

Securities Litigation in the Regulatory Environment

Civil Litigation



In-Person



Webcast

Date: Monday, October 23, 2017 | 9:00 am to 12:45 pm

Location: Twenty Toronto Street Conferences and Events
20 Toronto Street, 2nd Floor, Toronto

Program Chair **Nadia Campion**, Polley Faith LLP

This program is eligible for up to 3.75 Substantive Hours

Join a stellar faculty of securities litigators for an in-depth and focused discussion on key regulatory issues in securities litigation. Our experts will provide you with insights on internal investigations, search warrants and the OSC's new whistleblower program, while practical advice on how to manage and advise your clients will be canvassed. Register now to gain updates on the current legal and regulatory environment so that you can provide solid advice to your clients in the securities litigation context.

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:05 am **Internal Investigations**

Nigel Campbell, Blake, Cassels & Graydon LLP

Erin Hoult, Blake, Cassels & Graydon LLP

- Best practices for internal and external counsel in securities-related internal investigations including:
 - When to conduct an internal investigation
 - Investigation planning and execution
 - Protecting confidentiality and privilege
 - Addressing the risks of multi-jurisdictional implications

9:45 am **The OSC's New Whistleblower Program**

Andrew Faith, Polley Faith LLP

Jeffrey Larry, Paliare Roland Rosenberg Rothstein LLP

- Examine the OSC's new program where it will pay for tips including:
 - The criteria required to qualify for financial rewards and the protections offered to whistleblowers by the OSC
 - Whether culpable whistleblowers can benefit
 - The relationship between the whistleblower program and credit for cooperation
 - Practical tips for employers when dealing with whistleblowers

10:25 am **Search Warrants in the Securities Regulatory Context**

Shara Roy, Lenczner Slaght LLP

Greg Temelini, Wright Temelini LLP

- What to do when the regulators come with a search warrant:
 - The scope of the OSC's search powers
 - How to respond to regulators who have issued a search warrant
 - Dealing with investigators on-site and supporting your client when a search warrant is executed

- An update on the OSC's launch of the Joint Serious Offences Team and its powers

11:05 am **Networking Break**

11:20 am **OSC Settlements/Co-operation**

Linda Fuerst, Senior Partner, Norton Rose Fulbright Canada LLP

John Fabello, Torys LLP

- Practical tips and insights on how to navigate the settlement and cooperation process including:
 - Benefits and drawbacks of self-reporting under the OSC's Credit for Cooperation Policy
 - The impact of cooperation on evidentiary protections
 - Key considerations when negotiating settlement agreements with the OSC
 - Pros and cons of "no contest" settlements

12:00 pm **CSA Proposed Best Interest Standard**

Usman Sheikh, Gowling WLG (Canada) LLP

Kate McGrann, Crawley MacKewn Brush

- Explore recent developments in the area of investment dealing including:
 - Proposed adoption of a best interest standard
 - The intersection between this standard and the common law standard
 - Applying the best interest standard to compensation-based conflicts
 - The use/non-use of the best interest standard in other jurisdictions
 - Various other targeted reforms proposed by the CSA

12:40 pm **Questions and Concluding Remarks**

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Questions? pd@oba.org