The 2019 Midwest Legal Conference on

Privacy & Data Security

This year’s conference delivers the data privacy and security answers you need with –

- Important Updates
- Practical Takeaways
- Outstanding Faculty
- New Industry Track
- New Real-World Scenarios Track
- New Foundations Track
- Flexible Attendance Option
- And More!

Keep sharp in a practice area that’s going 300 mph!
KEY CONFERENCE BENEFITS

PLENARY SPEAKERS

STEVENIE M. CASSIOPI
In June 2018, Stephanie Cassioppi was selected as the FBI's Field Supervisory Special Agent for the Minneapolis Division's Cyber Squad. Special Supervisory Agent Cassioppi joined the FBI in 2008 and, among her previous roles, she has served in the Cyber Division’s Cyber Operations Section I, Middle East Africa Unit in Virginia.

HON. DANIEL J. CROTHERS
Justice Daniel Crothers has been a Justice of the North Dakota Supreme Court since June 2005. He chairs the North Dakota Court Technology Committee; is past-chair of the Policy Implementation Committee at the ABA Center for Professional Responsibility; and is a past member of the ABA’s Cybersecurity Task Force.

LOTHAR DETERMANN
An attorney at Baker & McKenzie LLP in San Francisco and Palo Alto, Lothar Determann has been counseling companies since 1998 on data privacy law compliance and other matters. He has been recognized as a leading lawyer by Chambers, Legal 500, IAM and others. Lothar has authored 5 books including Determann’s Field Guide to Data Privacy Law.

ERICA H. MACDONALD
Erica MacDonald was sworn in as the U.S. Attorney for the District of Minnesota in June 2018. Before taking office, she was a judge in Dakota County since 2009, as well as an Assistant U.S. Attorney for the Northern District of Illinois and for the District of Minnesota from 2000-2009.

HOLLY S.A. ENG
Holly Eng is Vice President & North American General Counsel, Global Law at Cargill, Incorporated. Holly provides leadership to the North American legal team and manages and develops the legal talent supporting Cargill’s Business Operations and Supply Chain in the U.S., including food law, environmental, privacy, sustainability, transportation and logistics, and strategic sourcing.

STEVEN E. HELLAND
Steve Helland is Chair of Fredrikson & Byron's Internet, Technology & E-Commerce Group. His areas of focus and experience include: privacy, security and breach issues, copyright, licensing, contracts, Software as a Service, cloud agreements, start-ups and entity formation, advertising, health IT, marketing, social media, big data, and machine learning/artificial intelligence.

MARK LANTERMAN
Prior to founding Computer Forensic Services in 1998, Mark Lanterman was a sworn law enforcement investigator with both state and federal law enforcement agencies. Mark frequently provides training within the legal community, including presentations to the entire federal judiciary through the Federal Judicial Center.

JAMIE N. NAFFZIGER
Jamie Nafziger is Chair of Dorsey & Whitney LLP’s Cybersecurity, Privacy and Social Media Practice Group. Jamie helps clients to create website and mobile app policies; comply with the European Union’s General Data Protection Regulation (GDPR); deal with internet fraud; comply with email and text messaging laws; and handle other privacy and internet matters.
1. Expert Voices on Key Developments
A team of conference faculty and planners spend hundreds of hours distilling information – new cases and rules, business trends, frequently asked client questions, and more – so you don’t have to. At the conference, you’ll hear experts from private practice, in-house legal and privacy/security compliance roles, external consultants, and government – all there to share real-world advice and practice tips for tackling complex legal, technical and business issues.

2. Six Tracks Filled with Practical, Actionable Education – All Will Help You Help Your Clients
In addition to the 6 plenary sessions, you’ll select from 19 breakout session options in 6 tracks. The 2019 agenda includes NEW tracks on Foundational Topics, Recent Developments, Tactical Considerations, Industry, Real-World Scenarios, and More!

3. Real-World Scenarios Track
Are you looking for a more practical, nitty-gritty track covering the complex scenarios that come up often, but could be addressed more effectively? Here it is! This year’s agenda includes 3 sessions that will tackle 1) The Company Data Cleanup; 2) Email as a Gateway to Data Breaches; and 3) A Simulated Tabletop Exercise. Through applied, interactive instruction, presenters will walk you through best-practice processes and highlight potential pitfalls or sticking points.

