

UP TO 9 CLE CREDITS

INSTITUTE FOR LAW & ECONOMIC POLICY  
22ND ANNUAL SYMPOSIUM

# VINDICATING VIRTUOUS CLAIMS

CO-SPONSORED BY: DUKE LAW REVIEW AND  
INSTITUTE FOR LAW & ECONOMIC POLICY

**APRIL 7 & 8, 2016**

THE PALMS HOTEL & SPA,  
MIAMI BEACH, FL



# INSTITUTE FOR LAW & ECONOMIC POLICY 22ND ANNUAL SYMPOSIUM VINDICATING VIRTUOUS CLAIMS

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## Registration Form

INSTITUTE FOR LAW & ECONOMIC POLICY 22ND ANNUAL SYMPOSIUM

### VINDICATING VIRTUOUS CLAIMS

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*The Palms Hotel & Spa, Miami Beach, FL*

#### Return to:

Marc Gross, Esq. & Laura Stein, Esq. Institute for Law & Economic Policy,  
401 E. City Avenue, Suite 122, Bala Cynwyd, PA 19004  
(215) 988-9546 • Fax (215) 988-9885 • email: laurasteinesq@yahoo.com • www.ilep.info

#### Tuition:

Enclosed is a check payable to ILEP  
\$450 Standard, \$ 350 Huntington Bank Customers, \$175 Jurists, Government Employees,  
Academics and Senior Lawyers (65 years & older)

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Office or Firm: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Office phone: \_\_\_\_\_ Fax number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

THURSDAY EVENING  
APRIL 7, 2016

5:45 pm — 7:30 pm

Location: *Kentia Palm III*

THURSDAY EVENING ROUNDTABLE:

*Focusing on Changes  
in Rule 23 Since 1966  
Amendment*

Moderator & Participant

*Professor Arthur R. Miller*

New York University School of Law

Participants

*Elizabeth Cabraser, Esquire*

Lieff Cabraser Heimann & Bernstein

*Professor Stephen Burbank*

University of Pennsylvania Law School

*Professor David Marcus*

The University of Arizona

James E. Rogers College of Law

*The Honorable John Koeltl*

United States District Judge, S.D.N.Y.

8:00 pm — 9:30 pm

ILEP/NASCAT  
JOINT DINNER

Location: *Gazebo, Trellis & Veranda*



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**Goal Group**

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is a full-service commercial bank with 29 offices throughout the five boroughs of New York City, as well as Nassau, Suffolk, Westchester, and Fairfield, Connecticut counties. We focus on serving the financial needs of privately owned businesses, their owners and senior managers—a group of clients who often find themselves underserved by the area's larger financial institutions. For more information on the Bank and our services, please visit [www.signatureny.com](http://www.signatureny.com). Signature Bank is a member FDIC.



**FRIDAY APRIL 8, 2016**

7:30 am — 8:15 am

## REGISTRATION

Location: *Royal Palm Foyer*

## BREAKFAST

Location: *Veranda Terrace*

8:15 am — 8:30 am

## OPENING REMARKS

Location: *Royal Palm*

### Introduction of *Randall Thomas*

*Edward Labaton, Esquire*  
President of ILEP  
Labaton Sucharow, LLP

8:30 am — 9:00 am

## IN HONOR OF JAMES COX

Location: *Royal Palm*

### James Cox: The Shareholder's Best Advocate

*Professor Randall Thomas*  
Vanderbilt Law School  
and *Professor Harwell Wells*  
Temple University Beasley School of Law

9:00 am — 10:30 am

PANEL ONE

## PRIVATE SUITS WHILE THE REGULATOR SLUMBERS

Location: *Royal Palm*

Moderator

*Michael Stocker, Esquire*  
Labaton Sucharow, LLP

Presenters

*Professor Ian Ayres*  
Yale Law School  
(co-authoring with *Robert McGuire, III*)  
*Robert McGuire, III, Esquire*  
The Robert McGuire Law Firm  
(co-authoring with *Professor Ian Ayres*)  
*Expansion of False Claims Act to  
Health Care Reimbursement Accounts*

*Professor Lawrence Baxter*  
Duke University School of Law  
*Impact of Private Suits on  
Agency Enforcement Agenda*

Commentators

*Mark Labaton, Esquire*  
Glancy Prongay & Murray LLP

*Dennis Kelleher, CEO*  
Better Markets, Inc.

