In Cooperation with the Information Systems Security Association

Emerging Trends in Information Security & the Law: “Plausible Deniability is Dead”

Thursday-Friday, November 9-10, 2006
Georgetown University Law Center
Washington, DC
Agenda

November 9, 2006

8:30-8:45 am
Welcome & Introduction
Lawrence Center, Executive Director, Georgetown CLE
Paul B. Kurtz, Executive Director, Cyber Security Industry Alliance

8:45-9:30 am
Opening Keynote:
Perspectives from the Edge
Richard A. Clarke

9:30-10:15 am
Where We’re Headed –
New Developments and Trends
in the Law of Information Security
Thomas J. Smedinghoff

This session will focus on recent key cases, legislation and regulations relating to information security, the impact of those developments on corporate obligations to address security and corporate liability for failure to do so. Putting these events in perspective will help you identify the big picture trends emerging from seemingly unrelated security law developments.

10:15-10:30 am
Networking Break

10:30-11:15 am
New and Evolving Challenges for CEOs –
Corporate Governance and IT Security
Moderator: John S. Tritak
Panelists: Michael P. Cangemi
John W. Carlson
Lisa J. Sotto

If securing critical IT infrastructures is a “shared responsibility” among suppliers, end-users and government, what are the specific corporate and legal responsibilities of corporate end users to adopt information security governance practices, and should practices vary according to risk levels or other factors?

11:15 am-12:30 pm
Law & Technology: Strange Bedfellows?
Moderator: Vincent I. Polley
Panelists: Susan Koeppen
Rhonda E. MacLean
Stewart Pomerantz
Thomas J. Smedinghoff

Effective counseling requires communication between in-house and outside lawyers and those who manage the company’s IT resources. This panel will chronicle a recent FTC consent decree and the emergence of cooperative teaming arrangements between counsel, engineers and managers.

12:30-2:00 pm
Lunch on Your Own

2:00-2:15 pm
Afternoon Introduction
William J. Cook

2:15-3:45 pm
The Expert Witness and
the Cross Examination
Attorneys: Paul R. Gupta
Mark J. Zwillinger

We have all heard about legal cases in which a corporation is alleged to have been negligent in securing sensitive information under its control. Unfortunately, few CISOs have had yet the experience of sitting through a deposition or examination where each one of their security decisions is subjected to legal scrutiny. In this session, two experienced information security attorneys will conduct a mock examination of a CISO whose decisions and action (and budgetary constraints) will be the lynchpin of a possible negligence action by one corporation against another.

3:45-4:00 pm
Networking Break

4:00-4:30 pm
Follow-up: The Decision, Question and Answers Session

4:30-5:00 pm
Day 1 Summary: Lessons Learned
Marc Rotenberg

5:00-6:30 pm
Networking Cocktail Reception

November 10, 2006

8:30-8:45 am
Introduction and Review of Day 1
David M. Cullinane, Immediate Past President, ISSA

8:45-9:30 am
Future of Public Policy on
Information Security
Prof. John D. Podesta
Prof. Eugene H. Spafford

As information security needs and legal requirements intersect and sometimes collide head-on in today’s headlines, legislators, judges, agency officials and lawyers struggle with the ongoing policy implications. In this session, leading thinkers will discuss and debate the policy ramifications of the tough decisions our corporations and legal decision makers confront.
11:15 am-12:00 pm
Forensics in E-Discovery: Incident Investigations, Compliance/Enforcement & Litigation Support
Moderator: Anne M. Rogers
Panelists: Eric M. Friedberg
Troy Larson
Michael A. Sussmann
Discussion will approach this topic from the viewpoint of the corporate environment, ranging from large corporations that have historically faced this and have applied a growing amount of resources to it down to small and medium business entities that may have thought this was an unlikely problem for them until the burgeoning growth and evolution of E-Discovery and the new Federal Rules changes.

