



INSTITUTE FOR LAW AND ECONOMIC POLICY  
 29TH ANNUAL SYMPOSIUM  
**January 26 & 27, 2023**  
 Fairmont Grand Del Mar | San Diego, CA



# REGULATING UPHEAVALS In The Securities Markets & Boardrooms

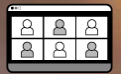
Honoring Joel Seligman's Legacy

Remarks by Prof. Robert J. Jackson,  
 former SEC Commissioner

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U.S. Supreme Court Panel

Entrapment of the Little Guys:  
 Resisting the Erosion of Investor,  
 Employee, and Consumer Protections

Regulating Markets Driven by Gen Z  
 and Fully Wired

Cryptocurrencies - How to Prevent  
 Triggering Gresham's Law

Throwing Investors under the Bus?  
 Signs of Weaknesses in Historical  
 Investor Protection Mechanisms

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## THURSDAY JAN. 26, 2023

### 5:45 pm – 7:45 pm SUPREME COURT PANEL

**Moderator:**

*Professor Joel Seligman*

Washington University School of Law

**Panelists:**

*Professor Linda Greenhouse*

Yale Law School

*Professor Susan Appleton*

Washington University School of Law

*Professor Rick Pildes*

New York University School of Law

*Deepak Gupta, Esq.*

Gupta Wessler PLLC

### 8:00 pm – 9:30 pm ILEP OPENING DINNER

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## FRIDAY JAN. 27, 2023

### 7:30 am – 8:30 am REGISTRATION & BREAKFAST

### 8:30 am – 8:45 am OPENING REMARKS

*Marc Gross, Esq.*

ILEP President, Pomerantz LLP

### 8:45 am – 9:00 am HONORING JOEL SELIGMAN'S LEGACY

**Remarks:**

*Professor Donald Langevoort*

Georgetown Law School

### 9:00 am – 10:30 am PANEL I

**Entrapment of the Little Guy: Resisting the Erosion of Investor, Employee and Consumer Protections (Mass Arbitration, Bylaw Private Ordering and Federal/State Jurisdiction Issues)**

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**Presenters:**

*Professor Maria Glover*

Georgetown Law School

*Professor James Cox*

Duke University School of Law

**Commentators:**

*Andrew Ditchfield, Esq.*

Davis Polk & Wardwell LLP

*Professor Brian Fitzpatrick*

Vanderbilt University Law School

*Carol Gilden, Esq.*

Cohen Milstein

**Moderator:**

*Judge Patrick Bumatay*

U.S. Court of Appeals, 9th Circuit

### 10:30 am – 10:45 am COFFEE BREAK



### 10:45 am – 12:15 pm PANEL II

**Regulating Markets Driven by Gen Z and Fully Wired**

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**Presenters:**

*Professor Christina Sautter*

Louisiana State University Law School

*Professor Sergio Alberto Gramitto Ricci*

New York University School of Law

*Professor Joel Seligman*

Washington University School of Law

**Commentators:**

*Professor Jill Fisch*

The University of Pennsylvania Carey School of Law

*Tyler Gellasch*

Healthy Markets Association

*Judge Jed A. Rakoff*

US District Court, SDNY

**Moderator:**

*Darren Robbins, Esq.*

Robbins Geller Rudman & Dowd LLP

### 12:30 pm – 1:45 pm LUNCH & PRESENTATION SEC Developments

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**Presenter:**

*Professor Robert J. Jackson*

Former US SEC Commissioner

New York University School of Law

### 2:00 pm – 3:30 pm

### PANEL III

**Cryptocurrencies - How to Prevent Triggering Gresham's Law (Bad Currency Drives Out Good Currency)**

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**Presenters:**

*Professor Arthur Wilmarth*

The George Washington Law School

*Professor Yesha Yadiv*

Vanderbilt Law School

**Commentators:**

*Professor Joel Seligman*

Washington University School of Law

*Professor John Griffin*

University of Texas at Austin McComb School of Business

*Peter Morrison, Esq.*

Skadden, Arps, Slate, Meagher & Flom LLP

**Moderator:**

*Darren Check, Esq.*

Kessler Topaz Meltzer & Check LLP

### 3:30 pm – 3:45 pm COFFEE BREAK

### 3:45 pm – 5:15 pm PANEL IV

**Throwing Investors under the Bus? Signs of Weaknesses in Historical Investor Protection Mechanisms (SPACS, Decline of Due Diligence)**

**Presenters:**

*Professor Usha Rodrigues*

University of Georgia School of Law

*Professor Andrew Tuch*

Washington University School of Law

**Commentators:**

*Professor John Coates*

Harvard School of Law

*Judge Lewis J. Liman*

US District Court, SDNY

*Neal Potischman, Esq.*

Davis Polk & Wardwell LLP

**Moderator:**

*Mark Lebovitch, Esq.*

Bernstein Litowitz Berger & Grosmann LLP

### 7:00 pm – 9:30 pm ILEP CLOSING DINNER

**Closing Remarks:**

*Laura Stein, Esq.*

ILEP Special Counsel,

Robbins Geller Rudman & Dowd LLP

Institute for Law and Economic Policy | 29th Annual Symposium  
**REGULATING UPHEAVALS IN THE SECURITIES MARKETS & BOARDROOMS**  
January 26 & 27, 2023 | Fairmont Grand Del Mar Hotel, San Diego, CA

## REGISTRATION & TUITION FOR 2023 ILEP SYMPOSIUM

Tuition for the Symposium is \$450 in-person and \$100 virtually, payable online (see registration link below).

Discounts for those who attend in person (**virtual tuition is \$100 for everyone**):

- If you are a Washington University School of Law Alumnus, in-person tuition is \$350.
- If you are an attorney and your law firm is a Huntington Bank or Western Alliance Bank customer, in-person tuition is \$350.
- If you are a Public interest attorney, in-person tuition is \$250.
- If you are a member of the judiciary, an academic, a federal or state employee, or a lawyer 65 years of age or older, in-person tuition is \$175.

Tuition includes all sessions, an extensive manual of written materials distributed by email ahead of time (as well as on a USB drive for those attending in person), and Thursday evening dinner and Friday's breakfast, lunch, and dinner for those attending in person.

## HOTEL INFORMATION

**FAIRMONT GRAND DEL MAR**  
*Base Rate: \$449/night plus tax*

5300 Grand Del Mar Court  
San Diego, CA 92130

As a conference registrant, you may take advantage of a special hotel rate at the Fairmont Grand Del Mar. Call Fairmont Grand Del Mar reservations at (855) 314-2030 or on the web at <https://book.passkey.com/e/50344383>. Please identify as being part of the "ILEP" group when making the reservation. Fairmont Rooms are at a rate of \$449 per night. Maximum occupancy is two (2) per room. The resort fee of \$60.00 per night has been waived for our program.

**The deadline to make a reservation in the ILEP room block is Friday December 23, 2022.**

## REGISTER & PAY ONLINE — *New for 2023!*

Use our secure, online registration system at  
<https://events.navisinc.com/ilep23/reg1>  
or scan the QR code below:



## CLE CREDITS

ILEP will submit applications for CLE approval in states where attorneys request them. ILEP will provide attendees with a certificate of attendance for their records.

Estimated credit is 9 hours based on a 50-minute credit hour and 8 hours based on a 60-minute credit hour.

## GOT QUESTIONS?

Please contact Daniel Shmilovich, ILEP Executive Director, at (215) 988-9546 or by email at [dan@ilep.org](mailto:dan@ilep.org).

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