4. Foundations Track
This year’s new Foundations Track offers a great option for those attendees who aren’t yet privacy and data security specialists. Faculty presenters will cover material that gives participants a broad understanding of common issues for greater clarity in understanding and more effective issue spotting. And don’t miss the pre-conference fundamentals webcast described in more detail below!

5. Bonus Pre-Conference Webcast
Want a quick overview/refresher to kick off your conference experience? This year the afternoon before the conference begins, we’ll start things off with a fast-paced overview via live webcast, “Data Privacy & Security Law 101 – A Fast-Paced Overview of the Myriad Sources of Law and Enforcement.”

6. Your Choice – Register for One or Both Days
Most attendees register for the full two days of the conference. But your needs and schedule may make registering for just one day the perfect fit for you. See the registration form for details on the discounted pricing!
### WEDNESDAY, JANUARY 30, 2019

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>8:15 – 8:50 a.m.</td>
<td>Check-in &amp; Continental Breakfast</td>
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<tr>
<td>8:50 – 9:00 a.m.</td>
<td>Welcome &amp; Introduction</td>
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<tr>
<td>9:00 – 10:00 a.m.</td>
<td>The 2019 Data Privacy and Cybersecurity Legal Update</td>
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<tr>
<td></td>
<td>This is your “can’t miss” annual update from a legal expert on the</td>
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<td>forefront of privacy and cybersecurity, attorney Jamie Nafziger.</td>
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<tr>
<td></td>
<td>Jamie will update you on the significant privacy and data security</td>
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<td></td>
<td>developments – both domestic and international – over the past year</td>
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<td></td>
<td>and key changes in the pipeline. Topics will include: federal privacy</td>
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<td></td>
<td>law proposals; GDPR regulatory guidance, data subject requests, and</td>
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<td></td>
<td>first enforcement actions; Privacy Shield developments; biometrics</td>
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<td>legislation and cases; the outcome of U.S. Supreme Court cases on</td>
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<td>government access to data, Microsoft v. U.S. and Carpenter v. U.S.;</td>
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<td>the Aadhaar breach and decision and other large security incidents;</td>
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<td></td>
<td>Brazil’s new data protection law; and more. (The new California</td>
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<td>Consumer Privacy Act of 2018 will be discussed in the 10:00 a.m.</td>
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<td>session that follows.)</td>
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<td></td>
<td>– Jamie N. Nafziger</td>
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<tr>
<td>10:00 – 10:30 a.m.</td>
<td>The California Consumer Privacy Act of 2018:</td>
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<td>What Every Lawyer Must Know</td>
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<td>Starting January 1, 2020, companies around the world must comply</td>
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<td>with new regulations related to processing of personal data of</td>
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<td></td>
<td>California residents – the California Consumer Privacy Act of 2018</td>
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<td>(“CCPA”). Under the CCPA, businesses: are subject to restrictions</td>
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<td>on data monetization business models; must accommodate rights</td>
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<td>to access, delete, and port personal data; must update privacy</td>
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<td></td>
<td>policies; must brace for possible penalties and liquidated damages</td>
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<td></td>
<td>for violations; and more. Notable technology lawyer Lothar</td>
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<td>Determann will walk through the essential requirements (and risks)</td>
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<td>that every lawyer (and their clients) should understand about this</td>
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<td>new law. – Lothar Determann</td>
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<tr>
<td>10:30 – 11:00 a.m.</td>
<td>Cyber Crime and Working with Law Enforcement</td>
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<td>Stephanie Cassioppi, Field Supervisory Special Agent for the FBI</td>
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<td>Minneapolis Division’s Cyber Squad, will discuss the current</td>
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<td>landscape of cybercrimes and how to most effectively engage with</td>
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<td>law enforcement as a victim either professionally or personally.</td>
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<td></td>
<td>– Stephanie M. Cassioppi</td>
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<tr>
<td>11:00 – 11:15 a.m.</td>
<td>Break</td>
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### 12:15 p.m. – 12:15 p.m.