12:00-12:15 pm
Networking Break

12:15-1:00 pm
Outsourcing but Keeping Control of your Compliance Requirements
Moderator: Jody R. Westby
Panelists: William H. Henley
C. Peter Pampillonio
John Ritter
William A. Tanenbaum
This panel will explore the challenges companies face in managing their privacy and security compliance requirements in the outsourced environment, whether domestic or offshore. It will also address privacy/security legal considerations in Master Service & Service Level Agreements and governance over the outsourced operations.

1:00-2:30 pm
Networking Lunch

2:30-2:45 pm
Afternoon Introduction
Karen Worstell

2:45-4:00 pm
Incident Response Scenario: Responding in Real Time
Moderator: Richard Power
Participants: Eric Dezenhall
Ed Skoudis
Jody R. Westby
Christopher Wolf
This panel will include four panelists role playing as CEO, CSO/CPO, General Counsel, and PR/Communications Chief responding in real time to an incident response scenario. They will explore legal considerations, communications and public relations pitfalls, fiduciary responsibilities, governance concerns and operational issues. You will learn how these professionals must think on their feet, consider alternate and often conflicting policy factors, review the needs of all constituencies and work together as a team to achieve the best possible outcome.

4:00-4:15 pm
A View on Privacy from the FTC
Joel Winston
A high-ranking official from the Federal Trade Commission will review the Commission’s work in the area of information security and privacy and discuss the FTC priorities for 2007.

4:15-5:00 pm
Event Summary – Key Takeaways and CxO/Counsel Action Plan
Karen Worstell

Critical Topic Presentation - The Need for Transparency in Privacy Statements
Prof. Annie I. Antón
Dr. Lawrence A. Ponemon
Research indicates that transparency in privacy statements and practices may hold a competitive advantage for consumer confidence in Internet transactions and commerce. Yet, there are practical and legal issues many firms face that impede the ability to reach a standard of care where privacy statements are complete, clearly understood by consumers, and able to be fully verified. This session will explore the facts uncovered in research and challenges that companies must overcome to be able to declare complete transparency that is necessary for an environment of trust.

Networking Break

10:00:10:30 am
Governance: The Art and the Science
Moderator: Rhonda E. MacLean
Panelists: Anish Bhimani
John H. Huffstutler
Developing an effective, legally compliant framework is essential to providing leadership, increasing accountability and measuring effectiveness. This session will reveal how people, policy, process and technology make up the crucial ingredients. The panel will discuss experiences and lessons learned from each member’s unique perspective. This panel interaction will provide valuable insights and considerations when implementing a compliance and governance program in the real world, one that meets both corporate and legal requirements.

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About Georgetown CLE
Georgetown CLE has established a thirty-year tradition providing the legal community high quality programs. Our programs are developed with the profession’s ever-changing needs in mind, while at the same time meeting the mandatory CLE requirements of various state bars. Located in the heart of the nation’s capital, we feature the country’s leading officials, judges and practitioners.

About ISSA
The Information Systems Security Association (ISSA)® is a not-for-profit, international organization of Information Security professionals and practitioners. The primary goal of the ISSA is to promote management practices that will ensure the confidentiality, integrity and availability of information resources. The ISSA facilitates interaction and education to create a more successful environment for global information systems security and for the professionals involved.
Speakers

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Program Details

Early Bird Registration
Registration must be received before October 13, 2006.
- $895 Early Bird Regular
- $845 Early Bird Georgetown Law Alumnus

Regular Registration
- $995 Regular
- $945 Georgetown Law Alumnus
- $795 ISSA Member

Hotel Reservations
A block of rooms has been held at the following hotel until October 8, 2006. These rooms will be held as a block, unless exhausted, until the above date at which time they will be released to the general public. Please be sure to mention the “Information Security Conference” room block to receive the room rate below.
- Hyatt Regency Washington on Capitol Hill
  400 New Jersey Avenue, NW
  Washington, DC 20001
  Phone: (800) 233-1234
  Room rate: $219/single or double

Disclaimer
Speakers are subject to change.

