July 23–24, 2019 | theWit | Chicago, IL

CONSUMER FINANCE
CLASS ACTIONS, LITIGATION & GOVERNMENT ENFORCEMENT ACTIONS

Expert Strategies for Navigating Class Actions, Litigation and Government Enforcement Activity

Gain Key Government Insights From:

- Katharine Roller
  Attorney
  Federal Trade Commission (FTC)

- Adam Wright
  Senior Counsel
  California Department of Business Oversight

- Vijay Raghavan
  Assistant Attorney General
  Consumer Fraud Bureau
  Office of the Illinois Attorney General

- John M. Abel
  Senior Deputy Attorney General
  Bureau of Consumer Protection
  Pennsylvania Office of Attorney General

- Glenn Kaplan
  Chief of the Insurance and Financial Services Division
  Massachusetts Attorney General’s Office

- Shannon Smith
  Senior Assistant Attorney General
  Division Chief, Consumer Protection Division
  Washington Attorney General’s Office

Network and Benchmark with Leading Consumer Finance Companies Including:

- Bank of America
- Discover
- JPMorgan Chase
- Wells Fargo
- TransUnion LLC
- Avant
- LendingClub
- Shellpoint Mortgage Servicing
- Citizens Financial Group
- US Bank
- SWC Group

Post-Conference Workshop
A Tactical Tool-Kit for Managing Government Investigations and Examinations

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Consumer facing financial services companies are in need of up-to-date guidance on how to efficiently manage increasing state-level scrutiny, exams and litigation.

2019 continues to be a highly transformative year for the consumer financial services industry. With a new Director of the CFPB, many are wondering what to expect from federal enforcement priorities, actions, examinations and investigations going forward. In addition, state regulatory and enforcement activity is continuing to ramp up.

That is why it is essential that in-house and outside counsel have a mastery of new class action litigation and settlement trends, emerging theories of liability, the latest enforcement actions and regulatory initiatives, and the most effective defense and settlement strategies for claims related to:

- FDCPA & Debt Collection
- TCPA & EFTA
- FCRA & ECOA
- FinTech & the “True Lender” Doctrine
- Consumer Privacy & Personal Data Protection
- And More...

ACI has designed this year’s Consumer Finance forum to address these latest challenges, while also affording you the unrivaled opportunity to meet and reconnect with your peers and learn from industry decision-makers, counsel and executives who have been involved in some of the most significant cases to date.

Register today by calling us at 888-224-2480 or visit us online at AmericanConference.com/CFCAChiago
With conferences in the United States, Europe, Asia Pacific, and Latin America, the C5 Group of Companies: American Conference Institute, Canadian Institute, & C5 Group provides a diverse portfolio of conferences, events and roundtables devoted to providing business intelligence to senior decision makers responding to challenges around the world. Don't miss the opportunity to maximize participation or showcase your organization's services and talent. For more information please contact us at: American Conference Institute SponsorInfo@AmericanConference.com
8:15  IN-HOUSE COUNSEL ROUNDTABLES

How Corporate Counsel Are Managing the Latest Consumer Finance Claims, Class Actions, Compliance Challenges and Enforcement Actions and Examinations

Two panels of seasoned corporate counsel from the nation's top financial services companies will discuss how they are managing today's consumer finance claims and class actions, and will shed key insights on topics including:

- Recent trends they are seeing in consumer finance claims and enforcement actions
- Overcoming obstacles to resolving complex litigation challenges
- Evaluating the economic considerations of litigation and achieving efficiencies with reduced budgets
- Selecting and working with outside counsel to maximize the attorney-client relationship
- Assessing settlement considerations
- Preparing for and managing federal and state government examinations, investigations and enforcement actions

**PANEL 1 (8:15 – 9:30)**

- **Donna Radzik**
  Director and Senior Counsel, Law Department
  Discover Financial Services

- **Greg Isbell**
  Associate General Counsel
  JPMorgan Chase Legal Department

- **Dan Halvorsen**
  Senior Attorney
  TransUnion LLC

- **Karoline Andris**
  Chief Compliance Officer
  Avant

- **Justin Bradley**
  Associate General Counsel
  Shellpoint Mortgage Servicing

- **Katie Zugsay**
  Chief Compliance Officer
  SWC Group

**PANEL MODERATOR:**

Shaun K. Ramey
Member
McGlinchey Stafford PLLC

**PANEL 2 (9:30 – 10:45)**

- **John Grissom**
  Assistant General Counsel and Senior VP
  Wells Fargo

- **Matt Pearson**
  Associate General Counsel
  Bank of America

- **Michal Cieplinski**
  SVP, General Counsel – Borrower Division
  LendingClub

- **Miriam Dowd**
  SVP Senior Counsel
  Citizens Financial Group

- **Ann Claire Phillips**
  SVP, Chief Government Investigations Counsel, and Chief Risk Officer
  U.S. Bank

