

Program for the 2019 ComplianceNet Conference on Business Ethics

Villanova University
Charles Widger School of Law

Sponsored by:

The David F. and Constance B. Girard-diCarlo
Center for Ethics, Integrity and Compliance
and

The John F. Scarpa Center for Law and
Entrepreneurship

June 3-4, 2019
www.compliancenet.org

Directions

Location

Villanova University Charles Widger School of Law.
299 North Spring Mill Road, Villanova, PA 19085.

To Travel from Washington, DC

To get to Villanova from DC, you have a variety of options:

- Train
 - Take the Amtrak Train from Washington's Union Station to Philadelphia's 30th St Station. Switch inside 30th St Station to SEPTA's Paoli/Thorndale Line and get off at Villanova (the stop is in the Law School's parking lot).
 - The Acela train typically takes about 2 hours.
- Plane
 - Fly from DCA, IAD, or BWI to PHL.
 - The Law School is approximately 30 minutes away.
- Bus
 - There are a variety of options—we recommend using a website or app (e.g., Wanderu, GotoBus).
 - The Philly to D.C. trip takes 3-4 hours

To Travel from Other Areas

Villanova has a comprehensive guide for traveling to the university ([located here](#)). Here is additional information:

- Train
 - Take the Amtrak Train to Philadelphia's 30th St Station. Switch inside 30th St Station to SEPTA's Paoli/Thorndale Line and get off at Villanova (the stop is in the Law School's parking lot).
- Plane
 - The Law School is approximately 30 minutes away from PHL.
- Bus
 - There are a variety of options—we recommend using a website or app (e.g., Wanderu, GotoBus).

Parking

- If you are driving, you may park on the surface lot or garage near the law school.
- University parking enforcement around the law school will be suspended for the conference.
- For more information, see the Villanova University parking page:
<https://www1.villanova.edu/villanova/parking/information.html>

Schedule for Sunday, June 2

Sunday, June 2nd		
Time	Session Information	Location
7:00 PM	<p>Welcome Reception</p> <p>Come meet other conference attendees and enjoy food specials at Fleming's Prime Steakhouse! <i>Please note that each individual will be responsible for their own food and drink at this event.</i></p>	<p>Fleming's Prime Steakhouse & Wine Bar 555 East Lancaster Avenue, Suite 10 Radnor, PA 19087</p> <p>Phone: (610) 688-9463 Website: www.flemingssteakhouse.com/locations/pa/radnor</p>

Schedule for Monday, June 3

Monday, June 3rd		
Time	Session Information	Location and Speakers
8:30 – 9:00 AM	<i>Breakfast Meet-and-Greet</i>	Location: Law School First Floor Student Lounge
9:00 AM	Opening Remarks	<p>Location: Law School Rm 101</p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Michael Risch, Vice-Dean of Villanova University Charles Widger School of Law 2) Josephine Sandler Nelson, Villanova University Law & Business Schools Professor
9:15 AM	<p>Opening Discussion:</p> <p><i>What Should We Be Doing in Business Ethics?</i></p>	<p>Location: Law School Rm 101</p> <p>Speaker: Mary C. Gentile, Creator/Director of "Giving Voice to Values," University of Virginia Darden School of Business Professor</p>
9:45 AM	<p>Plenary Session:</p> <p><i>The State of Business Ethics & Compliance</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 101</p> <p>Chair: Josephine Sandler Nelson</p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Robert Mass, Goldman Sachs Managing Director 2) Linda K. Treviño, Penn State Smeal College of Business Professor

