



DRI delivers **resources** to build your practice

Life, Health, Disability and ERISA

- The latest trends and developments in life, health, disability and ERISA law
- Three days of networking and business development opportunities with prominent in-house and outside counsel
- Breakout sessions featuring tracks in ERISA, Non-ERISA, and Health, which allow you to tailor the seminar to fit your practice
- Earn up to 11.75 hours of CLE, including one hour of ethics credit
- Complimentary copy of the updated DRI *ERISA Litigation Primer* in course materials



April 11-13, 2018

The Westin Copley Place Boston

Boston, MA

DRI's Life, Health, Disability and ERISA Seminar is returning to the world-class city of Boston. The seminar offers unparalleled learning opportunities directly related to your practice, as well as extensive networking forums for in-house and outside counsel. The faculty features leading practitioners who will provide insights into trends and developments in the law, as well as practical tips that you will not want to miss. The seminar leads off on Wednesday with nine separate breakout sessions covering three tracks—ERISA, Non-ERISA, and Health—allowing you to focus on the area that best fits your practice. Thursday and Friday offer a broad range of plenary presentations covering the hottest topics in the industry, including the popular updates on life insurance, disability insurance, and health insurance, as well as Mark Schmidtke's presentation on advanced ERISA topics. Reconnect with old friends, make new ones, and deepen your connections within the committee.



D. Larry Kristinik
Program Chair



**Leonor M. (Leo)
Lagomasino**
Committee Chair



Patrick W. Begos
Program Vice Chair



Byrne J. Decker
Committee Vice Chair



E. Todd Presnell
Law Institute








Stephen H. Broer
Committee Corporate Vice Chair

What You Will Learn




- The latest on the new DOL disability regulations and best practices for implementing them
- The influence of diversity on the life, health, and disability industry and how new Rule 8.4(g) of the Model Rules of Professional Conduct will affect the way that we practice
- Strategies for combating unreasonable requests by claimants for attorneys' fees in ERISA litigation
- The current trends and regulatory initiatives of state departments of insurance
- How to prepare for and present a bad-faith case to a jury
- Updates on life insurance, disability insurance, health insurance, and class actions
- And much more!

Get Started

- 1 Review the brochure and identify sessions of interest to you
- 2 Share this brochure with colleagues
- 3 **Register online** or complete the **form in the back**
- 4 Download the DRI App   and make use of its features to get the most out of this program
- 5 Share on social media   

Maximize Your DRI Seminar Experience

No one gets you connected like DRI.

- Use the **DRI App** to customize your schedule, view course materials, and communicate with fellow attendees and speakers.
- Access the **DRI Life, Health and Disability Committee Community** to network with individual members. Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Discover the  **DRI Client Connection**—meet in-house and claims professional registrants and speakers.

PROGRAM SCHEDULE

WEDNESDAY, APRIL 11

DRI for Life Run/Walk

8:00 a.m. | Arriving to Boston early? Want to enjoy some fresh air and networking, too? Gather in the hotel lobby for an energizing run/walk around town and get a head start on building your contacts.

Hands-On Community Service Project

10:00 a.m.

Network for a great cause! Join your colleagues in a hands-on service project to benefit the Boston chapter of Cradles to Crayons, an organization providing the essentials that children from birth to age 12 need to survive and thrive. We will be packing donations at the Cradles to Crayons facility (a short taxi or Uber ride from the hotel) until noon. For more information and to sign up in advance, please contact Elizabeth Doolin at edoolin@cmn-law.com.

12:00 p.m. **Registration**

Click on any speaker name to view bio.

2:00 p.m. **Breakout Sessions** (see below)

DRI for Life Book Club

5:15 p.m. | Join us to take a break from law and discuss literature. The book will be selected several weeks prior to the seminar and is guaranteed not to contain case citations! For more information, contact Julie Wall at jwall@cmn-law.com or Kristina Holmstrom at [Kristina.holmstrom@ogletree.com](mailto:holmstrom@ogletree.com).

5:30 p.m. Meeting for First-Time Attendees and Others Interested in the LHD Committee





Visit with committee leaders and learn how to make the most of the seminar and become engaged in the committee.

6:00 p.m. Networking Reception

SPONSORED BY **Nelson Mullins Riley & Scarborough LLP**
Smith Moore Leatherwood LLP

BREAKOUT SESSIONS

Wednesday, 2:00 p.m.–5:00 p.m.