Services for People with special needs or dietary restrictions
Call (202) 662-9890

Scholarships
Georgetown CLE makes every effort possible to provide equal educational opportunities to all. We provide a limited number of scholarships on a case-by-case basis. Apply online at www.georgetowncle.org or submit written request no later than 5:00 pm on Friday, October 27, 2006 to:
- Scholarship Committee
- Georgetown CLE
  600 New Jersey Avenue, NW
  Washington, DC 20001
  or fax to (202) 662-9891

Cancellations/Rain Checks/Substitutions
Please fax your cancellation notice to (202) 662-9891 by 5:00 pm on Monday, November 6, 2006 for a refund (less $75 administrative fee). Rain checks for a future program will be granted for cancellations received after November 6 and prior to the start of the program. Substitutions are accepted at anytime prior to the program.

Money-Back Guarantee
We are confident that you will leave this conference with more than enough ideas and insights to make your investment pay off. However, if you feel you have not received your money’s worth by the end of the program, simply contact a member of our registration team at the conference or call (202) 662-9890 and we will process a 100% refund for your registration fee!

CLE Credits
Accreditation has been or will be requested for this program from states with mandatory Continuing Legal Education requirements. Georgetown University Law Center is an accredited CLE provider in most MCLE states. Georgetown CLE is a State Bar of California approved MCLE provider. Some states require nominal accreditation fees. You will be asked to submit payment at the program's conclusion.

Registration Form

PLEASE PRINT OR TYPE. Payment must accompany registration.

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$25 for hard copy book
All registrants will automatically receive their materials on CD-ROM for the 2-day program, at no extra cost. If you would like your materials in hard copy, $25.00 will be added to your registration fee.

Name:  [ ] Mr.  [ ] Ms. 
Email address: 
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What state? 
Feel free to copy this form and pass it along to your associates.

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Please check this box if you do not want us to share your information with them.

I cannot attend, but send me:
- [ ] CD-ROM Course Materials (text only) $149
- [ ] Hard Copy Course Materials $149
- [ ] Audio CD-ROM (audio & text) $449

For CD-ROM and course material, individuals or firms with a DC address should add 5.75% sales tax, VA 5.0%, MD 5.0%, and PA 6.0% (or 7.0% if from Philadelphia or Allegheny County.)

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   or purchase order may be attached to this form # _________
3. FAX to 202-662-9891 (credit card/PO registrations only)
   [ ] VISA  [ ] MC  [ ] AMEX
   Card #: _________ Expiration Date: _________
   Signature: 
4. E-MAIL your registration information to: cle@law.georgetown.edu
5. PHONE to 202-662-9890 (credit card registrations only)

Georgetown University Law Center • Continuing Legal Education
600 New Jersey Avenue, NW • Washington, DC 20001-2075
Emerging Trends in Information Security & the Law: “Plausible Deniability is Dead”

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Who Should Attend:
- In-house Counsel
- Outside Counsel
- Chief Information Security Officers
- Security Professionals
- IT Professionals
- Privacy Officers

Conference Summary
CEOs, CIOs, CISOs, in-house and outside counsel need to understand the developments in regulations and statutes that have led to the convergence of information security and legal issues. Business planning must consider the business drivers of the legal and security factors to be successful. This two-day conference, designed for information security professionals, C-suite executives and lawyers inside and outside the corporation, will use a combination of panels, presentations and interactive sessions to highlight key success strategies. These strategies will help your clients or companies achieve the transparency required for business integrity, security and compliance.

Benefits of Attending
- Gain an understanding of the legal standards for information security
- Develop skills for teaming legal and IT professionals in complex commercial transactions
- Learn how computers and IT security impact corporate governance
- Acquire insights into how to depose and cross-examine information security professionals and how to prepare if you are being deposed
- Understand the legal and other liabilities associated with not understanding information security controls
- Acquire strategies for improving privacy statements and compliance
- Learn how to prepare outsourcing agreements that are effective in managing security and privacy requirements
- Be prepared for the lawyer’s role when computer systems are attacked
- Understand how computer forensics can alter traditional discovery strategies