

2024 PIABA ANNUAL MEETING AGENDA

TUESDAY, SEPTEMBER 24, 2024

12:00PM – 1:00PM	ISSUE SPOTTING: THE BASICS OF BAD ADVICE
1:05PM – 2:05PM	THE NUTS AND BOLTS OF BRINGING AND WINNING CLAIMS AGAINST RIAS
2:15PM – 3:15PM	CIVILITY AND REPUTATION-BUILDING (ETHICS)
3:20PM – 4:20PM	MOCK OPENING AND CLOSING
4:25PM – 5:25PM	GATHERING DISCOVERY DOCUMENTS FROM CLIENTS
5:35PM – 7:00PM	OPENING RECEPTION

WEDNESDAY, SEPTEMBER 25, 2024

9:00AM – 10:00AM	UPDATES FROM FINRA		
10:05AM – 11:05AM	AUTOCALLABLE STRUCTURED NOTES		
11:15AM – 12:15AM	HOW IS REG BI TRIED DIFFERENTLY THAN A SUITABILITY CASE		
12:15PM – 1:15PM	LUNCH/MEMBERSHIP MEETING		
1:30PM – 2:30PM	WORKING WITH CLASS ACTION ATTORNEYS	WHERE SECURITIES AND INSURANCE PRODUCTS OVERLAP	NUTS AND BOLTS OF BROKER-DEALER SUCCESSOR LIABILITY
2:45PM – 3:45PM	FINRA'S ELIGIBILITY RULE: HISTORY AND APPLICATION OF FINRA RULE 12206	ELDER ABUSE CLAIMS FOR THIRD PARTY SCAMS	AN UPDATE REGARDING STRATEGIES AND LAW IN CRYPTO CASES
4:00PM – 5:00PM	FROM THE DEFENSE BAR PERSPECTIVE		
7:00PM – 9:00PM	WELCOME RECEPTION		

2024 PIABA ANNUAL MEETING AGENDA

THURSDAY, SEPTEMBER 26, 2024

9:00AM - 10:00AM	THINGS YOU SHOULD BE DOING BUT ARE NOT - PRACTICE TIPS AND TRICKS	WHAT TO KNOW ABOUT OPTIONS CASES	HOW TO ADDRESS MOTIONS TO VACATE OR CONFIRM AN ARBITRATION AWARD
10:15AM - 11:15AM	COMPLIANCE AND SUPERVISION OF REGISTERED INVESTMENT ADVISERS	ARTIFICIAL INTELLIGENCE AND ITS IMPACT ON OUR PRACTICES	USING STATE STATUTES TO AMPLIFY YOUR CLIENT'S DAMAGES CLAIM AND TARGET ADD'L DEFENDANTS
11:30AM - 12:30PM	JEOPARDY ETHICS		
7:00PM - 11:30PM	PRESIDENT'S DINNER & FUNDRAISER		

FRIDAY, SEPTEMBER 27, 2024

10:15AM - 11:15AM	CLOSED SESSION ON AAA ARBITRATIONS
11:15AM - 12:15PM	MEDIATOR ROUNDTABLE



SESSION DESCRIPTIONS

TUESDAY, SEPTEMBER 24, 2024

Issue Spotting: The Basics of Bad Advice – Richard Frankowski, Moderator, Brandon Reif, Phil Vujanov.

The Nuts and Bolts of Bringing and Winning Claims Against RIAs – From Forum Selection and Litigation Tactics to Tricks of the Trade in AAA or JAMS – Joseph Wojciechowski, Moderator, Tom Sporkin, John Burke. In this session a Panel of attorneys and an industry expert will discuss how to bring and prosecute successful claims against Registered Investment Advisors. The ever-changing procedural landscape makes filing RIA cases difficult. This Panel will discuss some basics about filing a case in state or federal court and how to use court-litigation to force your RIA into submission. Many RIAs use AAA or JAMs clauses in their arbitration agreements, and each of those forums offers both opportunities and pitfalls that can derail practitioners who are not familiar with those rules. Last, the Panel will discuss how to frame your pleading and causes of action no matter what forum you are in and how to leverage discovery to your advantage.

Civility and Reputation-Building (Ethics) – Michael Bixby, Moderator, Robert Girard, Brian Mooney. Discuss civility and respect for other attorneys and parties; the demise of "zealous advocacy"; best practices in a post-pandemic world; and communicating with forums, clients, and counsel in the electronic age; best practices for managing challenging interactions with difficult individuals encountered in the legal profession.

Mock Opening and Closing – Joseph Peiffer, Moderator, Peter Mougey, David Meyer.

Gathering Discover Documents from Clients – Hugh Berkson, Moderator, Page Poerschke.

WEDNESDAY, SEPTEMBER 25, 2024

Updates from FINRA – Adam Gana, Moderator, Richard Berry

Featured Bad Product – Autocallable Structured Notes – Peter Mougey, Moderator, Craig McCann, Joseph Peiffer, Jeffrey Erez.

