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
- Tracks in ERISA, Non-ERISA, and Health, plus a new Young Lawyer Track (open to everyone)—tailor to fit your practice
- 11.0 hours of CLE, including one hour of ethics credit
- A complimentary copy of the ERISA Litigation Primer with every registration

April 29–May 1, 2020
Sheraton New Orleans
New Orleans, LA
The DRI Life, Health, Disability, and ERISA Seminar offers unparalleled learning, as well as an abundance of networking opportunities. The experienced faculty features leading practitioners and top-level industry representatives, providing insights into trends and developments in the law. Attendees will walk away with practical tips that meaningfully affect their day-to-day practices. The seminar leads off on Wednesday with separate breakout sessions covering ERISA, Non-ERISA, and Health, as well as a new Young Lawyer track. Thursday and Friday offer a broad range of plenary presentations covering the hottest topics in the industry. This is the annual must-attend life, health, disability, and ERISA event.
What You Will Learn

- The ethics of attorney–client privilege in claims handling
- Decoding de novo review across multiple circuits
- How to decipher and strategically use accounting documents in insurance disputes
- Emerging issues regarding opioids, marijuana, and designer drugs
- The latest regarding health parity and alternative treatments
- How regulatory requirements and plan drafting affect claims litigation

DRI Members Get More

- Access to LegalPoint™ at dri.org: Committee newsletters, seminar course materials, and other publications.
- Access to dri circles, where lawyer-to-lawyer connections happen. Search dri circles in your app store:
  - Download on the App Store
  - Get it on Google Play
- 29 Substantive Law Committees (no additional charge)
- Aetna Healthcare
- Client Connections
- DRI Career Center
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- Participate on a committee
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Get engaged, get recognized, and get rewarded.
WEDNESDAY, APRIL 29

**DRI for Life Run/Walk**
8:00 a.m.  | Arriving to New Orleans 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.

**HandsOn Community Service Project**
10:00 a.m.
Network for a great cause—join your colleagues in an engaging and interactive service project to aid [HandsOn New Orleans](https://www.handsnoneworleans.org), preparing kits for needy individuals in New Orleans. The event will be held on-site. For more information about HandsOn New Orleans go to [https://www.handsnoneworleans.org](https://www.handsnoneworleans.org) or contact Julie Wall at jwall@cmn-law.com.

1:00 p.m.  Registration

2:00 p.m.  Tracks (see page 3)

**DRI for Life Book Club**
5:15 p.m.
The book selected is “The Last German Slave Girl” by John Bailey. For more information please contact Josh Lerner at jlerner@rumberger.com.

5:30 p.m.  Meeting for First-Timers and Attendees Interested in the Life, Health and Disability Committee
Let us welcome you! Get acquainted with committee leaders and learn how to make the most of the seminar and your membership in the committee and DRI.

6:00 p.m.  Networking Reception
SPONSORED BY Nelson Mullins Riley & Scarborough LLP

7:30 p.m.  Women's Networking Dinner
Meet and dine with prominent women professionals in the industry at this incredibly popular event. Details for sign-up will be circulated to registrants in advance of the seminar. *Limited availability.*

7:30 p.m.  Dine-Arounds
Join speakers, colleagues, and friends at selected restaurants for dinner. Electronic sign-up. Details for sign-up will be circulated to registrants in advance of the seminar.

THURSDAY, APRIL 30, 2020

**Device Charging Station**
SPONSORED BY Ogletree Deakins Nash Smoak & Stewart PC

**Wireless Access**
SPONSORED BY Lathrop GPM LLP

**DRI for Life Meditation**
7:00 a.m.
Early riser? Join us for guided meditation. No experience necessary; just put down your phone and take some deep breaths—closed eyes are optional.

7:30 a.m.  Registration

7:30 a.m.  Continental Breakfast
SPONSORED BY Bodman PLC
Chittenden Murday & Novotny LLC

8:30 a.m.  Welcome and Introductions
Daniel W. Gerber, Gerber Ciano Kelly Brady LLP, New York, NY
Sarah J. Delaney, Goldberg Segalla LLP, Buffalo, NY

9:25 a.m.  A Deep Dive into State Discretionary Bans, plus De Novo Review
Dig into various state bans on discretionary language and how de novo review looks today across the circuits. This presentation will include an in-depth exploration of the practical limits of these bans, along with the evolving rules that they generate.

