

The American Bar Association  
Criminal Justice Section,  
Section of Science and Technology Law,  
Section of Business Law,  
Section of Intellectual Property Law,  
and the Center for Continuing Legal Education  
in cooperation with the Association for Computing Machinery  
Present

June 18-20, 2008

Second Annual National Institute on

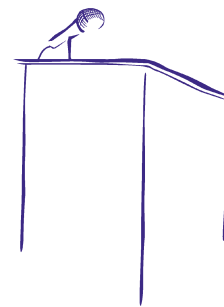
# CyberLaw: Expanding the Horizons

Mandarin Oriental  
Washington, DC



Association for  
Computing Machinery

*Advancing Computing as a Science & Profession*



**ABA**  
Defending Liberty  
Pursuing Justice

14.25 hours of MCLE credit, including 1.50 hours of Ethics in 60-minute states and 17.10 hours of MCLE credit, including 1.80 hours of Ethics in 50-minute states have been requested.

## Program Description

The purpose of this two-day National Institute is to explore recent developments involving computers and the Internet, especially in the realms of criminal law, business law, and intellectual property. The presenters and panelists are nationally known professionals including practitioners, judges, academics, and scientists.

The following topics will be covered at the Institute:

- Identity theft
- The future of ICANN and control of the Internet
- Ethics for handling electronic documents and evidence
- Digital forensics for investigations and the courtroom
- Pornography and sexual predators on the Internet
- Civil copyright enforcement
- Tracking, data mining, and marketing of information obtained from Internet users
- Computer crime and procedure
- Plus—a debate on “The NSA Wiretap Program and the U.S. Constitution”

## Program Faculty

**Prof. Jonathan P. Allen**

Asst. Prof. of IT  
Chair, Technology Innovation  
and Entrepreneurship  
*University of San Francisco,  
School of Business  
Management*  
San Francisco, CA

**Richard Amada\***

Author, Attorney  
Washington, DC

**Prof. Annie Antón**

Assoc. Prof. of Software  
Engineering  
*North Carolina  
State University*  
Raleigh, NC

**Steven Brower**

*Buchalter Nemer PC*  
Irvine, CA

**Joseph M. Burton**

*Duane Morris LLP*  
San Francisco, CA

**Lillie Coney**

Associate Director  
*Electronic Privacy  
Information Center*  
Washington, DC

**Hon. Virginia H. Covington**

U.S. District Judge  
*Middle District of Florida*  
Jacksonville, FL

**Kenneth Doroshov**

Senior Vice President of  
Business and Legal Affairs  
*Recording Industry  
Association of America*  
Washington, DC

**James Felman**

*Kynes, Markman & Felman*  
Tampa, FL

**Hon. Alice S. Fisher**

Asst. Attorney General  
Criminal Division  
*U.S. Dept. of Justice*  
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**Joseph Ford**

Associate Deputy Director  
*Federal Bureau of Investigation*  
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**Eric Friedberg**

Co-President  
*Stroz Friedberg LLC*  
New York, NY

**Prof. Michael Froomkin**

*University of Miami  
School of Law*  
Miami, FL

**David Goldstone\***

*Goodwin Procter, LLP*  
Boston, MA

**David E. Green**

Vice President  
Public Policy  
*NBC Universal*  
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**Bonnie Greenberg**

Asst. U.S. Attorney  
*District of Maryland*  
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**Andrew Grosso\***

Program Chair  
*Andrew Grosso & Associates*  
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**Brett Harrison**

Director  
*FTI Consulting*  
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\*Planning Committee

## Program Faculty (cont.)

**Prof. Lance Hoffman**

Distinguished  
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**Henry L. Judy**

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*Kirkpatrick & Lockhart  
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**Prof. Orin S. Kerr**

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School of Law*  
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**Kathryn Kleiman**

Senior Internet Counsel  
and Policy Consultant  
Falls Church, VA

**David S. Kris**

Senior Vice President  
Chief Ethics and  
Compliance Officer  
*Time Warner Inc.*  
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**Prof. Marty Lederman**

Visiting Professor  
*Georgetown University  
Law School*  
Washington, DC

**Robert S. Litt**

*Arnold and Porter LLP*  
Washington, DC

**Andrew C. McCarthy**

Director, Center for Law  
and Counterterrorism  
*Foundation for Defense  
of Democracies*  
Washington, DC