**PANEL MODERATOR:**

R. Frank Springfield
Partner
Burr & Forman LLP

10:45  Morning Coffee Break

11:00  Examining the Latest Activity of the CFPB, Coordination Amongst the Different Federal Agencies and What to Expect from Federal Enforcement Going Forward

- **Katharine Roller**
  Attorney
  Federal Trade Commission (FTC)

- **Allyson Baker**
  Partner
  Venable LLP

- **J.H. Jennifer (Jenny) Lee**
  Partner
  Arent Fox LLP

- **Former Enforcement Attorney, CFPB**

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<tr>
<th>Topic</th>
<th>Details</th>
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<td>What kind of trends are being seen?</td>
<td>Analyzing the status of the CFPB's roll-back of the Payday Lending Rule</td>
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<td>How is the new CFPB handling restitutions?</td>
<td>Discussing the CFPB’s decision to stop examining financial firms for compliance with the Military Lending Act – what will the implications of this be?</td>
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<td>What priorities will the CFPB be focusing on under newly appointed director Kathleen Kraninger?</td>
<td>Assessing the status of the CFPB’s rules concerning debt collection, overdraft practices and small business lending</td>
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<td>What to expect from federal enforcement actions, examinations and investigations going forward?</td>
<td>Tracking the coordination among the various federal agencies relative to enforcement activity (FTC, FDIC, OCC, DOJ)</td>
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## State Regulatory Insights on the Latest Developments, Investigations and Enforcement Actions

<table>
<thead>
<tr>
<th>Vijay Raghavan</th>
<th>Glenn Kaplan</th>
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<td>Sr. Assistant Attorney General Division Chief, Consumer Protection Division</td>
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<td>Partner</td>
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<td>California Department of Business Oversight</td>
<td>Manatt, Phelps &amp; Phillips, LLP</td>
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When the Trump administration began, the CFPB sent the message that they were going to be looking to the state regulators and states’ attorney general for a lot more leadership when it comes to enforcement of consumer protection laws. As such, in an effort to bridge the federal enforcement gap, the states have been ramping up enforcement actions in the consumer finance sector. Tune in as this panel of key state regulators discuss recent state law regulatory developments, enforcement priorities and how you and your company/clients should prepare to navigate the evolving state regulatory and enforcement landscape. Topics will include:

- How states’ investigative powers differ from each other and from those of the CFPB
- Recent state consumer finance enforcement activity
- Recent state efforts to influence federal consumer finance enforcement
- Federal preemption of state consumer financial protection efforts
- Preparing for state exams and investigations

### Recent Developments in Debt Collection Litigation and Enforcement: Identifying and Avoiding the Latest Risks

<table>
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<tr>
<th>Ryan Holz</th>
<th>Brian S. McGrath</th>
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<td>Partner</td>
<td>Member</td>
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<tr>
<td>Locke Lord LLP</td>
<td>McGlinchey Stafford PLLC</td>
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- Examining the latest trends in FDCPA litigation: what types of new claims are coming out of the plaintiffs’ bar?
- Analyzing the Supreme Court case of Obduskey vs. McCarthy & Holthus LLP regarding whether the definition of "debt collector" under the FDCPA includes attorneys who effect non-judicial foreclosures
- Assessing the recent heightened scrutiny of potential FDCPA violations
- Minimizing the risk of exposure to FDCPA claims

### Examining the Hottest Claims of 2019 Under the FCRA and ECOA

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<tr>
<th>Rebecca E. Kuehn</th>
<th>Darren M. Welch</th>
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<tr>
<td>Partner</td>
<td>Partner</td>
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<tr>
<td>Hudson Cook LLP</td>
<td>Skadden, Arps, Slate, Meagher &amp; Flom LLP</td>
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- Examining recent hot claims and class actions in fair lending and credit reporting
- Understanding how the state and federal agencies are most recently approaching credit reporting and fair lending issues
- Defending against the latest claims alleging credit reporting and fair lending violations
- Settlement considerations and strategies in these cases
7:30 | Registration and Continental Breakfast

8:00


Brian M. Forbes
Partner
K&L Gates LLP

Anthony Alexis
Partner
Goodwin Procter LLP

- Assessing which FinTech products and services are having the greatest impact on consumer financial services, banking, alternative lending and payments marketplaces
- Discussing compliance challenges and recent claims trends associated with the latest FinTech initiatives
- What complications are being seen with regard to the bank-partner model and the OCC FinTech bank charter?
- Analyzing the latest cases rising out of the True Lender Doctrine and what their implications are for the consumer finance sector
  - Madden v. Midland Funding
  - CO v. Avant; CO v. Marlette