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

9:25 a.m.  Accounting for Attorneys: The Next Level
A seasoned litigator and an accounting expert will discuss accounting issues regularly confronted by attorneys, accounting principles attorneys need to know to improve efficiency and accuracy in valuing claims, spotting financial misrepresentations, calculating lost profits, and defending clients.

Jodie L. Ousley, D’Arcambal Ousley & Cuyler Burk LLP, New York, NY

♦ Ernest P. Smith, CPA/ABV/CFF, CVA, CFE, Nawrocki Smith LLP, Melville, NY
<table>
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<tr>
<th>Time</th>
<th>Session Title</th>
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<tr>
<td>10:15 a.m.</td>
<td>Refreshment Break</td>
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<td><strong>SPONSORED BY</strong> Nawrocki Smith LLP</td>
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<td>Saul Ewing Arnstein &amp; Lehr</td>
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<td>10:30 a.m.</td>
<td>Family Feuds: Life Insurance Beneficiary Issues</td>
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<td>Feuding life insurance beneficiaries constantly come up with new theories in their quests to prevail. This presentation examines some of the thorny issues life that insurers face, including defensive interpleader, twists and turns with multiple claimants, and slayer statutes.</td>
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<td><strong>Jamie L. Moore</strong>, Bradley Arant Boul Cummings LLP, Birmingham, AL</td>
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**TRACKS**  
**Wednesday, April 29, 2:00 p.m.–5:00 p.m.**

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<th>Time</th>
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<tr>
<td>2:00 p.m.</td>
<td><strong>ERISA</strong></td>
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<td>The Ongoing Saga of DOL Disability Claim Regulations: 10 Day Letters, Exhaustion of Remedies, and Litigation Developments</td>
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<td><em>Joan (Joni) Walsh Sobocinski</em>, Cigna Corporation, Philadelphia, PA</td>
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<td><em>Caitlin Piccarello Strauss</em>, Saul Ewing Arnstein &amp; Lehr LLP, Philadelphia, PA</td>
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<td>3:00 p.m.</td>
<td><strong>NON-ERISA</strong></td>
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<td>Annuity Litigation Update</td>
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<td>Brooks R. Magratten, Pierce Atwood LLP, Providence, RI</td>
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<td>It’s a Small World, and Getting Smaller: Foreign Claimants, Foreign Accidents, and Foreign Death</td>
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<td><em>Kenton J. (Kent) Coppage</em>, Fox Rothschild LLP, Atlanta, GA</td>
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<td>3:55 p.m.</td>
<td>Refreshment Break</td>
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<td>4:10 p.m.</td>
<td><strong>HEALTH</strong></td>
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<td>The Data Debacle: A Survey of Data Breach Class Actions in the Healthcare Industry</td>
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<td><em>Sarah L. Cykowski</em>, Bodman PLC, Detroit, MI</td>
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<td>Telemetry and Its Effect on Health Insurance Claims</td>
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<td><em>Kimberly J. Ruppel</em>, Dickinson Wright PLLC, Troy, MI</td>
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<td>10:15 a.m.</td>
<td>Refreshment Break</td>
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<td>10:30 a.m.</td>
<td><strong>YOUNG LAWYER TRACK</strong> (for all)</td>
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<td>What In–House Counsel Wish They Knew When They Were Outside Counsel</td>
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<td><em>Kristen E. Horne</em>, Unum Group, Columbia, SC</td>
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<td><em>Amanda G. Schreiber</em>, Cigna Corporation, Bloomfield, CT</td>
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<td><em>John A. Sharp</em>, Assurety Life Insurance Company, Lincoln, NE</td>
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<td>Be a Diversity Leader</td>
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<td><em>Atoyia Scott Harris</em>, Proskauer Rose LLP, New Orleans, LA</td>
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<td><em>Ricardo A. Woods</em>, Burr &amp; Forman LLP, Mobile, AL</td>
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**Sponsored by**  
Nawrocki Smith LLP  
Saul Ewing Arnstein & Lehr
11:15 a.m.  **Health Law Update**  
Everything new and hot in health insurance! Learn about current issues in health insurance litigation, including participating provider litigation updates, class action updates, health care fraud, the status of the ACA, and much more.  
*Micheal H. Bernstein, Robinson & Cole LLP, New York, NY*