	■ ERISA	■ NON-ERISA	■ HEALTH
2:00 p.m.	Playing Offense: Affirmative Claims for Overpayments and Other Equitable Remedies Julie F. Wall , <i>Chittenden Murday & Novotny LLC</i> , Chicago, IL	Insanity, Minors, and Foreign Death: Payment Hurdles for Life Insurance Claims  Gerardo Puig , <i>Transamerica</i> , Baltimore, MD Leasa M. Stewart , <i>Gable Gotwals</i> , Oklahoma City, OK	What Is Usual, Customary, and Reasonable? Sherril M. Colombo , <i>Littler Mendelson PC</i> , Miami, FL  Eric B. Myers , <i>BlueCross BlueShield of Tennessee Inc.</i> , Chattanooga, TN
3:00 p.m.	Defending Claims Arising from Plan Administrator Errors Byrne J. Decker , <i>Pierce Atwood LLP</i> , Portland, ME	Exclusions, Exclusions, Exclusions: AD&D, Suicide, Foreign Travel, and More Andrew F. MacRae , <i>Levatino Pace PLLC</i> , Austin, TX	ERISA Avoidance: Confronting New Tactics in Provider Payment Litigation Shari Gerson , <i>Gray Robinson PA</i> , Fort Lauderdale, FL  Michael T. Wade , <i>Cigna</i> , Hartford, CT
3:55 p.m.	Refreshment Break SPONSORED BY Wilson Elser Moskowitz Edelman & Dicker LLP		
4:10 p.m.	Challenging Unreasonable Claimant Attorneys' Fees Requests Kristina N. Holmstrom , <i>Ogletree Deakins Nash Smoak & Stewart PC</i> , Phoenix, AZ  Christine Olson Zdrojeski , <i>The Hartford</i> , Hartford, CT	Maximizing the Recovery of Attorneys' Fees in Interpleader Actions Wendy L. Furman , <i>Edison McDowell & Hetherington LLP</i> , Boca Raton, FL	A Practical Guide for Health Insurers in Defending False Claim Act Cases After <i>Escobar</i> Sergio E. Acosta , <i>Hinshaw & Culbertson LLP</i> , Chicago, IL Kirsten V. Mayer , <i>Ropes & Gray LLP</i> , Boston, MA

- 7:30 p.m. **Women's Networking Dinner** | Details for signing up will be circulated to registrants in advance of the seminar. Limited availability.
- 7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner. Sign up on-site.

THURSDAY, APRIL 12

Device Charging Station

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Wireless Access

SPONSORED BY **Lathrop & Gage LLP**

DRI for Life Run/Walk

6:30 a.m. | Early riser? Gather in the hotel lobby for an energizing run/walk with fellow LHD practitioners.

- 7:30 a.m. **Registration**
- 7:30 a.m. **Continental Breakfast**
SPONSORED BY **Chittenden Murday & Novotny LLC**
- 8:30 a.m. **Welcome and Introduction**
E. Todd Presnell, *Bradley Arant Boult Cummings*, Nashville, TN
D. Larry Kristinik, *Nelson Mullins Riley & Scarborough LLP*, Columbia, SC
- 8:40 a.m. **Class Action Update**
This presentation will review the most notable LHD class action rulings and identify the latest trends. The program will address class actions in both the ERISA-governed and individual policy contexts.
Amanda A. Sonneborn, *Seyfarth Shaw LLP*, Chicago, IL
- 9:30 a.m. **The Judicial Perspective**
We are privileged to present a judge from the US Court of Appeals for the First Circuit, who will offer observations about effective oral advocacy and brief writing in appellate courts.
The Honorable William J. Kayatta, Jr., *US Court of Appeals, First Circuit*, Portland, ME
- 10:15 a.m. **Refreshment Break**

- 10:30 a.m. **Life Insurance Update**
This program will review key life insurance decisions over the past year and discuss emerging trends in life insurance litigation, with a forecast of what the next year may bring.
Michelle Thurber Czapski, *Bodman PLC*, Troy, MI
- 11:15 a.m. **The New DOL Disability Claim Regulations**
Experienced in-house and outside counsel will address the practical implications of the new DOL disability claim regulations for claim practices and their likely effects on litigation.
Patrick W. Begos, *Robinson & Cole LLP*, Stamford, CT
➔ **Michael L. Parker**, *Unum Group*, Portland, ME

