

# Cyber 360: The Business Law Update

A review of recent cybersecurity developments from a diverse set of legal perspectives in the world of business and finance.

## Business Law Section Fall Meeting

**October 18, 2018**

Executive Conference Center  
8th Floor, 1601 Broadway, New York, NY

**7.0 MCLE credits:** 6.0 in Areas of Professional Practice, 1.0 Ethics, for all attorneys

**Learn More at**  
**[www.nysba.org/BUSFA18](http://www.nysba.org/BUSFA18)**



## PROGRAM DESCRIPTION

Attend the Business Law Section Fall Meeting for a Cybersecurity update every business or corporate lawyer needs to hear. The Section's committees will examine cybersecurity regulatory, compliance and best practice developments from their particular perspectives, for a well-rounded perspective of the issues. Plus a panel on cybersecurity ethical requirements every lawyer should know.

Topics:

- The Brave New (Private) World
- Cybersecurity Regulation: You Can Bank on It
- Best Practices for Cybersecurity
- Cybersecurity Regulatory Issues
- Where Cybersecurity and M&A Intersect
- Insuring against the Inevitable: Cybersecurity Risk Management
- The Legal Ethics of Cybersecurity

**Join us for a networking reception following!**

### Section Chair

**Peter W. LaVigne, Esq.**

Goodwin Procter LLP (New York, NY)

### Program Chair

**Drew Jaglom, Esq.**

Tannenbaum Helpen Syracuse & Hirschtritt LLP (New York, NY)

### 7.0 TOTAL CREDITS:

#### 6.0 credits in Areas of Professional Practice, 1.0 Ethics

This course has been approved for MCLE credit in New York State for both experienced attorneys and newly-admitted.

The New York State Bar Association's Section and Meeting Services Department has been certified by the NYS Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York.

## PROGRAM AGENDA

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Visit [www.nysba.org/BUSFA18](http://www.nysba.org/BUSFA18) for the current speaker list.

- 8:00 – 8:50 a.m. Registration and Continental Breakfast
- 8:50 – 9:00 a.m. Welcome and Introductions
- 9:00 – 9:50 a.m. **The Brave New (Private) World**  
GDPR and developments in U.S. privacy law (e.g., California's new privacy law), and how they will affect U.S. business organizations  
**Peter Day, Esq.**, LeClairRyan (San Francisco, CA)  
Presented by the Business Organizations Law Committee (Matthew J. Moisan, Esq., Chair)
- 9:50 – 10:40 a.m. **Cybersecurity Regulation: You Can Bank on It**  
NY DFS rule implementations status; What are federal banking regulators doing?; GDPR issues for banks  
**Louis Bruno**, Principal, EisnerAmper (New York, NY); **Lena Licata**, Director, EisnerAmper; additional speakers TBA  
Presented by the Banking Law Committee (Tanweer S. Ansari, Esq., Chair)
- 10:40 – 11:30 a.m. **Best Practices for Cybersecurity**  
A look at best cybersecurity practices from emerging-growth companies' legal documents and business practices  
**Everett S. Carbajal, Esq.**, The Carbajal Law Firm PC (New York, NY); **Robert W. Clarida, Esq.**, Reitler Kailas & Rosenblatt, LLC (New York, NY); **Christopher S. Edwards, Esq.**, Reitler Kailas & Rosenblatt LLC (New York, NY)  
Presented by the Technology and Venture Law Committee (Christopher S. Edwards, Esq., Chair)
- 11:30 – 11:45 a.m. Networking Break
- 11:45 a.m.– 12:35 p.m. **Current Cybersecurity Regulatory Issues**  
An examination of regulatory response to cybersecurity developments  
**Keith E. Cassidy, Esq.**, Associate Director, Technology Controls Program, U.S. Securities and Exchange Commission (SEC) Office of Compliance Inspections and Examinations (Washington, D.C.)  
Presented by the Securities Regulation Committee (Anastasia T. Rockas, Esq., Chair)
- 12:35 – 1:45 p.m. Lunch (Included)

1:45 – 2:35 p.m.