12:00 p.m.  **Lunch (on your own)**  
Grab a friend or make some new ones while you enjoy New Orleans. Great food, only-in-NOLA small museums, and points of interest (suitable for lunchtime visits) are just outside the hotel doors.

12:00 p.m.  **Diversity and Inclusion Luncheon**  
Anthony Ray Hinton, who was wrongfully convicted of murder and spent 30 years on Alabama’s death row before exoneration, will be the featured speaker. 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.*  
*Anthony Ray Hinton, Birmingham, AL*

SPONSORED BY  
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1:30 p.m.  **Schmidtke on ERISA**  
Mark Schmidtke, the leading authority on ERISA, will discuss the latest in cutting-edge ERISA issues, including Supreme Court developments and timely issues affecting life, health, and disability insurance providers and their counsel.  
*Mark E. Schmidtke, Ogletree Deakins Nash Smoak & Stewart PC, Valparaiso, IN*

2:30 p.m.  **Drafting Insurance Policies and Service Agreements: ERISA Issues and the Effect on Litigation**  
Care should be taken when drafting insurance policies and services agreements that are used to fund and administer claims under ERISA-governed plans. Learn about the major issues to consider, how to address them, and their potential effect on litigation.  
*Nimesh Patel, Michael L. Parker, Unum Group, Chattanooga, TN/Portland, ME*

3:15 p.m.  **Refreshment Break**  
SPONSORED BY  
**Bradley Arant Boult Cummings LLP**

3:30 p.m.  **Mental Health Parity and Alternative Treatments**  
Mental health parity and alternative treatments remain a heavily litigated topic in health insurance. From wilderness therapy and behavioral health to residential treatment and education programs, this program closely examines this constantly evolving area.  
*Daniel K. Ryan, Hinshaw & Culbertson LLP, Chicago, IL*

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

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

5:00 p.m.  **Life, Health and Disability Committee Business Meeting**  
(open to all)  
Come hear from committee leaders about the numerous opportunities to get involved. Learn about upcoming events in 2020 and 2021, including the 2021 seminar and how you can help plan it. *We want you to get involved!* This is where it all happens.

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. Electronic sign-up. Details for signing up will be circulated to registrants in advance of the seminar.

9:30 p.m.  **Young Lawyers After-Dinner Cocktail Event**  
Everyone is welcome at this popular networking event, hosted by our Young Lawyers Subcommittee. More details on-site (everyone invited).

**FRIDAY, MAY 1**

**Device Charging Station**  
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**Wireless Access**  
SPONSORED BY  
**Lathrop GPM LLP**
DRI for Life Meditation
7:00 a.m. | Early riser? Join us for guided meditation. No experience necessary; let the stress trickle away and feel reinvigorated.

7:30 a.m. Registration

7:30 a.m. Continental Breakfast
SPONSORED BY Nilan Johnson Lewis PA

8:30 a.m. Announcements
Jamie L. Moore, Bradley Arant Boult Cummings LLP, Birmingham, AL

8:35 a.m. Opioids, Marijuana, and Designer Drugs
The addiction epidemic grows, as more states legalize marijuana. New and different “designer drugs” are being used and abused every year. Learn about their implications regarding detection, drug intoxication, and accidental death analysis.

John T. Seybert, Dearborn National Life Insurance Company, Lombard, IL
Julie F. Wall, Chittenden Murday & Novotny LLC, Chicago, IL

9:20 a.m. Life Insurance and Accidental Death and Dismemberment Update
A discussion of the most recent significant state and federal court decisions relating to life insurance and accidental death and dismemberment.

