discussion will present information on:

1. Cyber threat actors and attack techniques;
  2. Detection methods to identify cyber threats; and
  3. Mitigation strategy to minimize impact from a cyber threat.
- **John deCraen**, Senior Director, Alvarez & Marsal, Dallas, Texas
  - **Art Ehuan**, Managing Director, Alvarez & Marsal, Washington, D.C.

### 9:45 Third Party Management: Who's Watching Your Vendors? (.5 hr)

- **Luke Dembosky**, Debevoise & Plimpton LLP, Washington, D.C.

### 10:15 Break >

### 10:35 Cybersecurity Measures: The Evolution of a Standard (.5 hr)

Regulators are increasingly issuing more prescriptive and mandatory cybersecurity standards. Organizations need to understand the applicable standards yet recognize that compliance does not necessarily equate to effective cybersecurity.

- **William R. Daugherty**, BakerHostetler, Houston, Texas

### 11:05 Autopsy of an Incident Response Plan (.75 hr)

This presentation consists of three parts – overview of incident response, simulation, and after-action reporting. Attendees will learn to understand how cybersecurity incidents are viewed from a management perspective and will be encouraged to make quick decisions with limited information. The after-action portion will examine attendees' responses and discuss gaps for which people, process, and technology should have been enhanced to properly mitigate the cybersecurity incident.

- **Phuong Nguyen**, Manager, Fraud Investigation & Dispute Services, EY, McLean, Virginia

### 11:50 Effective Cyber Insurance and Dispute Review (.5 hr)

This session will explore various tools for risk management and offsetting costs attendant to breaches and other cyber events. The panelists will discuss what coverage might be needed and how to secure insurance coverage under traditional business policies and the cyber insurance policies now available.

- **Jeffrey Schermerhorn**, Willis Towers Watson, Los Angeles, California
- **Leslie Thorne**, Haynes and Boone, LLP, Austin, Texas

### 12:20 Break and Lunch > Sponsor:



**12:45 Presentation: Lori Fink, Chief Legal Officer, AT&T Advertising & Analytics, Chief Privacy Officer, AT&T, New York, New York (0 hr)**

# SCHEDULE

## 1:45 PR's Perspective: The Sins and Virtues of Cyber and Privacy Incident Response (.75 hr)

We have all seen breaches or other InfoSec-related incidents that haven't gone as planned in a very public way. Some organizations have handled it very well, others have not. We expect those who join us will gain some perspective from another side of the incident response team, why it's important to balance the reputational risk with the legal risk – especially when dealing with an incident that has gained public traction, what nuances to look out for when responding to an incident that has migrated into the public domain, and other useful tips.

- **Richard Mullinax**, Sr. Partner, Executive Vice President, Global Director Energy & Utilities, FleishmanHillard, Dallas, Texas
- **Scott Radcliffe**, Vice President, Privacy and Cyber Risk Practice Lead, FleishmanHillard, Austin, Texas

## 2:30 Forensic Investigations: A Look Under the Hood (.75 hr)

In today's digital age petabytes of data are created yearly. Fortunately for investigators, digital artifacts are recorded for almost every action. This session will provide in-depth insight into some of the procedures and digital artifacts a forensic analyst would examine as part of a forensic investigation.

- **David L. Best Jr.**, Senior Director, FTI Consulting, Inc., Philadelphia, Pennsylvania

## 3:15 Break >

## 3:30 Tabletop Exercise: A Breach...Now What? (.75 hr)

The panel will engage the audience in a "mock" incident response exercise involving a hypothetical company, soliciting real-time feedback from the audience on appropriate next steps as the investigation develops. The presentation on whole will touch on best practices, preservation, privilege, PR, and other issues.

- **Jay Johnson**, Jones Day, Dallas, Texas
- **Chad Pinson**, Stroz Friedberg, an Aon Company, Dallas, Texas

## 4:15 To Notify or Not to Notify: A Review of the Nuances of Breach Notification Laws (.75 hr)

- **Andrea L. D'Ambra**, Norton Rose Fulbright US LLP, New York, New York

## 5:00 Adjournment >

## 5:00-6:30 Networking Reception > Sponsor:

## FRIDAY, APRIL 13

### Hot Topics Breakfast Breakouts

Sponsor: 

## 8:30 Insider Risk – A Holistic View (.75 hr)

This presentation will take a look at the need to have a broad stakeholder look into preventing and mitigating the insider risk. Many corporations work to solve insider risk with a technical solution, and at times minimize the need to have critical functions play a role in addressing insider risk.