**Break**
### Breakout Session B

**201 How to Prepare and Implement Information Security Programs, Policies, and Procedures**

What is considered “adequate data security?” When is a written information security program necessary? What are appropriate policies, procedures, and practices? Which laws require information security programs? What about contract obligations to maintain adequate data security? A data privacy lawyer, privacy officer, and CIO, along with the CEO of a full-service information security management company, will discuss answers to these questions and best practices on how to develop, implement, and manage information security programs.

- Evan Francen & John Harmon
- Michael R. Cohen (moderator)

### Breakout Session C

**301 Data Breach – Navigating the Technical, Strategic and Legal Issues**

When companies lose laptops, or backup tapes, or suffer a computer intrusion on systems containing personal information regarding customers or users, they trigger notification duties under a patchwork of statutes. This session describes how companies should navigate the technical, strategic, and legal issues involved in complying with these statutes. In addition, the presentation will provide practice tips on what immediate steps to take when a data breach occurs.

- Brent Bidjou

**302 How to Navigate International Developments: Privacy and Data Security Developments Beyond the US and the EU**

This breakout session will cover new, international privacy and data security developments beyond the US and the EU, including: mandatory breach notification in Canada with comparisons to the US and EU; the Chinese Cybersecurity Law and related developments; the Brazilian General Data Privacy Law; and more.

- Melissa J. Krasnow, Cedric Lam & Charlotte A. Tschider

### Breakout Session D

**401 How to Select a Cybersecurity Insurance Carrier and Policy**

Cybersecurity insurance continues to be top-of-mind for many companies. Although traditional policy lines – including D&O, CGL, property and crime policies – may provide some coverage, you need to ask whether it is sufficient, especially considering your particular cyber risks. This session will briefly discuss some of the cyber-type coverage available under traditional policy lines, including the likely pitfalls of relying on such coverage to address cyber risks. The session will then address in more detail the specialized cybersecurity insurance coverages that are available in today’s market, including the types of coverage you should be looking for and the potential gaps you should be mindful about.

- Katie Pfeifer

**402 Privacy/Security Litigation Update – What the Big Developments in 2018 Mean in 2019 and Beyond**

This session will focus on the state of the law in data breach, data privacy, and data security cases, including claims arising under federal consumer protection statutes and under state law. Presenters will specifically provide plaintiff and defense perspectives on recent developments in: data privacy and data security litigation; circuit court decisions addressing plaintiff’s standing to sue; TCPA claims and related case law; and more.

- Joe Hashmall & Jeffrey P. Justman

### Conference Reception

Join your fellow attendees for snacks, camaraderie, and more great discussion following Day 1 of the Conference!
INDUSTRY SPECIFIC

10:45 – 11:45 a.m.
BREAKOUT SESSION E

501
Healthcare Industry – Today’s Privacy and Data Security Hot Spots
Expert insights on key privacy and data security issues being encountered – and on the horizon – for entities in the healthcare space. Topics will include social media breaches, medical device IoT security, genetic information privacy, and more. The panelists will share practical updates and tips for proactive, programmatic approaches for effective preparation and compliance.
– April Carlson & Michael J. Levin

502
Why and How to Clean Up Your Organization’s Data (and Paper) Retention
This session will cover an overview of the legal framework governing data retention, along with the practical aspects and challenges of working within that framework – i.e., getting other humans to address their paper piles, shared drives, laptops and unwieldy inboxes to minimize data storage, legal risk, and dust bunnies. Presenters will cover data retention policies and related topics, standardizing and tracking contractual requirements, training considerations, and more.
– Lyndsay Copeder, Janine Foster & Kellie Johnson

503
Blockchain: Considerations in Building and Deploying Privacy and Security Applications
While blockchain is a hot topic and frequently discussed, it is frequently misunderstood. This presentation will focus on what blockchain is and how this infrastructure can be leveraged for building applications where privacy and security considerations are paramount.
– Amanda Brino & Eran Kahana