		3) Hui Chen, Global Ethics and Compliance Leader and Consultant 4) Phil Nichols, Wharton School Professor of Social Responsibility in Business
11:00 AM	<i>Coffee Break</i>	Location: Law School First Floor Student Lounge
11:15 AM	Parallel Sessions	
	Panel Session #1: <i>The Dark Side of Compliance</i> (CLE Ethics Credit)	Location: Law School Rm 101 <i>Chair: Josephine Sandler Nelson</i> Speakers: 1) June Carbone, University of Minnesota Professor of Law, Science and Technology, "Shooting Someone on Fifth Avenue and Getting Away with It: How Bonus Systems Preserve Upper Management Deniability" 2) William Black, University of Missouri-Kansas City Professor of Law 3) Don Langevoort, Georgetown University Professor of Law, "Slippery Slopes and Ethical Apathy" 4) Hagen Rafeld, Vice President, Business Control Unit, Global Markets Division at a Frankfurt-Based Financial Institution, "Essays on Rogue Traders and Collusive Rogue Trading: Implications of Control Balance, Organizational Misbehaviour, and Behavioural Patterns of Group Dynamics" 5) Josephine Sandler Nelson, Villanova Law & Business Schools Professor, "Compliance and Internal Firm Behavior"
	Panel Session #2: <i>Teaching Theranos: A Modern Case Study in Business Ethics and Corporate Compliance</i> (CLE Ethics Credit)	Location: Law School Rm 202 <i>Chair: Priya Baskaran</i> Speakers: 1) Lauren Rogal, Vanderbilt University Professor of Law, "Nondisclosure Agreements in the Age of Theranos" 2) Jennifer Oliva, West Virginia University Professor of Law, "Regulatory Compliance as a Core Competency for Corporate Counsel" 3) Lynnise Pantin, Clinical Professor of Law at Columbia University Law School, "Theranos and Structural Inequality in the Start-Up Ecosystem" 4) Priya Baskaran, West Virginia University Professor of Law, "Theranos: When Fiduciary Duties Fail"

12:30 PM – 2:00PM	<i>Lunch Break and Business Meeting</i>	<p>Locations:</p> <ul style="list-style-type: none"> • Food served in Law School First Floor Student Lounge • Meeting in Law School Rm. 203 <p><i>Chair: Benjamin van Rooij</i></p> <p>All ComplianceNet members are strongly encouraged to attend. During this meeting, we will be discussing a variety of topics as a larger group. We would appreciate your insight on future initiatives (including next year's conference and other events), collaborative endeavors, funding, governance, etc.</p>
2:00 PM	Parallel Sessions	
	<p>Panel Session #1:</p> <p><i>Assessing Legal and Regulatory Conformity in Business Organizations</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 202</p> <p><i>Chair: Adam Fine</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Melissa Rorie, University of Nevada-Las Vegas, Professor of Criminal Justice, "Do You See Yourself Complying?: The Use of Visual Measures in Compliance Surveys" 2) Todd Haugh, Indiana University Professor of Business Law and Ethics, "Power Distributions in Compliance" 3) Natalie Schell-Busey, Rowan University Professor of Law and Justice Studies, "Using Meta-Analysis/Systematic Review to Examine Corporate Compliance" 4) Ricardo Pellafone, Founder of Broadcat, "Measuring Corporate Compliance: Conceptual, Structural, and Practical Challenges"
	<p>Panel Session #2:</p> <p><i>Fraud Investigation Techniques and Trends</i></p> <p><i>(Accounting CPE Credit)</i></p>	<p>Location: Law School Rm 101</p> <p><i>Chair: James Bierstaker</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Frederick Kohm, Forensic Accountant, Grant Thornton 2) Meaghan Schmidt, Forensic Accountant, Alix Partners 3) James Bierstaker, Ph.D., Accounting Professor, Villanova School of Business 4) Norman P. Ostrove, Enforcement Staff Attorney, Securities and Exchange Commission 5) Jim Stone, Vice President of Corporate Audit at BASF

	<p>Panel Session #3:</p> <p><i>Public and Private Enforcement Strategies</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 201</p> <p><i>Chair: Amanda Kennedy</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Elysa Dishman, Brigham Young University Professor of Law, "Compliance in the Shadow of Settlement" 2) Colin Provost, University College London Professor of Political Science, "Testing the Effects of Information Disclosure in the UK Modern Slavery Act" 3) Amanda Kennedy, Queensland University of Technology Professor of Law, and Cameron Holley, UNSW Sydney Professor of Law, "Private Sector Governance of the Energy/Environment Nexus: Can Governance Without Government Work?"
3:15 PM	<i>Coffee Break</i>	Location: Law School First Floor Student Lounge
3:30 PM	Parallel Sessions	
	<p>Panel Session #1:</p> <p><i>Combatting Sex Assault Problems in the Roman Catholic Church</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 101</p> <p><i>Chair: Michael Moreland</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) John Delaney, Philadelphia Archdiocese Head of Investigations 2) Michael Moreland, Villanova University Professor of Law and Religion 3) Christine M. Wechsler, Attorney at Elliott Greenleaf
	<p>Panel Session #2:</p> <p><i>Ethical Decision-Making in Diverse Contexts and Cultures</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 202</p> <p><i>Chair: Melissa Rorie</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Weichun Zhu, Guangzhou University Professor of Law, "Ethical Decision-Making in Organizations: Theoretical Integration and Future Directions" 2) Mahak Nagpal, Rutgers University Ph.D. Candidate in Organizational Behavior and Business Ethics, "Building an Understanding of Moral Ambiguity" 3) Phil Nichols, Wharton School Professor of Social Responsibility in Business, "Universal or Culture Specific Response to the Global Anticorruption Regime: Insights from Self-Enforcing Rules"