### Where Cybersecurity and M&A Intersect

Cybersecurity issues in due diligence; issues in M&A of cybersecurity vendors

**Art Ehuan**, Alvarez & Marsal Holdings LLC (Washington, D.C.); **David R. Lallouz, Esq.**, Tannenbaum Helpern Syracuse & Hirschtritt LLP (New York, NY); **James Rieger, Esq.**, Tannenbaum Helpern Syracuse & Hirschtritt LLP (New York, NY)

Presented by the Mergers and Acquisitions Committee (James Rieger, Esq., Chair)

2:35 – 3:25 p.m.

### Insuring Against the Inevitable: Cybersecurity Risk Management

What cybersecurity risks are covered by general liability policies? What cyber insurance coverage is available? What are the issues and pitfalls for lawyers and clients to look out for?

Presented by the Insurance Law Committee (Giancarlo M. Stanton, Esq., Chair)

3:25 – 3:40 p.m.

Networking Break

3:40 – 4:30 p.m.

### The Legal Ethics of Cybersecurity

Attorneys as vendors – Ethical obligations to clients (under professional rules and DFS regulations) Duty to understand technology and risks; Attorney escrow accounts – avoiding cyber scams; Security breach notification acts – New York law and cross-border issues; cloud computing – can you safely put client data in the cloud; Email encryption – should you or shouldn't you; can you be partially pregnant? Best practices – passwords, data retention and destruction, access limits, avoidance of toxic data and more

**Jay L. Hack, Esq.**, Gallet Dreyer & Berkey, LLP (New York, NY); **Drew Jaglom, Esq.**, Tannenbaum Helpern Syracuse & Hirschtritt LLP (New York, NY)

4:30 pm – 5:30 p.m.

Reception (Included)

## INFORMATION AND POLICIES

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**Discounts and Scholarships** – New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. This discount applies to the educational portion of the program only. Under that policy, any member of our Association or non-member who has a genuine basis of his/her hardship, if approved, can receive a discount or scholarship, depending on the circumstances. To apply for a discount or scholarship, please send your request in writing to Stephanie Bugos at: New York State Bar Association, One Elk Street, Albany, New York 12207 or [sbugos@nysba.org](mailto:sbugos@nysba.org).

**Cancellations** – Full refunds are given up to 5:00 p.m. two business days prior to the date of the event. Cancellations thereafter may be subject to a cancellation fee. To cancel, call (800) 582-2452 or email [MRC@nysba.org](mailto:MRC@nysba.org).

**Recording of NYSBA Seminars is not permitted.**



**Accommodations for Persons with Disabilities:** NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Stephanie Bugos at (518) 487-5524 or [sbugos@nysba.org](mailto:sbugos@nysba.org).



## REGISTRATION

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### 4 EASY WAYS TO REGISTER

**Online** at [www.nysba.org/BUSFA18](http://www.nysba.org/BUSFA18)

**Call** us at **1.800.582.2452**

(U.S. and Canada)

Event code: BUSFA18

**Mail** to: Member Resource Center

New York State Bar Association

One Elk Street, Albany, NY 12207

**Fax** the order form to **518.463.5993** (secure)

Name \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone ( \_\_\_\_\_ ) \_\_\_\_\_ Email \_\_\_\_\_

Member ID (if applicable) \_\_\_\_\_

### COST

**\$190 Business Law Section Member**

**\$215 NYSBA Member\***

\$310 Non-Member

**\$85 Special rate for Business Law Section members admitted to practice  
5 years or less**

\* **NYSBA members** who are not yet members of the Business Law Section will receive membership in the Section included with registration at the \$215 rate. Membership will be activated following the program date and will be effective through 12/31/2019, provided concurrent NYSBA membership. To opt out of this offer, email [businesslaw@nysba.org](mailto:businesslaw@nysba.org).

### PAYMENT INFORMATION

Check or money order enclosed in the amount of \$ \_\_\_\_\_  
(Please make checks payable to the New York State Bar Association.)

Charge \$ \_\_\_\_\_ to  American Express  Discover  
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Card number \_\_\_\_\_ Expiration \_\_\_\_\_

Authorized Signature \_\_\_\_\_



NEW YORK STATE BAR ASSOCIATION  
BUSINESS LAW SECTION  
One Elk Street, Albany, NY 12207



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