Jeaneen J. Johnson, Semmes Bowen & Semmes PC, Baltimore, MD

Peter T. Sailor, Cigna Corporation, Philadelphia, PA

10:05 a.m. Refreshment Break

10:20 a.m. Disability Download
A year in review of disability litigation. This session will cover everything new, including preexisting conditions, new and additional rationales for denials, exhaustion of remedies, overpayment counterclaims, and more!

Kristen S. Cross, Sirote & Permutt PC, Birmingham, AL

11:15 a.m. Ethics: A Comedy of Privileges
Hear a discussion of in-house mistakes and latent exceptions in the claims process that can defeat the assertion of privilege in litigation, and their resulting ethical implications.

D. Larry Kristinik III, Nelson Mullins Riley & Scarborough LLP, Columbia, SC
Gerardo (Gerry) Puig, Transamerica, Baltimore, MD
Margaret Elaine Jennings, AIG, Houston, TX

12:15 p.m. Adjourn

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Life, Health and Disability Committee
Resources and Opportunities

The Life, Health and Disability Committee focuses on issues affecting life, health, and disability insurance as well as managed care industries. The committee addresses a broad spectrum of issues, including claims, underwriting, regulatory, and compliance matters affecting individually issued and ERISA-governed insurance products. The committee's members consist of industry in-house attorneys and claims professionals as well as the outside counsel who represent their interests. Our members are incredibly enthusiastic about the committee, which provides practical advice, industry insight and legal support in the fast-changing and challenging environment in which this portion of the insurance industry currently finds itself.

One of the greatest ongoing benefits of belonging to this committee is receiving the Committee's quarterly publication, Life, Health and Disability News, and the semi-annual ERISA Report. These newsletters are an excellent resource for all our members. The newsletter includes scholarly articles by leading practitioners, a compendium of the latest legal developments, current case analysis, and shorter articles providing readers with practical advice and fresh insights on cutting edge issues. The ERISA Report provides updates and analysis of the latest case and regulatory developments in the ever-changing ERISA arena. The committee encourages all members to contribute to these publications, which accounts for the scope and depth of the material contained therein. Overall, these newsletters are the best place to go for the most up-to-date review of legal issues affecting the life, health, disability, and ERISA industry.

- Learn more about the committee and its leadership: https://www.dri.org/committees/committee-detail/0085
- Access the DRI Life, Health and Disability Committee Community at http://community.dri.org/home: Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Select Subcommittees
  - Communities (Online)
  - Membership
  - Newsletter
- Publications
  - Newsletters: Life, Health and Disability News (4 times a year) and ERISA Report (2 times a year)
  - For The Defense committee-anchored issues (August)
  - Defense Library Series
  - ERISA Primer (Annual Update)
  - Disability Compendium (forthcoming)
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 12 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. Texas CE credits pending approval and are not being offered at this time. 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 30, 2020. (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 April 6, 2020 (please allow 10 days for processing). Registrations received after April 6 will be processed on-site.

Refund Policy
The registration fee is fully refundable for cancellations received on or before April 6, 2020. Cancellations received after April 6 and on or before April 13, 2020, will receive a refund, less a $100 processing fee. Cancellations made after April 13 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 30, 2020. After March 30, 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 Sheraton New Orleans, 500 Canal Street, New Orleans, LA 70130 (click here to view hotel photos). Take advantage of the group rate of $259 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 504.525.2500 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 30, 2020, to be eligible for the group rate. Requests for reservations made after March 30 are subject to room and rate availability.
FACTORY Click on any name to view bio.

