

**Overnight Room Accommodations:** A small group of overnight sleeping rooms have been reserved at the Ritz-Carlton Philadelphia arriving November 14 and departing November 16. The room rates are: \$409 plus taxes. Please contact PACDL directly to reserve a room no later than September 30.

**Cancellation Policy:** All cancellation and refund requests must be made in writing before close of business on November 9, 2018. A refund of the full conference fee, minus a \$75 administration fee, will be given for cancellations received by close of business on that date. No refunds will be granted for requests dated/postmarked after November 9, 2018. You may submit your cancellation via email to [pacdl@pacdl.org](mailto:pacdl@pacdl.org). PACDL regrets that refunds will not be provided for no-shows.

**Substitutions:** If you cannot attend, a colleague may take your place or your materials will be mailed to you. The individual submitting the transfer request is responsible for all financial obligations (any balance due) associated with that substitution.

**CLE Credits:** This seminar has been approved for up to ten (10) substantive hours for law, practice, and procedure 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.

**Consent to Use of Photographic Images:**

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**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.

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**PACDL**  
PENNSYLVANIA ASSOCIATION OF  
CRIMINAL DEFENSE LAWYERS

115 State Street, Harrisburg, PA 17101

# WHITE COLLAR PRACTICE



## November 15 and 16, 2018

The Ritz-Carlton Philadelphia, Philadelphia, PA

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

Presented by the



**PACDL**  
PENNSYLVANIA ASSOCIATION OF  
CRIMINAL DEFENSE LAWYERS

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## 2018 White Collar Practice Seminar

Take a closer look. PACDL has curated relevant and future-focused CLE sessions designed to help you successfully navigate the challenges in the white-collar defense field. This 2-day seminar is not like any other CLE. It is a regional white-collar conference for influencers, contributors and game changers who bring diverse perspectives and share fresh ideas and practical instruction. If you want a premium conference experience with content taught by creative attorneys in the Mid-Atlantic area then register today.

### Course Planners:

Arthur Donato, Law Offices of Arthur T. Donato  
 Lisa Dykstra, Morgan, Lewis & Bockius  
 Michael Engle, Stradley Ronon Stevens & Young  
 Ronald Levine, Post & Schell  
 Catherine Recker, Welsh & Recker

*Welcome Reception*

Join us for cocktails and appetizers.

Wednesday, November 14, 2018 • 5:30 p.m.  
 The Ritz-Carlton Philadelphia



## Thursday, November 15, 2018

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. **White Collar Sentencing: Process, Presentation, and Persuasion.** The panel will discuss the unique challenges presented by white collar cases and look at specific high-profile sentencings of the past year. The panel will discuss effective sentencing advocacy, including the continuing relevance (or lack thereof) of departures, the role of the probation officer, the use of the ABA's loss guideline and how a multitude of factors shape a successful sentencing presentation.  
*Moderator and Presenters:* Ellen Brotman (Brotman Law); Jessica Natali (DOJ, EDPA); and Honorable Wendy Beetlestone (District Judge, EDPA)
- 11:15 a.m. **Appellate Issues from *United States v. Fattah* and Beyond.** The panel will address a number of difficult and interesting issues that appellate lawyers have been facing at trial and on appeal, including disputes among jurors during deliberations; the admissibility and offensive use of Rule 404(b) evidence; and the application of RICO conspiracy in political corruption cases.  
*Moderator and Presenters:* Bruce P. Merenstein (Schnader Harrison Segal & Lewis LLP); Ilana H. Eisenstein (DLA Piper); and Glen D. Nager (Jones Day)
- 12:15 p.m. **Lunch and Recent State Grand Jury Practice Discussion led by Justin Danilewitz, Post & Schell, P.C.**
- 1:45 p.m. **Jury Selection and Trial in the Social Media Era.** Jurors, lawyers and clients possess an Internet presence to varying degrees. This panel will explore emerging case law, existing ethics opinions and the practical realities of lawyers researching Internet and social media postings of potential and actual jurors during jury selection and trial.  
*Moderator and Presenters:* Catherine M. Recker (Welsh & Recker, PC); Sharon L. McCarthy (Kostelanetz & Fink, LLP); and Joseph C. Crawford (Pepper Hamilton, LLP)
- 2:45 p.m. **Cryptocurrencies and ICOs: Navigating the Regulatory Landscape and Responding to Government Investigations.** A discussion focusing on the positions and enforcement actions of a variety of regulatory authorities on cryptocurrencies and ICOs. The SEC, CFTC, and DOJ, as well as other state and federal agencies, have been formulating policies and pursuing enforcement actions in this space at an ever-increasing rate.  
*Moderator and Presenters:* Michael J. Engle (Stradley Ronon Stevens & Young, LLP); Brian Klein (Baker Marquart LLP); and Mark M. Lee (Blank Rome LLP)
- 4:00 p.m. **Questions of Prosecutorial and Judicial Ethics: Recent Revelations from the Watergate Trials (Ethics).** The Watergate scandal remains an important feature in American political history. Recently, Geoffrey Shepard, has unearthed files of some of the lawyers involved in the prosecution of criminal cases against top Nixon Administration officials in the National Archives, files that appear to evidence ex parte contacts with the trial judge and possible Brady issues.  
*Moderator and Presenters:* Honorable Paul S. Diamond (U.S. District Judge, EDPA); Geoffrey C. Shepard; and Robert E. Welsh (Welsh & Recker)
- 5:00 p.m. **Cocktail Reception**

