

ALIC Regional Insurance Counsel Roundtable

Tuesday, Sept. 24 | Eversheds Sutherland | Atlanta, GA



10:00 - 10:30 AM

Registration and Welcome

10:30-11:30 AM

Pick a Place: Is Arbitration Still the Preferred Forum for Reinsurance Disputes?

Arbitration and reinsurance disputes have a shared history. The belief used to be that disputes could be resolved in informal ways and in front of experienced industry people who understood the custom and practice of reinsurance. But in recent years, the rationale for resolving arbitration disputes has been strained as arbitration has started to look a lot more like litigation in court. This presentation will ask the broad question of whether arbitration is still the preferred forum for reinsurance disputes for the life industry, while examining the practical concerns that underlie the question - are there enough qualified life arbitrators, is there enough certainty in the process, can costs be contained, and what are the alternatives?

Presenters

- Suman Chakraborty, Partner, Squire Patton Boggs
- Tom Zurek, Schiff Hardin

11:30-12:30 PM

Securities Class Actions - Winning Tips and Strategies to Both Protect Insurers and Maximize Recoveries for their Investment Portfolios

Securities class and direct action lawsuits are being filed at near record levels. With the Supreme Court's recent blessing of state court securities litigation, filing activity is now even higher—arguably to the highest levels ever—escalating the costs, burdens, and exposure to insurers. At the same time, the federal securities laws remain a powerful tool for investors to hold issuers accountable and maximize the recovery of losses caused by fraud and other forms of corporate wrongdoing. Here, too, the Supreme Court recently issued a game changing decision that strongly incentivizes insurers to take proactive steps to protect valuable securities fraud recoveries for their investment portfolios.

This panel of experienced litigators, from both the plaintiff and defense side of the aisle, will speak about new developments in bringing or defending against securities litigation, in light of current trends and recent court rulings. In this ever-changing legal climate, it is important that insurers keep up with the latest developments to both manage securities litigation and develop winning strategies to maximize recoveries for their investment portfolios.

Presenters

- William J. Forgione, Special Counsel, SaxenaWhite
- John Bolus, Shareholder, Maynard Cooper
- David Kaplan, Director, SaxenaWhite
- Maeve O'Connor, Debevoise

12:30-1:30 PM

Lunch and Networking

1:30-2:30 PM

The Status of Federal and State Best Interest Initiatives

With the SEC's adoption of regulation best interest on June 5, several parallel regulatory actions are in play: the NAIC's incorporation of best interest principles in the Suitability in Annuities Transaction Regulation and individual states' fiduciary initiatives, such as NJ. Additionally, the SEC is expected to issue further interpretations about its Regulation Best Interest. This presentation will provide an update on these various regulatory initiatives addressing changes in the standard of care for life insurance and annuity transactions, and also consider the challenges and initial experience following the effectiveness of New York Regulation 187.

Presenters

- Susan Gittes, Partner, Debevoise & Plimpton LLP
- Risa Gordon, Associate, Debevoise & Plimpton LLP
- Marilyn Lion, Partner, Debevoise & Plimpton LLP
- Carl Wilkerson, ACLI

2:30-3:30 PM

Ethics of AI and Biometrics

As the use of biometric information and artificial intelligence move from theory to practice, the adoption of ethical standards is necessary as a foundation for developing business practices and to drive the evolution of legal principles. We will explore some of the major ethical issues presented by the use of artificial intelligence and biometric data in business, strawman ethical standards to shape business practices involving biometric data and artificial intelligence and the intersection of these ethical principles and applicable law.

Presenters

- Frank Nolan, Eversheds Sutherland
- MJ Wilson-Bilik, Eversheds Sutherland