- **Michael J. Janosov**, Executive Director, EY, Philadelphia, Pennsylvania

# SCHEDULE

## Threat Simulator (.75 hr)

- **Paul Alvarez**, Senior Manager, EY, McLean, Virginia

## Effective Cybersecurity for Small Businesses (.75 hr)

Everyone *should* now understand that no business is immune from cyber risk and cybersecurity is important for all businesses. Many are ready to move forward with improving their cybersecurity but do not know where to begin or how to prioritize their resources. This session will provide practical advice for small and midsize businesses to help them obtain effective reasonable cybersecurity.

- **Shawn Tuma**, Scheef & Stone, L.L.P., Frisco, Texas

## 9:15 Break >

## 9:30 A Gloves Off Discovery Fight (Ethics) (.75 hr ethics)

Attorneys regularly bring up attorney-client privilege when explaining their role in cybersecurity and incident response, but what does the privilege really do and how valuable is it? In this session two veteran cyber litigators will square off in real-life discovery scenarios to frame the issues and explain the law and arguments to let you be the judge of questions like (1) how to protect the privilege, (2) when to invoke it, (3) how much to rely on it, and (4) does it matter whether you are in federal court, state court, or before regulators like the state AGs or the FTC, OCR, or SEC?

- **Jay Johnson**, Jones Day, Dallas, Texas
- **Shawn Tuma**, Scheef & Stone, L.L.P., Frisco, Texas

## 10:15 Responding to Regulatory Inquiries (.75 hr)

Unfortunately as recent history has proven, it is not a case of “if” a cyber-security breach occurs, but rather a case of “when”. When a breach is discovered, it is essential to act comprehensively and quickly, or expose your business to greater liability. This session will provide guidance on responding to regulators in an effective manner to limit business risk when incidents occur.

- **Monté L. Williams**, Steptoe & Johnson PLLC, Morgantown, West Virginia

## 11:00 Break >

## 11:15 Post-Mortem Incident Response Assessment: Incorporating Lessons Learned (1 hr)

One of the most important parts of any incident response is the post-mortem. Handled correctly (and without unnecessary finger-pointing), post-mortems allow organizations to identify and incorporate lessons learned from the incident. This panel will discuss how to conduct an effective post-mortem, including how to strengthen your security posture and improve your response to the next incident.

Moderator: **Emily Westridge Black**, Haynes and Boone, LLP, Austin, Texas

Panelists:

- **Parrish Gunnels**, Chief Information Security Officer, Kibo Commerce, Dallas, Texas
- **Blake M. Jones**, General Counsel & Chief Compliance Officer, Hayman Capital Management, L.P., Dallas, Texas
- **Trent Teyema**, Chief of Cyber Readiness and Cyber Division COO, Section Chief - Cyber Division, Federal Bureau of Investigation, Washington, D.C.

## 12:15 Adjournment >

General Conference Sponsor: **haynesboone**

# REGISTRATION

## 2nd Cybersecurity and Data Privacy Law Conference April 12-13, 2018 The Center for American and International Law Plano, Texas

Registration includes all meals. Most materials will be provided electronically and/or posted on our website.

### Check applicable box:

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## GENERAL INFORMATION

**CANCELLATION POLICY:** Tuition less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by April 2, 2018. Email [lgaspar@cailaw.org](mailto:lgaspar@cailaw.org). After this date, no refunds, but substitution of attendees for this program will be permitted. Registrants not entitled to a refund will receive the course materials.

**HOUSING:** The cost of housing is not included in tuition. However, rooms (in limited number) have been reserved at Dallas/Plano Marriott at Legacy Town Center, 7121 Bishop Road, Plano, TX 75024. Registrants should call reservations at +1.800.228.9290 to receive a reduced room rate of \$199 ++ per night. The last day to obtain this special rate is March 21, 2018.

**NONDISCRIMINATION POLICY:** The Center for American and International Law does not discriminate on the basis of race, color, sex, religion, national origin, age, disability, veteran status or any other protected status in educational activities, scholarship programs or admissions.

**PRESS POLICY:** All ILT conferences are held under the Chatham House Rule. Participants, including journalists, are free to use any information received, but comments may not be attributed to any speaker identified by name or affiliation.

**MCLE CREDIT:** This program is approved by the State Bar of Texas for a total of 9.25 hours, including .75 hour of ethics. Course ID Number: 174011071. Credit hours for other states will vary and are subject to each state's approval and credit rounding rules.

For this conference, ILT will directly apply (if requested) for course accreditation in the following states: California, Louisiana, Minnesota, New Mexico, Ohio, Oklahoma, Pennsylvania, Texas and Virginia. Some of these states may not approve a program for credit hours before the program occurs. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. Attorneys filing by self-submission in certain states may be required to pay an additional fee. ILT conferences are typically accredited by all mandatory CLE states.

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The Center for American and International Law  
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