	<p>Panel Session #3:</p> <p><i>Cambridge Handbook on Compliance Workshop Panel</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 201</p> <p><i>Chair: Benjamin van Rooij</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Yuval Feldman, Bar-Ilan University Professor of Law, "Behavioral Ethics as Compliance" 2) Judith van Erp, Utrecht University Professor of Public Institutions, "Naming and Shaming and Regulatory Compliance" 3) Dan Nagin, Carnegie Mellon, Heinz College Professor of Public Policy and Statistics, "Procedural Justice and Legal Compliance: An Update" 4) Benjamin van Rooij, University of Amsterdam and University of California-Irvine Professor of Law, "The Deterrent Effect of Tort"
5:00 PM	<p><i>Reception and Awards Ceremony</i></p> <p><i>(light hors d'oeuvres served)</i></p>	<p>Location: Law School Commons</p>

Schedule for Tuesday, June 4

Tuesday, June 4 th		
Time	Session Information	Location and Speakers
9:00 – 9:30 AM	<i>Breakfast Meet-and-Greet</i>	Location: Law School First Floor Student Lounge
9:30 AM	Parallel Sessions	
	<p>Panel Session #1:</p> <p><i>Corporate Character Theory</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 101</p> <p><i>Chair: John Hasnas</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Mihailis Diamantis, University of Iowa Professor of Law, “Clockwork Corporations: A Character Theory of Corporate Punishment” 2) Matthew Caufield, Wharton School Ph.D. Candidate, and William Laufer, Wharton School Professor of Legal Studies & Business Ethics, Sociology, and Criminology, “The Promise of Corporate Character Theory” 3) John Hasnas, Georgetown University McDonough School Professor of Business, “Clockwork Corporations: A Valiant Effort to Do the Impossible” 4) Michael Kates, Saint Joseph’s University Professor of Philosophy, “Some Critical Remarks on Corporate Character Theory”
	<p>Panel Session #2:</p> <p><i>How Do Laws and Regulations Motivate Compliance?</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 202</p> <p><i>Chair: Robert Hughes</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Vania Lucia Vieira, Federal Public Attorney and Doctorate in Law at the University of Brasilia, Brazil, “Anti-Corruption Compliance and Regulatory Model: Prescriptive Regulation and Risk of Implementation of Sham Programs” 2) John McArdle, Salem State University Professor of Law and Entrepreneurship, “Closed Without Closure: Strategies for Disposition of Restricted Endowment Assets Under the Uniform Prudent Management of Institutional Funds Act (UPMIFA)” 3) Kish Parella, Washington and Lee University Professor of Law, “Improving Human Rights Diligence in Global Supply Chains” 4) Robert Hughes, Wharton School Professor of Legal Studies and Business Ethics, “Breaking the Law Under Competitive Pressure”

	<p>Panel Session #3:</p> <p><i>Culture, Criminality, & Compliance</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 201</p> <p><i>Chair: Orli Oren-Kolbinger</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Deirdre Healy, University College Dublin Lecturer in Criminology, "Simple Rhetoric and Complex Punitiveness: Federal Criminal Justice Responses to White-Collar Criminality" 2) David Zaring, Wharton School Professor of Legal Studies and Business Ethics, "Regulatory Strategies for Improving Banking Culture" 3) Orli Oren-Kolbinger, Villanova University Professor and Fellow in Law, Business, and Economics, "How to Get Away with Tax Non-Compliance? An Empirical Analysis of Judicial Decision-Making in Equitable 'Innocent Spouse Relief' Cases"
10:45 AM	<i>Coffee Break</i>	Location: Law School First Floor Student Lounge
11:00 AM	Parallel Sessions	
	<p>Panel Session #1:</p> <p><i>Corporate Compliance Pathways</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 101</p> <p><i>Chair: Sarah Duggin</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Jonathan Rusch, Principal at DTG Risk and Compliance, New York University Law School Senior Fellow in the Program on Corporate Compliance and Enforcement, and Georgetown University Law Center Adjunct Professor, "Corporate Code and Unethical Coding" 2) Asaf Raz, University of Pennsylvania Law School SJD Candidate, "A Purpose-Based Theory of Corporate Law" 3) Michael Useem, Wharton School William and Jacalyn Egan Professor of Management "Leadership by Other Means: How a Recurrently Updated Values Statement Can Help Ensure Company Compliance When Personal Direction Cannot" 4) Sarah Duggin, The Catholic University of America Professor of Law and Director of Compliance Program, "Law, Faith & Corporate Ethics: Is There a Role for Religious Traditions in Establishing a Culture of Corporate Responsibility?"