- 12:00 p.m. **Lunch (on your own)**
- 12:00 p.m. **Diversity and Inclusion Luncheon** | Those interested in attending must reply to an invitation from the sponsor, which will be sent to registrants in advance of the seminar. Limited availability.
GUEST SPEAKER | **Carolyn Golden Hebsgaard**, *Boston Lawyers Group*, Boston, MA
HOSTED BY **Sirote & Permutt PC**
- 1:30 p.m. **Schmidtke on ERISA**
Mark Schmidtke, a leading authority on ERISA, will discuss the latest in cutting-edge ERISA issues, including Supreme Court developments and timely issues affecting LHD insurance providers and their counsel.
Mark E. Schmidtke, *Ogletree Deakins Nash Smoak & Stewart PC*, Valparaiso, IN
- 2:30 p.m. **Health Insurance Law Update**
Learn about trends in health insurance litigation for individual and group policies, including an update on cross-plan offset litigation and risk corridor payment litigation, as well as any recent ACA amendments.
Bryan D. Bolton, *Funk & Bolton PA*, Baltimore, MD
➔ **Gloria R. Perrotta**, *Cigna*, Hartford, CT
- 3:15 p.m. **Refreshment Break**
SPONSORED BY **Rumberger Kirk & Caldwell White and Williams LLP**

3:30 p.m. **Jury Trials of Bad-Faith Claims**
The trial of a bad faith case can be challenging, with juror biases and insurer products under attack. This program will provide insights on presenting the defense side to a jury.

Forrest S. Latta, *Burr & Forman LLP*, Mobile, AL

4:15 p.m. **Adjourn**

4:15 p.m. **In-House/Corporate Counsel Breakout Meeting** (*exclusively for in-house/corporate counsel*)

4:15 p.m. **Bootcamp Alumni and Young Lawyers Event: Building for the Future**

A panel of long-time attendees will provide advice on how to get the most out of the DRI LHD Committee, from client development to networking and practice tips.

FACILITATORS

Joshua Bachrach, *Wilson Elser Moskowitz Edelman & Dicker LLP*, Philadelphia, PA

➔ **Sue A. Sperry**, *Sun Life Assurance Co. of Canada*, Kansas City, MO

5:00 p.m. **Life, Health and Disability Committee Meeting** (*open to all*)

6:00 p.m. **Networking Reception**

SPONSORED BY **Wilson Elser Moskowitz Edelman & Dicker LLP**

7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner. Sign up on-site.

9:30 p.m. **Young Lawyers After-Dinner Reception** (*everyone invited*) | Whether you are young or young at heart, everyone is welcome at this popular networking event. More details on-site.

FRIDAY, APRIL 13

Device Charging Station

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Mobile Device Charging Kiosk

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Wireless Access

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DRI for Life Run/Walk

6:30 a.m. | Early riser? Gather in the hotel lobby for an energizing run/walk with fellow LHD practitioners.

7:30 a.m. **Registration**

7:30 a.m. **Continental Breakfast**

SPONSORED BY **Bradley Arant Boult Cummings LLP**

8:30 a.m. **Announcements**

Patrick W. Begos, *Robinson & Cole LLP*, Stamford, CT

8:35 a.m. **Enforcing Time Limits**

This program will update you on the law and provide practical advice for enforcing contractual and statutory time limitations for providing notice of claim, proof of loss, and the commencement of legal actions for ERISA-governed and individual LHD policies.

Robert P. Lesko, *Wilson Elser Moskowitz Edelman & Dicker LLP*, Florham Park, NJ

9:20 a.m. **Disability Update**

Learn about the most significant state and federal court decisions relating to individual and ERISA-governed disability claims, with a discussion of recent trends and challenges.

Rachel R. Krause, *Lewis Brisbois Bisgaard & Smith LLP*, Atlanta, GA

10:05 a.m. **Refreshment Break**

SPONSORED BY **Bodman PLC**

10:20 a.m. **What's Trending at the DOI**

Hear from a former state insurance commissioner about the latest initiatives by state departments of insurance, New York Circular No. 1, and trends in regulation.

Mary Jo Hudson, *Squire Patton Boggs*, Columbus, OH

11:15 a.m. **The Ethics of Diversity After Rule 8.4(g)**

The panel will examine the new Rule 8.4(g) of the Model Rules of Professional Conduct barring discrimination in the practice of law, as well as other diversity issues in the LHD practice.

