

NetDiligence®

Cyber Risk & Privacy Liability Forum

October 4-5, 2011 | The Ritz-Carlton, Marina del Rey, CA

CONFERENCE CHAIRS:

Ben Beeson, Partner, Global Technology and Privacy Risks Practice, Lockton Companies LLP
Brad Gow, Endurance Specialty Holdings Ltd.

Anne De Vries, Managing Director, Digital Risk Managers, A division of Wells Fargo Special Risks, Inc.
Christopher Novak, Managing Principal, Verizon Business – Investigative Response

Tuesday, October 4, 2011

- 7:45 Continental Breakfast and Registration**
- 8:40 Welcome & Introductory Remarks**
- 9:00 State of the Cyber Nation Address**
- Notable recent cases and their impact on this budding litigation area
 - Current theories of liability and claims alleged
 - How to present damages in this era?
 - Considerations to minimize the chance of litigation after a breach and settlement opportunities
 - More sophisticated defenses
 - Identity Theft Restoration Act-suing hackers?
 - How federal courts may change the game
- Meredith Schnur**, Wells Fargo Insurance Services USA, Inc. (Moderator)
Jon Lambiras, Berger & Montague, PC
John Mullen, Sr., Esq., Nelson Levine de Luca & Horst, LLC
Scott Godes, Esq., Dickstein Shapiro
- 9:45 Risk Managers Session**
- Is privacy liability coverage important?
 - Class action liability
 - Business partner requirements
 - Good corporate governance
 - Risk control vs. insurance
 - Budgetary considerations & convincing your CEO
- Joe DePaul**, Arthur J. Gallagher Risk Management Services, Inc. (Moderator)
Emily Cummins, CPA, CPCU, ARM, ARe, National Rifle Association of America
Ben Beeson, Lockton Companies LLC
Additional speakers to be announced.
- 10:30 Morning Break**
- 11:00 “Damages” and Other Litigation Issues After a Data Breach Event**
- Nick Economidis**, Specialty Lines, Beazley Group (Moderator)
Theodore Kobus, III, Esq., Marshall, Dennehey, Warner, Coleman & Goggin
Ronald Raether, Jr., Esq., CIPP, Faruki Ireland & Cox P.L.L.
Hon. Richard Kramer, San Francisco Superior Court
- 12:00 Networking Luncheon**
- 1:15 Health Care Sector Risk**
- HHS scrutiny, HIPAA, HITECH-Enforcement
 - Key exposures
 - Buying habits
 - Contractual risks – covered entities vs. business associate
- Tracey Vispoli**, Chubb Insurance Company (Moderator)
David Chavez, Esq., Alvarado Smith
Mark Ware, IMA of Colorado, Inc.
Betty Shepherd, RLI Insurance Company

- 2:15 Data Breach Preparedness and Plan Execution**
- Carrying out an annual privacy risk assessment
 - Addressing top tier risks
 - Developing a comprehensive incident response plan
 - Carrying out risk and forensic analyses of an incident
 - Tailoring response offering to needs of affected population and risk exposure of incident
 - Controlling costs in incident notification and remediation
 - New remedies for data breach in first party context
- Glen Manjos**, Arch Insurance Company (Moderator)
Vinny Sakore, Immersion, Ltd
Ted Augustinos, Esq., Edwards Angell Palmer Dodge
Thomas Herendeen, Vice President, Philadelphia Insurance Companies

E-Café & Exhibit Room Opened (2:15 to 4:35)

- 3:35 Solving Special Computer Security Issues**
- Summary of a forensic survey
 - Vendors – choosing the right ones and what your client needs in its indemnity agreements
 - Targeted malware attacks (SQL, APT), potential liabilities and systematic risks
 - Cloud computing & increased outsourcing
- Timothy Francis**, Travelers Insurance (Moderator)
Christopher Novak, Verizon Business - Investigative Response
Branden Williams, CISSP, CISM, The Security Division of EMC
Tanya Forsheit, Esq., Information Law Group
- 4:35 Social Media Maze: Liability in Behavioral Advertising and Social Media Sites**
- Digital marketing and privacy
 - Behavioral R&D - internet tracking and tracing
 - Social media in the workplace
 - Risky Business – FTC agenda and IP infringement issues
 - Best practices in social media policies, contracts & insurance
- Toby Merrill**, ACE Professional Risk (Moderator)
Lincoln Bandlow, Esq., Lathrop & Gage LLP
Michael Born, ThinkRisk Insurance Agency, LLC
L. Spencer Timmel, Executive Risk Practice, Hylant Group

5:35 Adjourn & Cocktail Reception

Wednesday, October 5, 2011

- 8:30 Continental Breakfast**
- 9:15 Privacy Claims: A Privacy Breach Dissected**
- Reviewing several examples, the following discussion guides the audience through privacy breach, response, cost assessment & claims values, litigation results, etc.... from claim to coverage.*
- Reviewing the NetDiligence Cyber Claims Industry Study: Impacted industries, trends and claim values
 - What claims are being paid by insurance companies-at what pace and at what rate?
- Robert Parisi, Jr., Esq.**, Marsh FINPRO US (Moderator)
Mark Greisiger, NetDiligence®
Beth Diamond, Beazley Group

10:15 Cyber Risk Coverage: What Kind of Coverage Are People Getting

- The kinds of coverage companies are buying
- Identifying and understanding pitfalls in coverage
- How coverage has changed
- Trends and where is coverage going to develop in the next two years

Brad Gow, Endurance Specialty Holdings Ltd. (Moderator)

Mark Camillo, Chartis Insurance

Karl Pedersen, Willis Group

Sarah Stephens, Aon Risk Insurance Services West, Inc.

Steven Anderson, XL Insurance

11:15 Morning Break

11:30 Regulatory Session-State and Federal Laws

- State and federal breach notification laws
- Aggressive AG enforcement
- Overview of legal requirements
- Compliance tools
- State data security laws requiring security measures to be taken to protect sensitive information in states like Massachusetts and Nevada
- Changing EU laws and regulations – new cookies directive

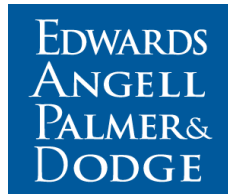
Anne De Vries, Digital Risk Managers, A division of Wells Fargo Special Risks, Inc. (Moderator)

Jon Neiditz, Esq., Nelson Mullins Riley & Scarborough LLP

Mark Silvestri, CNA Netprotect

Rob McKenna, Washington State Attorney General

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