8:50 – 10:30 a.m.
PLENARY SESSIONS

8:30 – 8:50 a.m.
CHECK-IN & CONTINENTAL BREAKFAST

8:50 – 9:00 a.m.
WELCOME & INTRODUCTION

9:00 – 10:00 a.m.
Legal Leaders’ Perspectives on Privacy and Data Security
Approximately 70% of legal department leaders (those responding to the Association of Corporate Counsel Chief Legal Officers 2018 Survey) rate data breaches and information privacy among their top three concerns in advising the business – reflecting a steady increase in concern from even just a few years ago. Whether you are in-house (big or small company), in private practice, or in government, this session will engage a dialogue on the key risks and concerns, and how all attorneys can most effectively participate in this fast-paced area of the law.
– Holly S.A. Eng, Andrea Fike & Jennifer Lohse
– Steven E. Helland (moderator)

10:00 – 10:30 a.m.
The Priorities of the New U.S. Attorney
Erica MacDonald was sworn in as the United States Attorney for the District of Minnesota in June 2018. In this session, she will discuss the priorities of that office, with special focus on those related to privacy and data security.
– Erica H. MacDonald

10:30 – 10:45 a.m.
BREAK
601
Hot Privacy and Data Security Topics in Retail
Hear both an in-house counsel and an outside counsel perspective on key privacy/data security issues for the retail industry. We will discuss recent developments, new cases, and new technologies – and the privacy/data security implications of the same for this industry. We will provide our different perspectives on the current state of the retail industry and where we see changes in the upcoming year.
– Zachary J. Crain & Emily E. Duke

602
Email as a Gateway to Data Breaches (And What to Do About It)
Lawyer and cybersecurity expert Damien Riehl will discuss the most-common methods of phishing and spear phishing, as a small gateway into enterprise-wide attacks. This session will discuss Business E-mail Compromises, their most-recent incarnations, and methods that companies can use to help bolster their defenses.
– Damien Riehl

603
Advising on Data-Use Ethics: Professional Considerations for Attorneys and Auditors
1.0 ethics credit applied for
Data-intensive technologies are advancing more rapidly than privacy laws and regulations can handle. Four of them in particular – artificial intelligence, the Internet of Things, drones, and robotics – pose unique ethical quandaries. In this session, attendees will review how these technologies work, what are the ethical principles in question, and examples of operational controls to give effect to these principles, and discuss the extent to which the professional obligations of attorneys and auditors may invite them to incorporate these principles into their work.
– Jay Cline

701
Banking and Financial Services Industry Spotlight – The Key Privacy and Data Security Trends To Understand and Prepare For
Join us for a discussion of the significant privacy and data security trends in the banking and financial services industry. This up-to-the-minute session identifies and addresses those matters keeping counsel up at night, and shares practice tips on how to approach them and to anticipate and prepare for new challenges in the year to come.
– Paul H. Luehr

702
Cybersecurity Incident Mock Scenario and Simulation
This participatory, scenario-based simulation is designed to help attendees better respond to a cybersecurity incident. Through the exercise, participants will tease out the various issues that are important from legal, compliance, and communications perspectives, such as managing a forensics investigation, notifying authorities, and applying legal requirements. Come build your cybersecurity muscle memory.
– Elaine De Franco Olson & Drew Peterson

“Don’t Look at Me; Someone Else Here Handles Data Security” – Dispelling a Troubling Myth and Providing Practical Insight on Our Duty to Secure Protected Client Data in the Course of Representation
1.0 ethics credit applied for
You handle protected client data and confidential information, and that’s some of the most sensitive information that attorneys possess. What are our duties as lawyers to secure protected client data in our possession – or in the hands of firm or legal department colleagues? You’ll hear from the highly rated teaching team of computer forensics expert Mark Lanterman and North Dakota Supreme Court Justice Daniel Crothers, who is a member of the ABA Standing Committee on Ethics and Professional Responsibility and a past member of the ABA’s Cybersecurity Task Force. Justice Crothers examines common attorney misconceptions surrounding delegation of responsibility, and along with Mark Lanterman, provides practical insight about what attorneys can and must do. You’ll leave with the latest information on current data-security risks for lawyers handling protected client information, and recommendations for how to effectively counter those risks.
– Justice Daniel J. Crothers
– Mark Lanterman
FREE BONUS WEBCAST!

PRE-CONFERENCE WEBCAST

Data Privacy & Security Law 101

A great overview for the attorney newer to this practice area!

As a special bonus of registering for the Institute, registrants may view the webcast listed below for free! A coupon code, along with instructions on how to register for free at www.minncle.org, will be distributed prior to the webcast.

