CONSUMER PROTECTION CONFERENCE
EVOLVING CONSUMER PROTECTION IN A BORDERLESS DIGITAL WORLD

February 2, 2017
THE GEORGIA AQUARIUM
ATLANTA, GA

Conference Co-Chairs
Anita Banicevic, Christopher A. Cole
and Patricia A. Conners

http://ambar.org/atconsumer
DEAR COLLEAGUE:

We are delighted to announce the ABA Section of Antitrust Law’s 2017 Consumer Protection Conference to be held for the first time at the Georgia Aquarium in Atlanta, Georgia on February 2, 2017.

Marketing and media continue to innovate and become more global in dimension. Disruptive technologies continue to evolve. These new technologies and business models do not always fit neatly within existing regulatory and enforcement schemes, and raise important issues. What is the appropriate role for consumer protection enforcement and regulation in a borderless digital world? What cutting-edge issues face domestic and international enforcers and in-house counsel? And, what could and should businesses do to identify and manage these new risks?

Join us to hear from leading domestic and international consumer protection enforcement officials from the FTC, DOJ, state attorneys general, and Competition Bureau, as well as experienced consumer protection practitioners, and in-house counsel. Held bi-annually, the Conference is a “must attend” event.

This one-day conference (with a special evening reception) will give you the information and tools you need to bring you up to date regarding some the most important issues in consumer protection. Network with colleagues from the corporate world, private practice, and the government at both the conference and at our Welcome Reception the night before at the World of Coca-Cola. We hope that you and others in your organization will join us at this very special event.

We look forward to seeing you in Atlanta!

William C. MACLEOD, Chair, ABA Section of Antitrust Law
Anita BANICEVIC, Conference Co-chair
Christopher A. COLE, Conference Co-chair
Patricia A. CONNERS, Conference Co-chair
Conference Agenda

WEDNESDAY, FEBRUARY 1, 2017

6:30 – 9:00 pm  REGISTRATION

6:30 – 9:00 pm  WELCOME RECEPTION AT WORLD OF COCA-COLA

The kick-off reception will be a great opportunity to mingle and network with fellow conference attendees. The evening will begin with a presentation on the history of The Coca-Cola Company from guest speaker, Ted Ryan, Heritage Director, The Coca-Cola Company. There will be live music, and appetizers and beverages will be served.

THURSDAY, FEBRUARY 2, 2017

7:30 am – 5:00 pm  REGISTRATION

8:00 – 8:15 am  WELCOME REMARKS

Anita BANICEVIC, Davies Ward Phillips & Vineberg, Toronto

Christopher A. COLE, Crowell & Moring LLP, Washington, DC

Patricia A. CONNERS, Chief Deputy, Office of the Florida Attorney General, Tallahassee, FL

William C. MACLEOD, Kelley Drye & Warren LLP, Washington, DC

8:15 – 9:00 am  CONSUMER PROTECTION AND ENFORCEMENT IN TOMORROW’S MARKETPLACE

While innovation and globalization in marketing and advertising continues to unfold at a rapid pace, what are the key consumer protection enforcement issues and priorities? At this roundtable, you’ll have the opportunity to hear directly from representatives of the Federal Trade Commission, Canada Competition Bureau and the Nebraska Attorneys General office about their enforcement agenda, trends and what issues to be on the lookout for now and in the months to come. What do recent enforcement decisions and/or guidelines mean for businesses?

Moderator:

Kevin J. O’CONNOR, Godfrey & Kahn SC, Madison, WI

Speakers:

Matthew BOSWELL, Senior Deputy Commissioner, Cartels and Deceptive Marketing Practices Branch, Competition Bureau Canada, Gatineau

John D. GRAUBERT, Covington & Burling LLP, Washington, DC

The Honorable Maureen K. OHLHAUSEN, Commissioner, Federal Trade Commission, Washington DC

Abigail STEMPSON, Chief, Consumer Protection Division, Office of the Nebraska Attorney General, Lincoln, NE
9:00 – 10:00 am  CORPORATE COUNSELOR ROUNDTABLE: MANAGING COMPLIANCE AND RISKS

This roundtable of corporate counsel will discuss how they manage and assess business risk created by consumer protection laws and litigation. In an increasingly international and constantly changing regulatory environment, how do companies stay on top of their compliance obligations? How do they balance risk with achieving business imperatives? In this interactive discussion, corporate counsel will share their views directly with enforcement officials in attendance, who may be asked to respond! This session will include an ethics component.