Special Considerations When Handling a Reg BI Case – Melanie Cherdack, Moderator, Angela Turiano, Jeffrey Erez, Sander Ressler. This panel will discuss how handling a Reg BI claim differs from a suitability claim. We will also discuss recent Reg BI enforcement actions and regulatory exam priorities as well as common Reg BI compliance issues. We will address how these can be used in trying a Reg BI case.

Working with Class Actions Attorneys – Adam Polk, Moderator, James Jaconnette, Scott Silver, Elizabeth Kramer. Referring cases, etc. How to make money? Getting case starters in to talk, etc. NDAs. ID class actions that exists, negotiating, etc. the reverse can also be true, class actions referring intakes out. How do PIABAns make money?

SESSION DESCRIPTIONS

Where Securities and Insurance Products Overlap – How to Plead and Win These Cases – Melinda Steuer, Moderator, Kendra Canape, Alan Besnoff, Robert Rikard. This panel will discuss claims involving hybrid insurance/investment products including variable and indexed annuities and variable and indexed universal life. Topics of discussion will include what claims to bring, who to bring them against, case theories, common defenses, and damages.

Nuts and Bolts of Broker–Dealer Successor Liability – David Neuman, Moderator, Leyna Goro, Joshua Kons. Have you filed a claim against a BD that went out of business and was bought by another firm? Our panelists will discuss issues to consider about holding the corporate successor liable for your client's losses.

FINRA's Eligibility Rule: The History and Application of FINRA Rule 12206 – Jonathan Kurta, Moderator, Robert Van De Veire, Derek Anderson, Adam Weinstein.

Elder Abuse Claims for Third Party Scams – Adam Gana, Moderator, Michael Bixby, Catherine Mustico, Esther Cho. Broker–dealer and Investment Adviser Responsibility for supervising elder abuse and scams orchestrated by third parties. How to plead the claims, what legal claims are can be brought and how to win these claims.

An Update Regarding Strategies and Law in Crypto Cases – Daren Luma, Moderator

From the Defense Bar – Andrew Stoltmann, Moderator. This session will analyze issues related to claim drafting, discovery practices, hearing and mediation techniques from the perspective of some of the top securities defense lawyers in the country.

THURSDAY, SEPTEMBER 26, 2024

Things You Should Be Doing But Are Not – Practice Tips and Tricks – Courtney Werning, Moderator, Jamie Scivley, Stefan Apotheker. Join us for an engaging and informative session designed to elevate your practice to the next level. "Tips and Tricks of the Trade: What You Aren't Doing But Should Be" will delve into the overlooked strategies and innovative techniques that can significantly enhance your effectiveness as a securities arbitration attorney. Whether you are new to the field or a seasoned professional, you will leave this session equipped with actionable tips and a fresh perspective on handling your cases.

What to Know About Options Cases – Jason Kane, Moderator, Joshua Kons, Robert Lawson. A brief review of what they are, how they work, and most importantly, what to look for at the intake stage, through discovery, and what to show triers of fact in order to maximize the value of your case.

SESSION DESCRIPTIONS

How to Address Motions to Vacate or Confirm an Arbitration Award – Samuel Edwards, Moderator. This session will deal with the law and mechanics of either vacating or confirming an arbitration award in court. We will discuss state vs. federal arbitration rules, law surrounding vacating or confirming an arbitration award and the strategies of when to seek to confirm, when to seek to vacate and how to fight a baseless motion to vacate your award.

Compliance and Supervision of Registered Investment Advisers – Alan Rosca, Moderator, Thomas Mauriello, Ron Heakins. The investment advisor's secular transition from traditional wire houses to registered investment adviser ("RIA") firms is changing the financial industry landscape and significantly impacting the investors' paths to legal redress when their advisers engage in misconduct. The traditional FINRA arbitration model no longer applies: the duties, relationships, regulatory frameworks, forums, and procedural rules are different, as are many other important aspects of cases on behalf of investors against an RIA firm. This session is intended to address some of those differences, with a focus on the following topics: Supervision of outside sales by investment advisers; Due diligences by RIA firms; RIA duties under state and federal law and preemption arguments; Conflicts of interest and disclosures; Disclosures regarding adviser background & integrity; Damages and application of the economic loss rule.

Artificial Intelligence and Its Impact on Our Practices – Patricia Vannoy, Moderator.

Using State Statutes to Amplify Your Client's Damages Claim and Target Additional Defendants – Lance McCardle, Moderator, Jason Burge, Mike Yan.

Jeopardy Ethics – Laura Dunning, Moderator, Grace Van Hancock, Anthony Duckett, Hannah Ross.

FRIDAY, SEPTEMBER 27, 2024

Closed Session on AAA Arbitrations and JAMS – Benjamin Edwards, Moderator, Brandon Rief, Jennifer Rego.

Mediator Roundtable – Scott Greco, Moderator, Tracey Salmon-Smith, Ellen Slipp, Scott Douglas, Jeff Abrams, Lowell Haky. Our distinguished panel of experienced mediators and practicing counsel will discuss timely mediation topics, best practices, tips, how to prepare for the mediation, how to avoid a mediation stalemate, how to overcome intransigent clients and opposing parties, and how to get to "Yes" (with "Yes" being a good settlement for your clients).