Tuesday, January 29, 2019
2:00 – 3:00 p.m. (CENTRAL TIME)
1.0 standard CLE credit applied for

Data Privacy & Security Law 101 – A Fast-Paced Overview of the Myriad Sources of Law and Enforcement

This foundational webcast identifies the myriad sources of data privacy law and enforcement authorities, and then provides practical “snapshots” of selected key laws that present some of the biggest areas of exposure in data privacy and security today:

- HIPAA – health information privacy and security
- Gramm-Leach-Bliley Act – protections for consumer financial information
- Federal Trade Commission Act and privacy protections
- Children’s Online Privacy Protection Act, CAN-SPAM Act, and Telephone Consumer Protection Act
- The EU General Data Protection Regulation (GDPR)
- And Selected State Laws

– Samir Islam & Cyrus C. Malek

SPECIAL DEAL!

Amazing Publications Deals for All Attendees!

Here’s your chance to stock your shelves with terrific resources at a huge discount. On January 30 & 31, program attendees will receive 20% off all Minnesota CLE publications purchased while at our conference center – including Deskbooks, InFORMed Annotated Legal Documents, Summary Guides and Legal QuickSheets.

HERE’S WHAT ATTENDEES HAVE SAID ABOUT PAST YEARS’ CONFERENCES:

Excellent topics.

This was a wonderful two-day seminar. Thank you!

I learned a lot and was impressed with all the speakers.

I’ve come to the conference for [all] 3 years. It is very well done, practical and always changing based on the times!

This was my first conference here. It was great. Thanks!
TAKE A LOOK!
Attendees will tap a wealth and breadth of expertise via this outstanding faculty line-up.

FACULTY

Brent Bidjou
Consultant, Global Privacy and Data Protection Program
Medtronic
Fridley

Amanda Brino
Senior Legal Counsel
Accenture – Legal Group
Arlington, Virginia

Lyndsay Capeder
Director of Transactional Operations
Briggs and Morgan, Professional Association
Minneapolis

April Carlson
Privacy Officer & Data Protection Officer
Mayo Clinic
Rochester

Stephanie M. Cassioppi
Supervisory Special Agent
Federal Bureau of Investigation
Minneapolis

Kerry Childe
Sr. Corporate Counsel
Privacy and Information Policy
Best Buy
Richfield

Jay Cline
Principal, Data Protection and Privacy Risk Assurance
PricewaterhouseCoopers LLP
Minneapolis

Michael R. Cohen
Gray Plant Mooty
Minneapolis

Zachary J. Crain
Nolan Johnson Lewis PA
Minneapolis

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Bismarck, North Dakota

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Baker & McKenzie LLP
Palo Alto, California

Soleil Dolce
Vice President, IS Risk Management Program and Strategy
Wells Fargo
Phoenix, Arizona

Emily E. Duke
General Counsel
Amplicon Americas
Minneapolis

Holly S. A. Eng
Vice President & North American General Counsel
Cargill
Wayzata

Andrea Fike
Sr. Vice President and General Counsel
Evrine Live
Eden Prairie

Elizabeth Fortier
General Counsel
Lucid
Minneapolis

Janine Foster
Director of Enterprise Compliance
Target
Minneapolis

Evan Francen
CEO
FRSecure and SecurityStudio
Minnetonka

John Harmon
President
FRSecure
Minnetonka

Joe Hashmall
Berger & Montague, P.C.
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Steven E. Helland
Fredrikson & Byron, P.A.
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Samir Islam
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Kellie Johnson
Legal Counsel, Privacy
Ceridian
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Jeffrey P. Justman
Faegre Baker Daniels LLP
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Eran Kahana
Maslon LLP
Minneapolis

Melissa J. Krasnow
VLP Law Group LLP
Minneapolis

Cedric Lam
Eversheds Sutherland
Hong Kong

Mark Lanterman
Chief Technology Officer
Computer Forensic Services
Minneapolis

Michael J. Levin
Senior Director, Optum Cyber Defense
UnitedHealth Group
Plymouth

Jennifer Lohse
Vice President and General Counsel
Hazelden Betty Ford Foundation
Center City