Moderator:
Paula C. MARTUCCI, Associate General Counsel, Litigation Division, Walmart Stores Inc, Fayetteville, AR

Speakers:
Stephanie B. DRIGGERS, Attorney, UPS, Atlanta GA
Keith ENRIGHT, Director of Privacy, Google, Mountain View, CA
Takehiko SUZUKI, Vice President and Deputy General Counsel, AT&T, El Segundo, CA

10:00 – 10:15 am  BREAK

10:15 – 11:00 am  DEALING WITH MULTIPLE ENFORCEMENT AND INVESTIGATIVE TECHNIQUES

Agencies have a wide range of tools at their disposal: from press releases and warning letters to searches, from informal guidance to published rules, from administrative litigation to federal court. When are these tools best used and to what end? What can and should subjects of agency scrutiny do to respond? What do you do when different agencies are pursuing the same conduct and seeking different remedies? This session will include an ethics component.

Moderator:
Patricia A. CONNERS, Chief Deputy, Office of the Florida Attorney General, Tallahassee, FL

Speakers:
Kimberly KIEFER PERETTI, Alston & Bird LLP, Washington, DC
Milton A. MARQUIS, Cozen O’Connor, Washington, DC
Robin L. MOORE, Chief, Criminal Liaison Unit, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
M. Howard MORSE, Cooley LLP, Washington, DC
11:00 am – 12:00 pm INNOVATION MEETS REGULATION: IMPLICATIONS OF DISRUPTIVE TECHNOLOGIES

The introduction of innovative services such as shared lodging and rides, and internet sales of medical and other products traditionally sold only at retail have stirred up a debate as to how best to encourage innovation while still protecting consumers and ensuring fairness in a sharing economy. What are the key consumer protection issues that need to be considered? What can and should agencies do in response? Is more or less regulation the answer? How do we ensure fairness in the marketplace while maintaining competitiveness?

Moderator:

Speakers:
Sarah O. ALLEN, Senior Assistant Attorney General and Antitrust Unit Manager, Office of the Virginia Attorney General, Richmond, VA
Daniel W. GORDON, Head of Trust and Safety, GoFundMe, San Francisco, CA
Cynthia J. WILLIAMS, General Counsel, 1-800-Contacts, Draper, UT

12:00 pm – 1:15 pm LUNCH

Speaker:
Lorrie F. CRANOR, Chief Technologist, Federal Trade Commission, Washington, DC

1:30 – 2:15 pm CLAIMS SUBSTANTIATION IN NOVEL AND EVOLVING TECHNOLOGIES

As new technologies come into the marketplace, how does one substantiate product claims where you have a novel product and novel testing? What about in an area where the standards are evolving? Is it sufficient to test to current standards? When and how often do you have to update your testing? What are the enforcer’s perspectives on these issues?

Moderator:
Christopher A. COLE, Crowell & Moring LLP, Washington, DC

Speakers:
Daniel M. ENNIS, Institute for Perception, Richmond, VA
Stephen P. STUK, Emory University, Atlanta, GA
Annie M. UGURLAYAN, Senior Staff Attorney, National Advertising Division, New York, NY
2:15 – 3:00 pm

EVLING CONSUMER PROTECTION ISSUES IN FINTECH

The dramatic growth in the availability of Fintech alternatives is changing the way financial products and services are offered and delivered to consumers. What are the key consumer protection issues that companies in this area and their partners need to be on the lookout for? What third-party liability issues could arise? And which enforcement agencies are involved? Are there too many “cooks in the kitchen” and what are the appropriate limits?