MODERATOR | **Brooks R. Magratten**, *Pierce Atwood LLP*, Providence, RI

➔ **Ann M. Courtney**, *Unum Group*, Portland, ME

Marcus M. Maples, *Baker Donelson Bearman Caldwell & Berkowitz PC*, Birmingham, AL

Sheryl J. Willert, *Williams Kastner*, Seattle, WA

12:15 p.m. **Adjourn**

GENERAL INFORMATION

In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee *or* be sponsored by a DRI member who is both registered and has paid for the seminar.

Nonmember in-house counsel may utilize this offer only once. This offer excludes the DRI Annual Meeting and the DRI Business Management Principles for Lawyers Seminar.

Claims Executives

Claims professionals are eligible for free registration to DRI seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Annual Meeting.**

CLE/Claims Adjusters Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **11.75** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. **Application has been made for continuing education for claims adjusters.** Credit availability and requirements vary from state to state; **please check the DRI website at dri.org** for the latest information for your state.

Registration Policy

Save \$100 when you register by March 13, 2018. (See the registration form for pricing.) The registration fee includes course materials, continental breakfasts, refreshment breaks, networking receptions, and access to the DRI App. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **March 20,**

2018 (please allow 10 days for processing). Registrations received after **March 20, 2018**, will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **March 20, 2018**. Cancellations received after **March 20** and on or before **March 27, 2018**, will receive a refund, less a \$100 processing fee. Cancellations made after **March 27** will not receive a refund, but a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri.org) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

Discounts

Group Discount The first and second registrations from the same firm or company are subject to the fees outlined previously. The registration fee for additional registrants from the same firm or company is **\$775**, regardless of membership status if received on or before **March 13, 2018**. After **March 13**, the group rate is **\$875**. All registrations must be received at the same time to receive the discount.

Travel Discounts DRI offers discounted meeting fares on various major air carriers for **DRI Life, Health, Disability and ERISA Seminar** attendees. To receive these discounts, please contact Direct Travel, DRI's official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- A small portion of your room rate offsets the costs of the seminar.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at **Westin Copley Place, Boston, 10 Huntington Avenue, Boston, MA 02116** ([click here](#) to view hotel photos).

Take advantage of the group rate of **\$284 Single/Double** in one of two ways:

- 1) Reserve online: [Click here](#) or visit dri.org and go to the **DRI Life, Health, Disability and ERISA Seminar page** and click on the "Book hotel" button.
- 2) Or **contact the hotel directly at 617.262.9600** and mention the **DRI Life, Health, Disability and ERISA Seminar**.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **March 13, 2018**, to be eligible for the group rate. Requests for reservations made after **March 13, 2018** are subject to room and rate availability.

FACULTY *Click on any name to view bio.*

Sergio E. Acosta, Hinshaw & Culbertson LLP, Chicago, IL

Joshua Bachrach, Wilson Elser Moskowitz Edelman & Dicker LLP, Philadelphia, PA

Patrick W. Begos, Robinson & Cole LLP, Stamford, CT

Bryan D. Bolton, Funk & Bolton PA, Baltimore, MD

➤ **Stephen H. Broer**, The Guardian Life Insurance Company of America, New York, NY

Sherril M. Colombo, Littler Mendelson PC, Miami, FL

➤ **Ann M. Courtney**, Unum Group, Portland, ME

Michelle Thurber Czapski, Bodman PLC, Troy, MI

Byrne J. Decker, Pierce Atwood LLP, Portland, ME

Wendy L. Furman, Edison McDowell & Hetherington LLP, Boca Raton, FL

Shari Gerson, Gray Robinson PA, Fort Lauderdale, FL

Carolyn Golden Hebsgaard, Boston Lawyers Group, Boston, MA

Kristina N. Holmstrom, Ogletree Deakins Nash Smoak & Stewart PC, Phoenix, AZ

Mary Jo Hudson, Squire Patton Boggs, Columbus, OH

The Honorable William J. Kayatta, Jr., US Court of Appeals, First Circuit, Portland, ME