8:30 | Morning Coffee Break

9:00

**Navigating the Challenges of the Latest Data Protection Regulations and Proven Protocols for Breach Prevention and Response**

Hunter Eley
Partner
Doll Amir & Eley LLP

Amanda R. Lawrence
Partner
Buckley LLP

Regulators are recently taking significant strides to protect consumers’ personal data, and as such, players in the consumer financial services space are being forced to modify their data-collection, notification and security protocols. As banks and non-bank payments companies have already been struggling with compliance challenges associated with the recent NY cybersecurity regulations, they are now also being confronted with the EU’s massive General Data Protection Regulation, as well as California’s sweeping Consumer Privacy Act of 2018 (the “mini GDPR”). Tune in as this panel provides key insights on topics including:

- Exploring the far reaching data and privacy implications of the GDPR on U.S. consumer financial services companies that collect personal data relating to EU individuals
- Assessing the latest data privacy legislation coming out of Congress
- Assessing the implications of California’s Consumer Privacy Act of 2018
  - What are the biggest challenges companies are facing with implementation and compliance?
  - The latest strides being taken by companies to seek legislative amendment of the CCPA
- Examining how the GDPR and CCPA are expected to drive up the costs of doing business and how consumer financial services companies can best manage and contain those costs while achieving protection of customer data
- What other states are following California’s lead in seeking to implement similar legislation?
- Proven protocols for breach prevention and response post-Equifax

9:45 | Morning Coffee Break

10:00

**Insights from the Plaintiffs’ Bar and Consumer Advocates**

Jay Edelson
Founder & CEO
Edelson PC

Christina Tetreault
Policy Counsel, Financial Services Team
Consumer Reports

In this session, you will hear from leading plaintiffs’ attorneys and consumer advocates on the latest claims and settlement trends in consumer financial services litigation, as well as what types of actions plaintiffs’ counsel are focusing on now and how to prepare for and respond to new and innovative claims. You will also obtain key insights on how lenders and servicers can work with borrowers to minimize the need for litigation.

10:15 | Morning Coffee Break

10:30

**Class Action Litigation and Settlement Nuances**

Richard Gottlieb
Partner
Manatt, Phelps & Phillips, LLP

Cameron Azari
Vice President
Epiq

- Identifying common challenges arising in consumer finance class action litigation as well as key tactics and strategies for tackling and overcoming those challenges
- Evaluating class certification appealability
- Assessing recent court scrutiny of class action settlements, increased DOJ intervention and an increased willingness to overturn settlements
- The impact of recent Rule 23 amendments on class action settlements

11:00 | Conference Ends

11:00

**Navigating the Ethical Grey Areas in Class Action Litigation – Considerations For Plaintiffs And Defense Counsel**

David M. Bizar
Partner
Seyfarth Shaw LLP

Neal Ross Marder
Partner
Akin Gump Strauss Hauer & Feld LLP

In this session, attendees will gain a deeper understanding of ethical challenges related to litigation, government and regulatory compliance. Topics include:

- Identifying permissible communications with class and putative class members
- Examining how to avoid any appearance of improper conduct
- Ethical considerations in cy pres settlement negotiations, e-discovery dilemmas and attorneys fees

1:00 | Conference Ends
POST-CONFERENCE WORKSHOP

2:00 – 5:00 (Registration Begins at 1:30)

A Tactical Tool-Kit for Managing Government Investigations and Examinations

J.H. Jennifer (Jenny) Lee
Partner
Arent Fox LLP
Former Enforcement Attorney, CFPB

Allyson Baker
Partner
Venable LLP

Scott Pearson
Partner
Manatt, Phelps & Phillips, LLP

Jenny Lee
Partner
Arent Fox LLP
Former Enforcement Attorney, CFPB

Scott Pearson
Partner
Manatt, Phelps & Phillips, LLP

Join a group of seasoned attorneys for a workshop focused on the very practical yet challenging task of preparing for and managing government examinations, and effectively interacting with state and federal regulators during investigations.

- Practical considerations when preparing for government exams
- Setting and achieving investigation goals from the perspective of companies and their counsel
- Navigating all stages of government investigations including the evidence gathering stage and witness interviews
- Identifying common pitfalls during exams and employing strategies for avoiding them
- Coordinating your compliance team and identifying who will take part in the investigation
- Practical guidance on how to secure confidentiality agreements from regulators, and how to protect confidentiality in litigation with regulators

*A light lunch will be served to those attending the post conference workshop.

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Please note that the courtesy room block cut-off date is July 3, 2019. After that date OR when the room block fills, guestroom availability and rate can no longer be guaranteed.

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<td>Payment must be received in full by the program date to ensure admittance. All discounts will be applied to the Program Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to 3 or more individuals employed by the same organization, who register at the same time.</td>
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