	<p>Panel Session #2:</p> <p><i>Technology and Business Ethics</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 202</p> <p><i>Chair: Brett Frischmann</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Kevin Werbach, Wharton School Professor of Legal Studies & Business Ethics, “The Blockchain and the New Architecture of Trust” 2) Bendert Zevenbergen, Professional Specialist at Princeton’s Center for Information Technology Policy and Doctoral Candidate at the Oxford Internet Institute, “The Uses and Misuses of ‘Ethics’ in AI Development and Integration” 3) Brett Frischmann, Villanova University Professor in Law, Business and Economics, “Re-Engineering Humanity”
	<p>Panel Session #3:</p> <p><i>Compliance in Novel Contexts</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 201</p> <p><i>Chair: Doron Dorfman</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Daniel Harris, Chicago Kent College of Law Adjunct Professor of Agency Law, “The Lost Rationale of Agency Law” 2) Sarah Dadush, Rutgers Law School Professor of Law, “Contracting for Human Rights” 3) Oludara Akanmidu, De Montfort University Leicester, Law School Lecturer, “Directors’ Duties and Compliance: Is Public Enforcement the Solution?” 4) Doron Dorfman, Syracuse University College of Law Professor of Law, “Suspicious Species: Assistance Animals and Visible Signs of Compliance”
12:15 PM – 1:00 PM	<i>Lunch Break</i>	Location: Law School First Floor Student Lounge (but food can be removed from the room)
1:00 PM	Parallel Sessions	
	<p>Panel Session #1:</p> <p><i>Enforcing Business Ethics</i></p> <p><i>(CLE Ethics Credit)</i></p>	<p>Location: Law School Rm 101</p> <p><i>Chair: Joseph Pileri</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Geeyoung Min, Columbia Law School Post-Doctoral Fellow in Corporate Law and Governance, “Short-changing Compliance” 2) Joe McGrath, University College Dublin Lecturer in Law, “Differential Association, Opportunity Theory, and White-Collar Crime” 3) Usha Rodrigues, University of Georgia Chair of Corporate Finance and Securities Law, “The Outsiders” 4) Joseph Pileri, American University Washington Professor of Law, “Who is the Client?”

		Rethinking Professional Responsibility for Benefit Corporations”
	<p>Panel Session #2:</p> <p><i>Corporate Social Responsibility and Issues of “Beyond Compliance” Behavior</i></p> <p>(CLE Ethics Credit)</p>	<p>Location: Law School Rm 202</p> <p><i>Chair: Leora Eisenstadt</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Shana Starobin, Bowdoin College Professor of Environmental Studies and Government, “Credibility Beyond Compliance: Uncertified Smallholders in Sustainable Food Systems” 2) Tetty Havinga, Radboud University Professor of Sociology of Law, “Beyond Compliance: Business Ethics and Food Safety Culture” 3) Leora Eisenstadt, Temple University, Fox School of Business Professor of Legal Studies, and Jeffrey R. Boles, Temple University Fox School of Business Professor of Legal Studies, “When Compliance Exceeds Law”
2:30 PM	<i>Coffee Break</i>	Location: Law School First Floor Student Lounge
2:45 PM	<p>Plenary Session:</p> <p><i>Regulation, Governance and Compliance</i></p> <p>(CLE Ethics Credit)</p>	<p>Location: Law School Rm 101</p> <p><i>Chair: Benjamin van Rooij</i></p> <p>Speakers:</p> <ol style="list-style-type: none"> 1) Jodi Short, University of California-Hastings Professor of Law, “Coupling Labor Codes of Conduct and Supplier Labor Practices: The Role of Internal Structural Conditions” 2) Garry Gray, University of Victoria Professor of Sociology, “‘Generalizing Conceptual Understanding’: The Role of Qualitative Research in Capturing Compliance Behaviors across Legal and Regulatory Domains” 3) Susan Silbey, Massachusetts Institute of Technology Professor of Anthropology, “From Nudge to Culture and Back Again: Coalface Governance in the Regulated Organization”
4:30 PM	Adjournment	