**Melissa Morrow**

Supervisory Special Agent  
*FBI Cyber Squad  
Washington Field Office*  
Washington, DC

**Stephen Mortinger**

Vice President  
Associate General Counsel  
*IBM Systems &  
Technologies Group*  
Somers, NY

**Richard Nelson**

*Sideman & Bancroft LLP*  
San Francisco, CA

**Christopher Painter\***

Principal Deputy Chief  
Computer and Intellectual  
Property Crimes Section  
*U.S. Dept. of Justice*  
Washington, DC

**Kimberly Kiefer Paretti**

Senior Counsel  
Computer Crime and  
Intellectual Property Section  
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**Michael S. Pasano**

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**Donald A. (Andy) Purdy, Jr.**

*Allenbaugh Samini LLP*  
Big Fix Executive  
Advisory Board  
Washington, DC

**Mark D. Rasch**

Managing Director  
*FTI Consulting*  
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Member Board of Directors  
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Skadden, Arps, Slate,  
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Director  
*Electronic Privacy  
Information Center*  
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*McDermott, Will & Emery*  
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*Goodwin Procter, LLP*  
Boston, MA

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Outside Counsel  
*ICANN  
Jones Day*  
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Ethics Counsel  
*DC Bar Association*  
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**David Sohn**

Senior Policy Counsel  
Project Director on  
Intellectual Property  
and Technology  
*Center for Democracy  
& Technology*  
Washington, DC

**Marc K. Temin\***

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Boston, MA

**Steven W. Teppler**

Senior Counsel  
*Kamber/Edelson, LLC*  
New York, NY

**Hugo Teufel III**

Chief Privacy Officer  
*U.S. Dept. of  
Homeland Security*  
Washington, DC

**Brian N. Toder**

*Chestnut & Cambronne*  
St. Paul, MN

**Prof. Robert Turner**

Associate Director  
Center for National  
Security Law  
*University of Virginia  
School of Law*  
Charlottesville, VA

**Hon. Joe D. Whitley**

*Alston & Bird LLP*  
Washington, DC

\*Planning Committee

# Program Agenda

## Wednesday, June 18<sup>th</sup>

- 2:30 pm **Registration**
- 4:00 pm **CyberLaw Essentials:  
The Primer Before the Storm**  
Co-Moderators: Richard Amada  
Mark D. Rasch  
Speakers: Lillie Coney  
Stephen M. Ryan
- 6:00 pm **Adjourn**

## Thursday, June 19<sup>th</sup>

- 8:00 am **Registration**
- 8:45 am **Introduction, Andrew Grosso  
and Marc K. Temin**
- 9:00 am **Digital Forensics: From  
Investigation to the Courtroom**  
Moderator: Joseph M. Burton  
Speakers: Eric Friedberg  
Brett Harrison  
Steven W. Tepler
- 10:45 am **Break**
- 11:00 am **Live Debate: The NSA Wiretap  
Program and the U.S. Constitution**  
Moderator: Robert S. Litt  
Advocates: Prof. Marty Lederman  
Prof. Robert Turner  
Panelists: David S. Kris  
Andrew C. McCarthy  
Marc Rotenberg
- 12:30 pm **Luncheon Speaker**  
**Hon. Alice S. Fisher**, Asst. Attorney  
General, Criminal Division, *U.S. Dept. of  
Justice*
- 2:00 pm **Breakout Sessions I**  
**A. Pornography, Sexual Predators,  
and the Internet**  
Moderator: Joseph Ford  
Speakers: Hon. Virginia H. Covington  
Bonnie Greenberg  
James Felman  
Melissa Morrow
- B. The Future of ICANN  
and Control of the Web**  
Moderator: Kathryn Kleiman  
Speakers: Prof. Michael Froomkin  
Henry L. Judy  
Rita A. Rodin  
Joe Sims
- 3:30 pm **Break**

- 3:45 pm **The New Age of Copyright  
Enforcement: Deputized Sheriffs  
or Desperate Housewives?**  
Moderator: Marc K. Temin  
Speakers: Kenneth Doroshov  
David E. Green  
David Sohn  
Brian N. Toder
- 5:15 pm **Adjourn**