Moderator:
Anita BANICEVIC, Davies Ward Phillips & Vineberg LLP, Toronto

Speakers:
Azba A. HABIB, Assistant General Counsel, Kabbage, Atlanta, GA
Jessica L. RICH, Director, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
C. Hunter WIGGINS, Jones Day, Chicago, IL

3:00 – 3:15 pm

BREAK

3:15 – 4:00 pm

PRIVACY AND DATA PROTECTION IN A DIGITAL WORLD

As advertisers continue to seek new ways to engage consumers with a variety of wearable devices and virtual reality, what are the privacy risks for consumers? What steps do companies need to take to ensure adequate disclosure and data protection? We’ll discuss the latest learning from recent enforcement actions and hear from enforcers and companies what their key enforcement and compliance concerns are. We will also discuss whether it is desirable to seek international “convergence” on privacy and data security standards. Would convergence in this area enhance consumer welfare or does it matter? Is there a place for “privacy by design?”

Moderator:
Julie S. BRILL, Hogan and Lovells U.S. LLP, Washington, DC

Speakers:
Carly L. HUTH, Worldwide Global Privacy and Data Protection Counsel, The Coca-Cola Company, Atlanta, GA
Cindy A. LIEBES, Southwest Regional Director, Federal Trade Commission, Atlanta, GA
Korin A. NEFF, Senior Vice President and Corporate Compliance Officer, Wyndham Worldwide, New York, NY
INTERNATIONAL ROUNDTABLE: CONSUMER PROTECTION ACROSS BORDERS

Hear Bill MacLeod interview top officials and agency heads regarding domestic and international enforcement priorities as well as practical recommendations for companies that operate in multiple jurisdictions. When do enforcers co-operate, agree to disagree and where do we see the potential for further co-operation and/or collaboration? How can we achieve better transparency, uniformity and predictability in a global economy? What’s the international perspective on privacy and data security?

**Moderator:**
**William C. MACLEOD,** Kelley Drye & Warren LLP, Washington, DC

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TOUR THE GEORGIA AQUARIUM

We will conclude the conference by transitioning from CP to sea life with a networking opportunity to explore the largest aquarium in the Western Hemisphere with more than 10 million gallons of water housing thousands of animals.
Registration

Discounted Registration Cut-off: January 13, 2017

Those registered by the cut-off date will be included on the Attendee Roster posted on the conference website and will have access to the course materials prior to the conference. The ABA automatically adjusts registrations submitted at the incorrect rate. Full payment at the correct rate must be received in order to process your registration and CLE credits. The ABA does not accept wire transfers or purchase orders.

Financial scholarship applications are available for this conference. To request an application or receive additional information, contact: at-registrar@americanbar.org. Attorneys who qualify will receive at least a 50% reduction in the course fees. This does not include any reduction in meals, lodging, or travel costs associated with the course.

<table>
<thead>
<tr>
<th>Registration Fees</th>
<th>ABA Section of Antitrust Law Member</th>
<th>ABA Non-Antitrust Member*</th>
<th>Non-Member</th>
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<tr>
<td>List Rate-up to January 13</td>
<td>$595</td>
<td>$695</td>
<td>$895</td>
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<tr>
<td>List Rate-after January 13</td>
<td>$695</td>
<td>$795</td>
<td>$995</td>
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<tr>
<td>Academic/Government/Non-Profit/Paralegal-up to January 13</td>
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<td>Law Student</td>
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Two Ways to Register

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<tr>
<th>Online</th>
<th><a href="http://www.ambar.org/atconsumer">www.ambar.org/atconsumer</a></th>
<th>Online registrants will receive an electronic confirmation within one day. Online registration closes at 4:00pm CST on February 1, 2017</th>
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<tbody>
<tr>
<td>On-site</td>
<td>World of Coca-Cola</td>
<td>6:30 pm – 9:00 pm</td>
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<tr>
<td>February 1, 2017</td>
<td>Georgia Aquarium</td>
<td>7:30am-5:00pm</td>
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<tr>
<td>On-site</td>
<td>February 2, 2017</td>
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</table>

There is no guarantee that space will be available at the conference for on-site registration. Your registration fee includes: admission to CLE sessions, CLE Credit, continental breakfast, course materials, the luncheon, opening reception and aquarium tour ticket.