Paul H. Luehr
Faegre Baker Daniels LLP
Minneapolis

Erica H. MacDonald
U.S. Attorney – D. Minn.
U.S. Attorney’s Office
Minneapolis

Cyrus C. Malek
Briggs and Morgan, Professional Association
Minneapolis

Jamie N. Nafziger
Dorsey & Whitney LLP
Minneapolis

Rita A. O’Keeffe
Vice President, Corporate Counsel
Marketing Architects, Inc.
Minneapolis

Elaine De Franco Olson
Senior Lawyer, Global IT and Data Privacy
Cargill
Wayzata

Drew Peterson
Cybersecurity and Privacy Experienced Associate
PricewaterhouseCoopers LLP
Minneapolis

Katie Pfeifer
Dorsey & Whitney LLP
Minneapolis

Timothy C. Rank
Assistant United States Attorney
U.S. Attorney’s Office – District of Minnesota
Minneapolis

Damien Riehl
Stroz Friedberg, an Aon Company
Minneapolis

Teresa M. Thompson
Fredrikson & Byron, P.A.
Minneapolis

Charlotte A. Tschider
Jaharis Faculty Fellow in Health Law and Intellectual Property
DePaul College of Law
Chicago, Illinois

Cody Wamsley
Cybersecurity & Privacy Associate
Dorsey & Whitney LLP
Minneapolis
The 2019 Conference Provides Expert Insights on **What to Do – or Not Do – and Why**, When Dealing with Client Matters That Have Data Privacy and Security Implications

**Start Saving Now!**
**Apply Your Conference Registration to a Season Pass.**

With a Minnesota CLE Season Pass you can attend the courses you choose, acquire the books and forms you want, and accumulate the credits you need – all at a fraction of the price you would normally pay! You’ll get the best education available, save a bundle, fix your education costs and get easy online access to all your Minnesota CLE attendance records.

Choose from 4 exceptional Season Pass options – visit our website at [www.minncle.org](http://www.minncle.org) to take a look at the options for benefits and pricing. Select the Season Pass program that works best for you, and choose from any of our 6 start dates – the January 1 start date is likely the perfect choice for you to start your Season Pass because you can then apply your 2019 Legal Conference on Privacy and Data Security registration to your new Season Pass!
The 2019 Midwest Legal Conference on
Privacy & Data Security

January 30 & 31, 2019
Minnesota CLE Conference Center, Minneapolis

REGISTER FOR BOTH DAYS:

☐ $495 MSBA member
☐ $495 paralegal
☐ $545 standard rate

REGISTER FOR ONE DAY:

Those who wish to attend only 1 day of the Conference may do so at the reduced rates listed below. You must register by phone to get this discount. Please call 651-227-8266 or 800-759-8840.

☐ $345 MSBA member / paralegal
☐ $395 standard rate

NEW LAWYER DISCOUNT!

☐ I have been admitted to the bar for fewer than 3 years and am deducting 50% from the registration fee marked above.

SCHOLARSHIPS AVAILABLE!

Minnesota CLE maintains a scholarship program for those individuals with a financial need. Most scholarships awarded are 50% off the seminar price. To obtain a scholarship application, contact Grant at gdavies@minncle.org or 651-254-2111.

JOIN THE MSBA AND PAY LESS FOR MINNESOTA CLE SEMINARS!

To join the MSBA go to www.mnbar.org
Or for more membership advantages call 1-800-882-6722

PAYMENT:

☐ I have a Minnesota CLE Season Pass™.

☐ Enclosed is a check payable to Minnesota CLE for $ ____________________

To pay by credit card, please register online or by phone.

☐ Check here if address below is new.

Name (first) (mi) (last)

Firm ________________________________

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City/State/Zip ________________________________

Phone ________________________________

Email ________________________________

Attorney License No. (if applicable) ________________________________

Profession, if non-attorney ________________________________

MAIL TO: Minnesota CLE
2550 University Avenue West, Suite #160-S
St. Paul, MN 55114

Register at www.minncle.org or call 651-227-8266 or 800-759-8840

To pay by credit card, please register online or by phone.
The 2019 Midwest Legal Conference on

Privacy & Data Security

JANUARY 30 & 31, 2019  MINNESOTA CLE CONFERENCE CENTER
600 NICOLLET MALL, SUITE 370  MINNEAPOLIS