## Friday, June 20<sup>th</sup>

- 9:00 am **Avoiding the "Oops!":  
Ethical Obligations and Pitfalls  
when Handling Digital Evidence  
and Documents**  
Moderator: Michael S. Pasano  
Speakers: Richard Amada  
Steven Brower  
Prof. Lance Hoffman  
Saul J. Singer
- 10:30 am **Break**
- 10:45 am **Criminal Aspects of Identity Theft:  
Financial Records, Data Mining,  
and Online Threats**  
Moderator: Hon. Joe D. Whitley  
Speakers: Christopher Painter  
Donald A. (Andy) Purdy, Jr.  
Hugo Teufel III
- 12:15 pm **Lunch Break**
- 1:45 pm **Breakout Sessions II**  
**A. Computer Crime and Procedure:  
Statutes, Cases, and Defenses**  
Moderator: David Goldstone  
Speakers: Prof. Orin S. Kerr  
Richard Nelson  
Kimberly Kiefer Paretti
- B. Privacy Rights vs. Profit Rights:  
What Are the Limits for Tracking,  
Data Mining, and Marketing  
Online Practices of Internet Users?**  
Moderator: Joseph Savage  
Speakers: Prof. Annie Antón  
Lillie Coney  
Jane Horvath
- 3:15 pm **Break**
- 3:30 pm **The Future of Computing,  
the Internet, and the Law: Legal  
Developments in Virtual Reality**  
Moderator: Andrew Grosso  
Speakers: Prof. Jonathan P. Allen  
Stephen Mortinger  
Sean F. Kane  
Mark D. Rasch
- 5:00 pm **Adjourn**

# Program Information

## REGISTRATION FEES

To register, or for additional information, call 800.285.2221 or 312.988.5522.

- \$875 General Public
- \$775 ABA Member (\$100 Savings)
- \$700 ABA Criminal Justice Section Member, ABA Section of Science and Technology Law Member, Section of Business Law, Section of Intellectual Property Law or ACM Member (\$175 Savings)

Every registrant will receive a copy of the informative course materials book that can be used as a comprehensive resource long after the program is held.

## GROUP AND OTHER DISCOUNTS

Register three or more people at the same time to receive an additional \$50 reduction. Larger group discounts and special rates for full-time law students and academics are also available. For more information, contact Renee Williams at 312.988.6216.

## MCLE

Mandatory continuing legal education (MCLE) accreditation has been requested from all states that require continuing legal education. 14.25 hours of CLE credit, including 1.50 hours of Ethics credit have been requested from those states recognizing a 60-minute credit hour and 17.10 hours of CLE credit, including 1.80 hours of Ethics credit have been requested from those states recognizing a 50-minute credit hour. For NY-licensed attorneys: This transitional CLE program has been approved for all NY-licensed attorneys in accordance with the requirements of the New York State CLE Board for New York MCLE (14.50 total NY transitional MCLE credits including 1.00 Ethics hours).

## SCHOLARSHIPS

Scholarships to defray tuition expense for National Institutes are available upon application. Preference will be given to public interest lawyers, government lawyers, law professors and solo or small firm practitioners. For more information, contact Renee Williams at 312.988.6216.

## SERVICES FOR PERSONS WITH DISABILITIES

If special arrangements are required, please contact Earnestine Murphy at 312.988.6204. Reasonable advance notice is requested.

## IN-PERSON REGISTRATION

If you plan to register in person please call the ABA at least 24 hours in advance to confirm that the program is being held as scheduled and that space is available. Cash payments will not be accepted.

## CANCELLATIONS

Refund requests for national institutes will be honored on the following basis:

<b>Day of Cancellation*</b>	<b>Amount of Refund</b>
8 business days or more.....	100% Refund
4 to 7 business days .....	100% Refund
	<i>minus \$50 administrative fee</i>
**3 business days or less.....	No Refund

\*\*Day of Cancellation\* is the day the cancellation is received, by telephone or in writing, by the ABA. It is calculated based on ABA business days remaining before the National Institute for which the participant is registered.

\*\* No refund will be made for cancellations received after this time; written confirmation of refund requests must be received within 14 days following the national institute. Substitute registrants are welcome.

## Program Information (cont.)

### PROGRAM CONFIRMATION

Written confirmation of your registration will be sent to you upon receipt. Please bring it with you to the National Institute as proof of registration. If you do not receive the confirmation notice prior to the presentation, please call the ABA at least 24 hours in advance to confirm that your registration was received and the program is being held as scheduled.