Discounts

<table>
<thead>
<tr>
<th>Early Registration</th>
<th>Registrations received by the January 13 will be processed at the discounted registration rate.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABA Antitrust Section Members</td>
<td>The registration rate for Antitrust Law Section is reduced for this conference as a member benefit. The discount is reflected on the registration page online.</td>
</tr>
<tr>
<td>ABA Members/CBA Members</td>
<td>Join the Section of Antitrust Law ($60.00) and register at the reduced rate reserved for Antitrust Law Section members.</td>
</tr>
<tr>
<td>Not an ABA Member</td>
<td>Join now and save by going to <a href="http://www.ambar.org/join">www.ambar.org/join</a></td>
</tr>
<tr>
<td>Government, Academics, Nonprofits and Paralegals</td>
<td>Available for those with a primary position at a government or academic institution (e.g., law firm lawyers who also are adjunct professors would pay the law firm rate)</td>
</tr>
<tr>
<td>Law Students</td>
<td>Complimentary registration for law students who have not passed a Bar. Availability is limited.</td>
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**CANCELLATIONS/SUBSTITUTIONS**

In the event of cancellation, a refund of the registration fee, less a $50.00 administrative fee, will be granted only for written requests received by at-registrar@americanbar.org by 5:00 pm CST, on January 19, 2017. There will be no refunds after this date. Please allow four to six weeks after the conference for the processing of any refunds. The ABA reserves the right to cancel any conference or portion thereof and assumes no responsibility for personal expenses.

Written requests for substitutions will be permitted prior to the conference for requests received by 4:00 (CST) January 19, 2017. After this date, substitutions will need to be made on-site. There is no additional cost for substitutions. Substitutions are not permitted once a registrant has registered on-site or after the conference has occurred. Only the substitute will be eligible for CLE credit. The substitute and original registrant must work out the payment between themselves.

**SPECIAL NEEDS**

Individuals should update their profile at MyABA.org with allergies or ADA needs.

**COURSE MATERIALS**

The Course Materials for each session will be compiled and distributed online prior to the conference.

**ON-SITE**

Please bring your confirmation to the on-site ABA Registration Desk to pick up your materials. Registrations received after online registration has closed, or those who have not received an electronic confirmation, will need to go to the on-site ABA Registration Desk during the registration hours posted in the agenda.

**ROSTER OF PARTICIPANTS**

A roster of conference participants is available online at www.ambar.org/atconsumer and is updated weekly.

**TAPE RECORDING**

No audio recording or videotaping of any part of the conference will be permitted.

**REGISTRANT/PARTICIPANT IMAGE AND VOICE AGREEMENT**

Registration for, attendance at or participation in the 2017 Consumer Protection Conference and other associated activities constitutes an agreement by the registrant to permit the ABA to use and distribute (both now and in the future) the registrant or attendee’s image or voice in photographs, videotapes, electronic reproductions, audiotapes of such events and activities.

**CONTINUING LEGAL EDUCATION (U.S. CLE)**

**ALL ATTENDEES:** Sign-in for CLE; the majority of attendees only need do this once for the entire conference. Some states that require attendees to follow different procedures, like DE, IL, TX.

NY attendees are required by their states to sign in and out of each session. NY ATTENDEES REMINDER: You cannot receive a NY certificate if you do not sign in AND out. The attendance sign-in forms for DE, IL and NY will be located in the back of each session room.

NY attorneys should pick up their customized Certificate of Attendance at the CLE Information Desk during the conference hours or if you forget to pick it up, we will email NY attorneys their certificates within 60 days of conference completion.

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states.

For more information about CLE accreditation in your state, visit www.ambar.org/antitrust.

States typically decide whether a program qualifies for CLE credit in their jurisdiction 6-8 weeks after the program application is submitted.
Travel Information

HOTEL RESERVATIONS CUT-OFF: January 13, 2017

Individuals are responsible for making their own hotel accommodations. A discounted block of sleeping rooms has been reserved under the “ABA Section of Antitrust Law-Consumer Protection.” Rooms will be available until the cut-off or when the block fills, whichever comes first.

