



## 2009 ANNUAL MEETING CO-SPONSORED EMPLOYEE BENEFITS PROGRAMS

The following Programs will be presented by the member sections of the Joint Committee on Employee Benefits at the 2009 Annual Meeting. The times and locations as listed at the time of this printing are subject to change. Programs with an asterisk require a ticket.

### Thursday, July 30, 2009

**2:00 PM to 3:30 PM**

#### ***Sections of Health Law, Labor and Employment Law and Young Lawyers Division***

##### ***Breast Cancer Legal Advocacy Workshop***

This seminar seeks to provide an introduction and overview of the legal issues commonly faced by patients dealing with catastrophic illnesses. Tools and resources will be provided to enable attorneys to train additional attorneys in conjunction with state and local bar associations and to ultimately provide much needed legal assistance to breast cancer patients.

**Speakers:** Priscilla Keith, *Health & Hospital Corporation of Marion County*, Indianapolis, IN; Anita P. Miller, *Albuquerque, NM*; Steven Pockrass, *Ogletree Deakins, Nash, Smoak & Stewart, PC*, Indianapolis, IN

**Plaza Ballroom B  
Lobby Level, East Tower  
Hyatt Regency Chicago  
FREE CLE**

**Panelists:** John J. Canary, *Deputy Director, Office of Regulations & Interpretations, Employee Benefit Security Administration, U.S. Department of Labor*, Washington, DC; Marla Kreindler, *Winston & Strawn LLP*, Chicago, IL and Alice Wunderlich, *Deloitte Tax LLP*, Chicago, IL

**Plaza Ballroom B  
Lobby Level, East Tower  
Hyatt Regency Chicago  
FREE CLE**

**11:00 AM to 1:00 PM**

#### ***JCEB Program***

##### ***Health Plans: The Changing Landscape***

The program will include a wide-ranging discussion of current topics relating to employer-sponsored group health plans. The program will provide a detailed overview of the current Health Care Reform proposals pending in Congress, explaining various proposals and discussing their impact on group health plans. The program will also discuss recent group health plan developments relating to HIPAA and HITECH, the Mental Health Parity Act, the Genetic Information Nondiscrimination Act, cafeteria plans and the "new" retiree VEBAs being established in various industries.

**Moderator:** Sally Doubet King, *McGuireWoods LLP*, Chicago, IL

**Panelists:** Kathy, Bakich, *The Segal Company*, Washington, DC; Greta E. Cowart, *Haynes and Boone LLP*, Dallas, TX; Charles K. Kerby III, *Liberté Group LLC*, Washington, DC.

**Zurich Salon E  
Concourse Level, Event Center  
Swissotel  
FREE CLE**

### Friday, July 31, 2009

**10:45 AM to 12:15 PM**

#### ***Section of Labor and Employment Law***

##### ***Expansive New Developments in ADA and FMLA\****

This panel will look into the Family Medical Leave Act and the Americans with Disabilities Act Amendments Act of 2008. The panel will cover the changes to the definition of "disability," including changes to the definition of "major life activities" and "substantially limits" and explores when an individual will be "regarded as" having a disability.

**Moderator:** Adele Rapport, *U.S. Department of Education*, Chicago, IL

**Panelists:** Elizabeth M. Ebanks, *LeClairRyan*, Richmond, VA; Lori D. Ecker, *Law Office of Lori D. Ecker*, Chicago, IL and George L. Washington, Jr., *Equant*, Oak Hill, VA

**Buckingham, 2<sup>nd</sup> Floor  
Westin Michigan Avenue  
All Tickets: \$75.00**

**2:00 PM to 3:30 PM**

#### ***Section of Tort Trial and Insurance Practice***

##### ***Long-Term Care Insurance-An Important Coverage Comes of Age in the New Millennium\****

Long-Term Care Insurance is becoming a more popular and important form of coverage as the population ages. Many states are adding coverage mandates to protect the consumer. Some states have started partnership programs between long-term care insurers and state Medicaid offices whereby individuals who buy certain types of LTC policies will have a higher amount of assets they can retain and still receive Medicaid benefits.

**Speakers:** Paul P. Bolus, *Bradley Arant Boult Cummings LLP*, Birmingham, AL; Carol Mihalik, *Chief Deputy Commissioner, Consumer Protection Unit, Indiana Department of Insurance*, Indianapolis, IN; Joe R. Whatley, *Whatley Drake & Kallas*, New York, NY

**Columbus Hall KL  
Gold Level, East Tower  
Hyatt Regency Chicago  
Tickets: \$75.00  
Govt. & Judges: \$35.00**

### Saturday, August 1, 2009

**8:30 AM to 10:00 AM**

#### ***Section of Taxation***

##### ***New Developments in Accounting for Employee Benefit Plans: Valuing Alternative Assets After Madoff***

Employee benefit plan assets and liabilities can have very significant impacts on companies' balance sheets. This panel will review the accounting rules regarding the valuation of alternative assets in light of the issues raised by the Madoff case the responsibilities of plan fiduciaries with respect to such assets. The panel will also discuss other developments in accounting relating to employee benefit plans.