## Friday, November 16, 2018

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. **Internal and Government Investigations & The Whistleblower.** This panel will evaluate best practices in assessing complaints, conducting internal investigations and managing government investigations. The panel will also address how to handle negotiations with DOJ and the issue of voluntary disclosures.  
*Presenters:* Lisa C. Dykstra (Morgan, Lewis & Bockius); Sandra Moser (Acting Chief of the U.S. Department of Justice, Criminal Division, Fraud Section); and Jenny Kramer (Alston & Bird)
- 10:45 a.m. **Hot Topics in Tax and Money Laundering Viewed Through the Lens of *United States v. Paul Manafort*.** With the Special Counsel's high-profile indictments of Paul Manafort as context, this panel will address the latest developments in tax and money laundering cases, with a particular emphasis on the following:
  - The broadening scope of the international money laundering statute;
  - The Justice Department's continuing crackdown on offshore tax evasion;
  - The future of tax obstruction prosecutions post-*Marinello*; and
  - Fifth Amendment issues in the context of income tax returns.*Presenters:* Matthew D. Lee (Fox Rothschild LLP); Justin C. Danilewitz (Saul, Ewing, Arnstein & Lehr LLP); and Kevin Sweeney (Chamberlain, Hrdlicka, White, Williams & Aughtry)
- 12:15 p.m. **Lunch Program with Special Guest Speaker** (TBA)
- 1:45 p.m. **2018 Healthcare Fraud Enforcement Developments.** The panel will discuss federal health care fraud enforcement initiatives nationally and in Pennsylvania, including partnerships between the Criminal Division's Fraud Section and the U.S. Attorney's Offices, and their enforcement priorities.  
*Presenters:* Antonio M. Pozos (Drinker Biddle & Reath); David Troyer, (U.S. Attorney's Office, EDPA); and Joseph Beemsterboer (Chief, Health Care Fraud Unit, Criminal Division, DOJ)
- 2:45 p.m. **State and Federal Grand Jury Practice in the Era of Mueller and PA Grand Jury Reform Efforts.** Robert Mueller's investigation of Russian election meddling served to increase public dialogue about how grand juries operate. This panel will provide practical guidance concerning: preparing witnesses for testimony; conducting internal investigations concurrent to a statewide investigating grand jury; and dealing with grand jury reports.  
*Presenters:* Laurel Gift (Schnader Harrison Segal & Lewis LLP); W. Warren Hamel (Venable LLP); and Mark A. Rush (K & L Gates)
- 4:00 p.m. **Location Tracking, the CLOUD Act, and More: A Year in the Life of the Fourth Amendment (Ethics).** Government digital searches and the "taint team" burst into the popular consciousness when federal law enforcement seized more than a dozen cell phones, iPads, and computer hard drives belonging to Trump attorney Michael Cohen, raising issues about the Fourth Amendment and the attorney-client privilege in the twenty-first century. This panel will address a variety of important and timely topics around government search and seizure of digital material.  
*Moderator and Presenters:* Abraham J. Rein (Post & Schell, P.C.); Emily R. Schulman (Wilmer Cutler Pickering Hale and Dorr); and Adam Hoffinger (Schulte Roth & Zabel)

## White Collar Practice Seminar Registration

Register online at [www.pacdl.org](http://www.pacdl.org) or mail, fax or email your completed registration form with payment no later than November 9, 2018. Only prepaid attendees are guaranteed seating. Door registrations are permitted only as space and material are available. Contact information:

Online: [www.pacdl.org](http://www.pacdl.org)  
 Mail: PACDL, 115 State Street, Harrisburg, PA 17101  
 Fax: 717.234.7462  
 Email: [pacdl@pacdl.org](mailto:pacdl@pacdl.org)  
 Telephone: 717.234.7403

Name \_\_\_\_\_  
 Firm \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Attorney ID \_\_\_\_\_ Year Admitted to PA Bar \_\_\_\_\_  
 Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
 Email \_\_\_\_\_  
 Special Dietary Needs \_\_\_\_\_  
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### Registration Fees

**Seminar Registration** Includes meals, social events, and Pennsylvania CLE reporting fees. (Please check one)

	Non-member	PACDL Member	PACDL New Lawyers* & Public Defenders	
<input type="checkbox"/> Thursday and Friday (12 credits)	\$825	\$725	\$650	\$ _____
<input type="checkbox"/> Thursday only (6 credits)	\$575	\$475	\$450	\$ _____
<input type="checkbox"/> Friday only (6 credits)	\$575	\$475	\$450	\$ _____

**Social Events** Social events are included with your registration. Please indicate the event(s) that you will attend.

- 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  
 Friday Lunch Program

### Course Materials

- Electronic Copy (uploaded for you to download and print) Free  
 Thumb Drive (\$10) \$ \_\_\_\_\_  
 Course Notebook (\$50 both days) \$ \_\_\_\_\_  
 Course Notebook (\$25 single day) \$ \_\_\_\_\_

**Total** \$ \_\_\_\_\_

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

- Wednesday Welcome Reception at The Ritz-Carlton Philadelphia \$85.00  
 Thursday Cocktail Reception – The Ritz-Carlton Philadelphia \$85.00  
 Friday Lunch Program with Special Guest Speaker \$85.00

### Seminar Materials Available for Nonattendees

- Thumb drive (\$95)  
 Seminar Notebooks (\$150)

**Payment Information** Pay by credit card or send a check payable to PACDL, 115 State Street, Harrisburg, PA 17101.

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\*New lawyers are those admitted within the past 3 years to the PA Bar. PDs must be employed full-time with the PD office to be eligible for discounted PD rate.