<table>
<thead>
<tr>
<th>Accommodations</th>
<th>Conference</th>
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<tbody>
<tr>
<td>Renaissance Atlanta Midtown Hotel</td>
<td>Georgia Aquarium Inc</td>
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<tr>
<td>Renaissance Atlanta Midtown Hotel</td>
<td>225 Baker St NW Atlanta, GA 30313-1809</td>
</tr>
<tr>
<td>866 W. Peachtree Street, NW</td>
<td>Phone: 404.581.4000</td>
</tr>
<tr>
<td>Atlanta, GA 30308 USA</td>
<td>Conference Entrance: Please use the Oceans Ballroom Entrance.</td>
</tr>
<tr>
<td>$219.00 + taxes</td>
<td>Conference Entrance via Parking Deck: Please follow signs to the Oceans Ballroom on Level 1 of the parking deck. Please Do Not Follow Signs To The Main Entrance/East Elevators. The East Elevators will bring you to the Main Entrance. Instead Use The West Elevators located on the corner of Ivan Allen Jr. Blvd and Luckie Street and follow signs to Oceans Ballroom.</td>
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<tr>
<td>678.412.2400</td>
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<tr>
<td>Cut-off: January 13, 2017</td>
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<table>
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<tr>
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<tr>
<td>World of Coca-Cola</td>
<td></td>
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<tr>
<td>121 Baker St NW, Atlanta, GA 30313</td>
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<tr>
<td>Phone: 404.676.5151</td>
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<tr>
<td><a href="http://www.worldofcoca-cola.com/">http://www.worldofcoca-cola.com/</a></td>
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<td>1.7 Miles/8 min</td>
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<tr>
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<td>1.5 Miles/7 min</td>
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Taxi cabs are readily available at the airport terminals and at the hotel.

ABA Negotiated Airfare Discounts


* A Travel Profile is required when booking airline reservations with ABA Egencia, visit http://www.americanbar.org/membership/aba_advantage_discounts/egencia.html for more information.

ABA discounts can also be obtained directly from the carrier:

<table>
<thead>
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<tr>
<td>ABA Discount only available at ABA Egencia</td>
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<tr>
<td>800-328-1111</td>
<td></td>
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<tr>
<td>Global Meeting Code: NMP56</td>
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<tr>
<td>Discount available at <a href="http://www.delta.com">www.delta.com</a></td>
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<td>800-426-1122</td>
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<tr>
<td>Agreement Code: 621691 / Z Code: ZXDR</td>
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<tr>
<td>Discount available at <a href="http://www.united.com">www.united.com</a></td>
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<tr>
<td>Online Discount Code: ZXDR621691</td>
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International Travel

International travelers should check their visa requirements with their local Embassy or Consulate. We send out letters supporting visa applications after processing the registration. Please email at-registrar@americanbar.org for a visa letter

- Detailed information is available on the U.S. State Department site at www.state.gov/travel.
The ABA Section of Antitrust Law’s
Advertising Disputes & Litigation,
Consumer Protection, and Privacy and
Information Security committee newsletters
and telephonic programming will keep
you informed on the latest developments
in the law of false advertising, deceptive
marketing, and unfair trade practices. Details
on all three committees are available online
at http://www.americanbar.org/groups/
antitrust_law/committees.html
PLEASE JOIN US IN ATLANTA, GA
GEORGIA AQUARIUM
225 BAKER STREET ATLANTA, GA
PH: 404.581.4000 • FEBRUARY 2, 2017

DEADLINES

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>January 13</td>
<td>Hotel Reservations</td>
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<tr>
<td>January 13</td>
<td>Early Registration</td>
</tr>
<tr>
<td>February 1</td>
<td>On-line Registration</td>
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Mark your calendar for other upcoming ABA Section of Antitrust Law Conferences. Visit www.ambar.org/antitrust for details.