**Moderator:** Joni L. Andrioff, *Deloitte Tax LLP*, Chicago, IL

3:00 PM to 4:30 PM

***Divisions of Senior Lawyers, Solo and Small Firm and Young Lawyers; Sections of General Practice, Family Law and Health Law and Commission on Law & Aging***  
***Reform of Social Security, Medicare and Medicaid (A Debate between Two Generations of Lawyers)\****

This oxford-style debate on the reformation of Social Security, Medicare and Medicaid will be "intergenerational" in that two older lawyers and two young lawyers will discuss the following resolution: "Resolved, that without substantial tax increases on younger generations, it will not be possible to reform Social Security, Medicare and Medicaid."

**Moderator:** William T. Robinson III, *Frost Brown Todd LLC*, Florence, KY

**Panelists:** Erin L. Ginsberg, *Schnader Harrison Segal Lewis LLP*, Philadelphia, PA; Robert J. Grey Jr., *Hunton & Williams LLP*, Richmond, VA (invited); Ruth L. Kleinfeld, *Office of Disability Adjudication*, Manchester, NH; Luke A. Repici, *White and Williams LLP*, Philadelphia, PA.

**Grand Ballroom B**  
**Gold Level, East Tower**  
**Hyatt Regency Chicago**  
Tickets: \$75.00  
Govt. & Judges: \$35.00

3:30 PM to 4:30 PM

***Section of Business Law***  
***Employee Benefits, Executive Compensation Committee Meeting***

**Chair:** Ronald O. Mueller, Washington, DC

**Ohio Room, Level 2**  
**Sheraton Chicago**

**Sunday, August 2, 2009**

7:30 AM to 8:30 AM

***Section of Tort Trial and Insurance Practice***  
***Employee Benefits Committee Business Meeting***

**Northwestern, 6<sup>th</sup> Floor**  
**Marriott Chicago**

8:30 AM to 10:00 AM

***Section of Labor and Employment Law***  
***ERISA Hot Topics\****

Our panel of experts will discuss the latest and most significant developments in ERISA litigation, affecting employers, employees and employee benefit plans. Topics will include what claims 401k plan participants are making in the wake of the historic drop in the value of plan benefits; how the courts' standard of review of a benefits denial is affected by the Supreme Court's decision in *MetLife v. Glenn*; how *Kennedy v. Plan Administrator* resolves disputes among surviving spouses, former spouses and others claiming a decedent's benefits; and how plaintiffs are faring in the wake of decisions limiting the remedies in ERISA cases alleging misrepresentations and certain statutory violations.

**Moderator:** J. Timothy McDonald, *Swift Currie McGhee & Hiers LLP*, Atlanta, GA

**Speakers:** William T. Payne, *Stember Feinstein Doyle & Payne*, Pittsburgh, PA; Elizabeth Hopkins, *Counsel for Appellate and Special Litigation, Plan Benefits Security Division, U. S. Department of Labor*, Washington, DC

**Buckingham, 2<sup>nd</sup> Floor**  
**Westin Michigan Avenue**  
All Tickets: \$75.00

3:00 PM to 5:00 PM

***JCEB Program***

***The New ERA of Retirement Plan Investments***

This program will discuss the recent turmoil in the investment markets, and the concomitant and rapid evolution of the relationship of investment professionals to retirement plans and their fiduciaries. The panel will discuss topics such as the unbundling of providers, the use of commingled funds in DC plans, transparency, hedge fund restrictions, and difficult asset valuation issues. Also covered will be fee disclosure developments, including both regulatory and statutory changes and the progress of fee disclosure and investment prudence litigation.

**Moderators:** Nell Hennessy, *Fiduciary Counselors, Inc.*, Washington, DC and Peter Kelly, *BlueCross BlueShield Association*, Chicago, IL. **Panelists:** Rod Bare, *Morningstar, Inc.*, Chicago, IL; Beth J. Dickstein, *Sidley Austin LLP*, Chicago, IL; Cardelle B. Spangler, *Winston & Strawn LLP*, Chicago, IL; Thomas S. Terry, *JP Morgan Compensation and Benefit Strategies*, Chicago, IL

**Zurich Salon E**  
**Concourse Level, Event Center**  
**Swissotel**  
FREE CLE

**Monday, August 3, 2009**

11:00 AM to 12:00 PM

***Section of Business Law***  
***ERISA and Pension Litigation Committee***

**Co-Chairs:** James B. Baker, *Jones Day*, San Francisco, CA and John R. Cornell, *Jones Day*, New York, NY

**Illinois Boardroom, Level 2**  
**Sheraton Chicago**

12:30 PM to 2:00 PM

***Section of Business Law***  
***Executive Compensation Subcommittee Meeting***

**Chair:** Paul Wessel, *Milbank Tweed Hadley & McCloy*, New York, NY

**Parlor F, Lobby Level**  
**Sheraton Chicago**

2:30 PM to 4:30 PM

***Section of Business Law***  
***Pension and Retiree Benefits in the '09 Economic Crisis\****

This program will cover bankruptcy overlay on underfunded pension plans (current developments and ripples from the 2006 PPA), bankruptcy overlay on retiree benefits (current developments under Bankruptcy Code Section 1113 and 1114) and how legacy costs can shape the restructuring of the auto industry and lessons for other industries.

**Chair:** Mark S. Wintner, *Stroock & Stroock & Lavan LLP*, New York, NY

**Superior Room A/B, Level 2**  
**Sheraton Chicago**  
Tickets: \$75.00  
Govt. & Judges: \$35.00