### HOTEL INFORMATION

#### Mandarin Oriental

1330 Maryland Ave, SW

Washington, DC 20024

P: 202.554.8588 or 888.888.1778

Single/Double: \$409

*All room rates are subject to city occupancy and sales tax. Mention this ABA meeting to receive the special discounted rate.*

### AIRLINE INFORMATION

Airfare discounts are available through Orbitz for Business for ABA or directly from the airline. To access Orbitz for Business for ABA, go to [www.abanet.org/travel](http://www.abanet.org/travel) and click the Orbitz for Business link on the top right of the page. The 24/7 toll-free number for Orbitz for Business is 1-877-222-4185. American Airlines can be reached at 1-800-433-1790. Reference discount code 19838. United Airlines can be reached at 800-521-4041. Reference discount code is 578IG.

### STANDING COMMITTEE ON CONTINUING LEGAL EDUCATION

Under the guidance of the Standing Committee on Continuing Legal Education, the Center for Continuing Legal Education administers and produces National Institutes, Teleconferences, other technology-based offerings and written course materials to assist lawyers' continuing legal education efforts.

### ABA CENTER FOR CONTINUING LEGAL EDUCATION

**Steve Weise**, Chair, *Heller Ehrman LLP*, Los Angeles, CA

**Rick Vittenson**, Director

**Earnestine Murphy**, Associate Director, *CLE Courses*

## UNABLE TO ATTEND?

See registration and order form for audio CDs and course materials from this program.

For more information about this National Institute, the ABA, the ABA Criminal Justice Section, Section of Science and Technology Law, Section of Business Law, Section of Intellectual Property Law or ABA-CLE:



Phone ABA Member Services  
at 800.285.2221



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# Registration and Order Form

## CyberLaw: Expanding the Horizons June 18-20, 2008 - Washington, DC

### TO REGISTER AND ORDER:



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FAX 312.988.5850 (credit card only)



Online @ [www.abanet.org/cle/programs/n08cen1.html](http://www.abanet.org/cle/programs/n08cen1.html)

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Financial Services, Dept. CEN8CEH  
P.O. Box 109078  
Chicago, IL 60610-9078

### TUITION

- \$875 General Public
- \$775 ABA Member (\$100 Savings)

ABA # \_\_\_\_\_

- \$700 ABA Criminal Justice Section Member, Section of Science and Technology Law Member, Section of Business Law, Section of Intellectual Property Law or ACM Member (\$175 Savings)

ABA # \_\_\_\_\_  
ACM # \_\_\_\_\_

Please check one workshop for each day and time slot.

### PRIMER SESSION

Wednesday ■ 4:00 PM-6:00 PM

- Cyber Law Essentials
- A. Pornography, Sexual Predators, and the Internet
- B. The Future of ICANN and Control of the Web

### BREAKOUT SESSION I

Thursday ■ 2:00 PM-3:30 PM

- Enroll me in the Section of Business Law. Enclosed is a separate check for \$55.
- Enroll me in the Section of Intellectual Property Law. Enclosed is a separate check for \$75.

### BREAKOUT SESSION II

Friday ■ 1:45 PM-3:15 PM

- A. Computer Crime and Procedure
- B. Privacy Rights vs. Profit Rights
- I am interested in becoming a member of the American Bar Association. Please send me information and membership forms.

### ABA MEMBERSHIP

- Enroll me in the Criminal Justice Section. Enclosed is a separate check for \$35.
- Enroll me in the Section of Science and Technology Law. Enclosed is a separate check for \$45.

### SECTION MEMBERSHIP

(MUST BE AN ABA MEMBER)

- Send me the Course Materials (CEN08CEHB) at the special prepublication price of \$225 for General Public, \$205 for ABA Members, \$180 for Sponsoring Section and ACM Members, plus \$17.95 for domestic shipping and handling.

- Send me the Audio CD Package (CD and course materials CEN08CEHC) available two to three weeks following the presentation for \$875 General Public, \$775 for ABA Members, \$700 for Sponsoring Section and ACM Members, plus \$29.95 for domestic shipping and handling.

Illinois residents add 9.0% sales tax. District of Columbia residents add 5.75% use tax. Price is subject to change after 6/18/2008.

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# UPCOMING ABA PROGRAMS

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[www.abanet.org/cle/programs/n08cfc1.html](http://www.abanet.org/cle/programs/n08cfc1.html)

**National Institute on  
Health Care Fraud**

[www.abanet.org/cle/programs/n08hcf1.html](http://www.abanet.org/cle/programs/n08hcf1.html)

For additional information,  
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