Rachel R. Krause, Lewis Brisbois Bisgaard & Smith LLP, Atlanta, GA

D. Larry Kristinik, Nelson Mullins Riley & Scarborough LLP, Columbia, SC

Leonor M. (Leo) Lagomasino, Hinshaw & Culbertson LLP, Coral Gables, FL

Forrest S. Latta, Burr & Forman LLP, Mobile, AL

Robert P. Lesko, Wilson Elser Moskowitz Edelman & Dicker LLP, Florham Park, NJ

Andrew F. MacRae, Levatino Pace PLLC, Austin, TX

Brooks R. Magratten, Pierce Atwood LLP, Providence, RI

Marcus M. Maples, Baker Donelson Bearman Caldwell & Berkowitz PC, Birmingham, AL

Kirsten V. Mayer, Ropes & Gray LLP, Boston, MA

➤ **Eric B. Myers**, BlueCross BlueShield of Tennessee Inc., Chattanooga, TN

➤ **Michael L. Parker**, Unum Group, Portland, ME

➤ **Gloria R. Perrotta**, Cigna, Hartford, CT

E. Todd Presnell, Bradley Arant Boult Cummings, Nashville, TN

➤ **Gerardo Puig**, Transamerica, Baltimore, MD

Mark E. Schmidtke, Ogletree Deakins Nash Smoak & Stewart PC, Valparaiso, IN

Amanda A. Sonneborn, Seyfarth Shaw LLP, Chicago, IL

➤ **Sue A. Sperry**, Sun Life Assurance Co. of Canada, Kansas City, MO

Leasa M. Stewart, Gable Gotwals, Oklahoma City, OK

➤ **Michael T. Wade**, Cigna, Hartford, CT

Julie F. Wall, Chittenden Murday & Novotny LLC, Chicago, IL

Sheryl J. Willert, Williams Kastner, Seattle, WA

➤ **Christine Olson Zdrojeski**, The Hartford, Hartford, CT

View faculty bios on the Life, Health, Disability and ERISA Seminar webpage; click on “View speakers” button.

Use the
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- View the program schedule and customize your own
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- Keep notes
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CLE for Your Practice

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January 25–26
**Civil Rights and Governmental
Tort Liability**
*Hilton New Orleans Riverside,
New Orleans, LA*

January 31–February 2
Women in the Law
Nobu Eden Roc Resort, Miami, FL

February 7–9
Product Liability Conference
*San Diego Marriott Marquis,
San Diego, CA*

March 1–2
Medical Liability and Health Care Law
Manchester Grand Hyatt, San Diego, CA

March 1–2
Toxic Torts and Environmental Law
Sheraton Nashville Hotel, Nashville, TN

March 14–15
Appellate Advocacy
Planet Hollywood, Las Vegas, NV

March 14–16
Trial Tactics
Planet Hollywood, Las Vegas, NV

March 21–23
**Insurance Coverage and
Claims Institute**
Swissôtel Chicago, Chicago, IL

Publications for Your Practice

Members can access
committee newsletters
and seminar course
materials via **LegalPoint**
at **dri.org**.

Newsletters *ERISA Report* (3 times a year)
Life, Health, and Disability (4 times a year)

Visit the **Life, Health and Disability Committee page** on **dri.org** for information
about the committee and related resources.

Life, Health and Disability focus in *For The Defense*
August 2018 (*upcoming*)
August 2017
August 2016

Defense Library Series
The Law of Life Insurance: Key Issues in Each State



Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

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Life, Health, Disability and ERISA Seminar

April 11-13, 2018
The Westin Copley Place Boston | Boston, MA

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Please list any special needs

Are you a first-time attendee at this DRI seminar? ☐ Yes ☐ No

How many attorneys are in your firm? What is your primary area of practice?

REGISTRATION FEE

Registration fee includes seminar attendance, networking events, course materials, and access to the DRI App. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar.

	On or before Mar. 13, 2018	After Mar. 13, 2018	
<input type="checkbox"/> Member	\$875	\$975	For inclusion on the preregistration list and to receive course materials in advance, register by March 20, 2018.
<input type="checkbox"/> Nonmember	\$1,110	\$1,210	
<input type="checkbox"/> Government Member	\$575		
<input type="checkbox"/> Law Student Member	FREE		
<input type="checkbox"/> In-House Counsel Member*	FREE		
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<input type="checkbox"/> Group Discount*	\$775	\$875 (*as defined on page 5)	
<input type="checkbox"/> Community Service Project	FREE		

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Life, Health, Disability and ERISA Seminar

April 11-13, 2018

The Westin Copley
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is a great place to grow your network and earn
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