Kelly Fry Barnett, The Hartford, Hartford, CT
Michael H. Bernstein, Robinson & Cole LLP, New York, NY
Elizabeth J. (Lisa) Bondurant, Womble Bond Dickinson (US) LLP, Atlanta, GA
Kenton J. (Kent) Coppage, Fox Rothschild LLP, Atlanta, GA
Melissa M. Cowan, Burke Williams & Sorenson LLP, Los Angeles, CA
Kristen S. Cross, Sirote & Permutt PC, Birmingham, AL
Michael P. Cunningham, Funk & Bolton PA, Baltimore, MD
Sarah L. Cylkowski, Bodman PLC, Detroit, MI
Byrne J. Decker, Ogletree Deakins Nash Smoak & Stewart PC, Portland, ME
Sarah J. Delaney, Goldberg Segalla LLP, Buffalo, NY
Elizabeth G. Doolin, Chittenden Murday & Novotny LLC, Chicago, IL
Daniel W. Gerber, Gerber Ciano Kelly Brady LLP, New York, NY
Atoyia Scott Harris, Proskauer Rose LLP, New Orleans, LA
Anthony Ray Hinton, Birmingham, AL
Kristina N. Holmstrom, Ogletree Deakins Nash Smoak & Stewart PC, Phoenix, AZ
Kristen E. Horne, Unum Group, Columbia, SC
Margaret Elaine Jennings, AIG, Houston, TX
Jeaneen J. Johnson, Semmes Bowen & Semmes PC, Baltimore, MD
Edna Sybil Kersting, Wilson Elser Moskowitz Edelman & Dicker LLP, Chicago, IL
D. Larry Kristinik III, Nelson Mullins Riley & Scarborough LLP, Columbia, SC
Brooks R. Magratten, Pierce Atwood LLP, Providence, RI
Jamie L. Moore, Bradley Arant Boult Cummings LLP, Birmingham, AL

Jodie L. Ousley, D’Arcambal Ousley & Cuyler Burk LLP, New York, NY
Michael L. Parker, Unum Group, Portland, ME
Nimesh Patel, Unum Group, Chattanooga, TN
Gerardo (Gerry) Puig, Transamerica, Baltimore, MD
Kimberly J. Rupple, Dickinson Wright PLLC, Troy, MI
Daniel K. Ryan, Hinshaw & Culbertson LLP, Chicago, IL
Peter T. Sailor, Cigna Corporation, Philadelphia, PA
Mark E. Schmidtke, Ogletree Deakins Nash Smoak & Stewart PC, Valparaiso, IN
Amanda G. Schreiber, Cigna Corporation, Bloomfield, CT
John T. Seybert, Dearborn National Life Insurance Company, Lombard, IL
John A. Sharp, Assurity Life Insurance Company, Lincoln, NE
Ernest P. Smith, CPA/ABV/CFF, CVA, CFE, Nawrocki Smith LLP, Melville, NY
Joan (Joni) Walsh Sobocinski, Cigna Corporation, Philadelphia, PA
E. Ford Stephens, Christian & Barton LLP, Richmond, VA
Caitlin Piccarello Strauss, Saul Ewing Arnstein & Lehr LLP, Philadelphia, PA
Scott M. Trager, Funk & Bolton PA, Baltimore, MD
Marc S. Voses, Goldberg Segalla LLP, New York, NY
Julie F. Wall, Chittenden Murday & Novotny LLC, Chicago, IL
Ricardo A. Woods, Burr & Forman LLP, Mobile, AL

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

Denotes the DRI CLIENT CONNECTION: in-house and claims professional speakers
Denotes expert
CLE for Your Practice

March 18–20
Litigation Skills
Paris Las Vegas, Las Vegas, NV

April 1–3
Insurance Coverage and Claims Institute
Swissôtel Chicago, Chicago, IL

May 6
Cannabis Law
Boston Marriott Copley, Boston, MA

May 7–8
Retail and Hospitality Litigation
Walt Disney World Dolphin and Swan Resort, Orlando, FL

May 14–15
Business Litigation Super Conference
Minneapolis Marriott City Center, Minneapolis, MN

May 20–22
Employment and Labor Law
Hilton Denver City Center, Denver, CO

June 11–12
Diversity for Success
Westin Michigan Avenue, Chicago, IL

June 25–26
Young Lawyers
InterContinental Buckhead, Atlanta, GA

December 3–4
Insurance Coverage and Practice Symposium
Sheraton New York, New York, NY

December 3–4
Professional Liability
Sheraton New York, New York, NY

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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
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