*Michael Krimminger, Esquire*  
Former General Counsel—FDIC  
Cleary Gottlieb

10:30 am — 10:45 am

## COFFEE BREAK

Location: *Royal Palm Foyer*

10:45 am — 12:15 pm

PANEL TWO

## INVESTOR PROTECTION—THE ENVIRONMENT OF PRIVATE SUITS

Location: *Royal Palm*

Moderator

*Salvatore Graziano, Esquire*  
Bernstein Litowitz Berger & Grossman LLP

Presenters

*Professor Jill Fisch*  
University of Pennsylvania Law School  
(co-authoring with *Professor Tess Wilkinson-Ryan*)

*Professor Tess Wilkinson-Ryan*  
University of Pennsylvania Law School  
(co-authoring with *Professor Jill Fisch*)  
*Investor Financial Literacy in the Workplace*

*Professor Peter Karsten*

University of Pittsburgh  
*Fee Shifting Through the Lens of History*

Commentators

*Barbara Roper*  
Director of Investor Protection  
Consumer Federation of America

*Arthur Levitt*  
Former Chairman  
Securities and Exchange Commission  
Host of Bloomberg's "A Closer Look with  
*Arthur Levitt*"

*Theodore Mirvis, Esquire*  
Wachtell Lipton Rosen & Katz

12:30 pm — 1:45 pm

## LUNCHEON

Location: *Veranda Terrace*

### Ethics Presentation

Remarks

*Marc Gross, Esquire*  
Pomerantz, LLP  
Treasurer, ILEP

Ethics Program:

*Professor Bruce Green*  
Fordham University School of Law

2:00 pm — 3:30 pm

PANEL THREE

## INVESTOR PROTECTION UNDER A CHANGING STATE LAW

Location: *Royal Palm*

Moderator

*Michael Barry, Esquire*  
Grant & Eisenhofer

Presenters

*Professor Rutherford "Biff" Campbell*  
University of Kentucky College of Law  
*What is the role of Blue Sky laws after  
NSMIA and JOBS Act?*

*Professor James Cox*  
Duke University School of Law  
*The Resurrection of the Derivative Suit*

Commentators

*Joe Brady, Executive Director*  
North American Securities Administrators  
Association, Inc. (NASAA)

*Professor Joan Heminway*  
The University of Tennessee, Knoxville  
*Vice Chancellor Sam Glasscock*  
Delaware Court of Chancery

3:30 pm — 3:45 pm

## COFFEE BREAK

Location: *Royal Palm Foyer*

3:45 pm — 5:15 pm

PANEL FOUR

## THE DEVELOPMENTS IN SECURITIES CLASS ACTIONS

Location: *Royal Palm*

Moderator

*Darren Robbins, Esquire*  
Robbins Geller Rudman & Dowd LLP

Presenters

*Professor Donald Langevoort*  
Georgetown University Law Center  
*Securities Law Claims After Omnicare*

*Professor Merritt Fox*  
Columbia Law School  
*Disclosure, Due Diligence and Liability for  
New Issuers of Securities*

Commentators

*Professor James Cox*  
Duke University School of Law

*Professor Robert Jackson*  
Columbia Law School

*The Honorable Denise Cote*  
United States District Judge, S.D.N.Y.

7:00 pm — 9:30 pm

## DINNER

Location: *Queen Palm*

Closing Remarks

*Laura Stein, Esquire*  
Special Counsel, ILEP  
Of Counsel, Robbins Geller Rudman &  
Dowd, LLP

Dinner Speaker

### Honoring James Cox

*Dean David Levi*  
Duke University School of Law

# PROGRAM INFORMATION

## REGISTRATION AND TUITION

Tuition for the conference is \$450. *If you are a Duke Law School Alumnus tuition is \$350. If you are an attorney, and your law firm is a Huntington Bank customer, the tuition is \$350. If you are a member of the judiciary, an academic, a federal or state employee, or a lawyer 65 years of age or older, the tuition is \$175.* Tuition includes all sessions, an extensive manual of written materials distributed at the conference, Thursday's dinner, in addition to Friday's breakfast, luncheon and dinner. Please register in advance to be assured of printed materials. Registrations are transferable within law firms, but only one course manual per registration will be distributed. If you are unable to attend the conference you may purchase a course manual for \$100, subject to availability.

## HOTEL ACCOMMODATIONS

As a conference registrant, you may take advantage of a special hotel rate at the **The Palms Hotel & Spa**, on Thursday, April 7 and Friday, April 8, 2016. Call 1-800-550-0505 and refer to NASCAT/ILEP to make room reservations. Special accommodations have been set aside at: **City View Room, \$249.00** (single/double occupancy); **Ocean Front, \$305.00** (single/double occupancy); **Superior Oceanfront, \$379.00** (single/double occupancy) **per night plus taxes/fees.** In order to access these blocked rooms and rates, the attendees must indicate that they are attending the 2016 Annual ILEP Meeting. Rooms are very limited. Reservations must be made by Wednesday March 4, 2016. Hotel web site: [www.thepalmshotel.com](http://www.thepalmshotel.com).

## CONTINUING LEGAL EDUCATION

As a program of the ILEP and **Duke Law Review**, the conference will be recognized for CLE credit in most states, including California, Delaware, Florida, Missouri, Nevada, New York and Pennsylvania. Upon request, ILEP will provide certification to apply for credit from other states. Estimated credit is 9 hours based on a 50-minute credit hour, and 8 hours based on a 60-minute credit hour. For more information about the conference, please contact Daniel Shmilovich at (215) 988-9546 or email him at [phillyoffice@yahoo.com](mailto:phillyoffice@yahoo.com).

Institute for Law & Economic Policy  
401 E. City Avenue • Suite 122 • Bala Cynwyd, PA 19004



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