# 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](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).

# Schedule for Sunday, June 2

| Sunday, June 2nd | | |
|---|---|---|
| **Time** | **Session Information** | **Location** |
| 7:00 PM | Welcome Reception | TBD |

# Schedule for Monday, June 3

| Monday, June 3nd | | |
|---|---|---|
| **Time** | **Session Information** | **Location and Speakers** |
| 8:30 – 9:00 AM | *Breakfast Meet-and-Greet* | Location: TBD |
| 9:00 AM | Opening Remarks | Location: TBD<br><br>Speaker: Josephine Sandler Nelson, Villanova Law & Business Schools Professor |
| 9:15 AM | Opening Discussion:<br><br>*What Should We Be Doing in Business Ethics?* | Location: TBD<br><br>Speaker: Mary C. Gentile, Creator/Director of "Giving Voice to Values," University of Virginia Darden School of Business Professor |
| 9:45 AM | Plenary Session:<br><br>*The State of Business Ethics & Compliance*<br><br>*(CLE Ethics Credit)* | Location: TBD<br><br>*Chair: Josephine Sandler Nelson*<br>Speakers:<br>1) Robert Mass, Goldman Sachs Managing Director<br>2) Linda K. Treviño, Penn State Smeal College of Business Professor<br>3) Hui Chen, Global Ethics and Compliance Leader and Consultant<br>4) Phil Nichols, Wharton School Professor of Social Responsibility in Business |
| 11:00 AM | *Coffee Break* | |
| 11:15 AM | Parallel Sessions | |
| | Panel Session #1:<br><br>*The Dark Side of Compliance*<br><br>*(CLE Ethics Credit)* | Location: TBD<br><br>*Chair: Josephine Sandler Nelson*<br>Speakers: |

| | | |
|---|---|---|
| | | 1) Josephine Sandler Nelson, Villanova Law & Business Schools Professor, "Compliance and Internal Firm Behavior" |
| | | 2) 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" |
| | | 3) William Black, University of Missouri-Kansas City Professor of Law, "Title To Be Determined" |
| | | 4) Don Langevoort, Georgetown University Professor of Law, "Slippery Slopes and Ethical Apathy" |
| | Panel Session #2:

*Teaching Theranos: A Modern Case Study in Business Ethics and Corporate Compliance*

*(CLE Ethics Credit)* | Location: TBD

*Chair: Priya Baskaran*
Speakers:
1) Priya Baskaran, West Virginia University Professor of Law, "Theranos: When Fiduciary Duties Fail"
2) Lauren Rogal, Vanderbilt University Professor of Law, "Nondisclosure Agreements in the Age of Theranos"
3) Jennifer Oliva, West Virginia University Professor of Law, "Regulatory Compliance as a Core Competency for Corporate Counsel"
4) Lynnise Pantin, Clinical Professor of Law at Columbia University Law School, "Theranos and Structural Inequality in the Start-Up Ecosystem" |
| 12:30 PM – 2:00PM | *Lunch Break and Business Meeting* | Location: TBD

*Chair: Benjamin van Rooij*

All ComplianceNet members are 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. |
| 2:00 PM | Parallel Sessions | |
| | Panel Session #1:

*Assessing Legal and Regulatory Conformity in Business Organizations*

*(CLE Ethics Credit)* | Location: TBD

Chair: *Adam Fine*
Speakers:
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"<br>3) Natalie Schell-Busey, Rowan University Professor of Law and Justice Studies, "Using Meta-Analysis/Systematic Review to Examine Corporate Compliance"<br>4) Ricardo Pellafone, Founder of Broadcat, "Measuring Corporate Compliance: Conceptual, Structural, and Practical Challenges" |
| | Panel Session #2:<br><br>*Fraud Investigation Techniques and Trends*<br><br>*(Accounting PCE Credit)* | Location: TBD<br><br>*Chair: James Bierstaker*<br>Speakers:<br>1) James Bierstaker, Ph.D., Accounting Professor, Villanova School of Business<br>2) Frederick Kohm, Forensic Accountant, Grant Thorton<br>3) Meaghan Schmidt, Forensic Accountant, Alix Partners |
| | Panel Session #3:<br><br>*Public and Private Enforcement Strategies*<br><br>*(CLE Ethics Credit)* | Location: TBD<br><br>*Chair: Amanda Kennedy*<br>Speakers:<br>1) Paula Chadderton, Australian Department of Home Affairs' Centre for Counter-Terrorism Coordination, International Counter-Terrorism Assistant Director and University of Canberra Ph.D. Candidate "Exploring Compliance Through Public-Private Partnerships"<br>2) Elysa Dishman, Brigham Young University Professor of Law, "Compliance in the Shadow of Settlement"<br>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?"<br>4) Colin Provost, University College London Professor of Political Science, "Testing the Effects of Information Disclosure in the UK Modern Slavery Act" |
| 3:15 PM | *Coffee Break* | |
| 3:30 PM | Parallel Sessions | |
| | Panel Session #1:<br><br>*Combatting Sex Assault Problems in the Roman Catholic Church* | Location: TBD<br><br>*Chair: Michael Moreland*<br>Speakers: |

| | | |
|---|---|---|
| | *(CLE Ethics Credit)* | 1) Michael Moreland, Villanova University Professor of Law and Religion<br>2) John Delaney, Philadelphia Archdiocese Head of Investigations |
| | Panel Session #2:<br><br>*Ethical Decision-Making in Diverse Contexts and Cultures (CLE Ethics Credit)* | Location: TBD<br><br>*Chair: Melissa Rorie*<br>Speakers:<br>1) Weichun Zhu, Guangzhou University Professor of Law, "Ethical Decision-Making in Organizations: Theoretical Integration and Future Directions"<br>2) Mahak Nagpal, Rutgers University Ph.D. Candidate in Business, "Building an Understanding of Moral Ambiguity"<br>3) Subodh Wagle, Indian Institute of Technology Bombay, Professor in the Centre for Technology Alternatives for Rural Areas, "Understanding Transformation of Solid Waste Management in the City of Indore, India Using Compliance Models and Street-level Bureaucracy Theory"<br>4) 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" |
| | Panel Session #3:<br><br>*Cambridge Handbook on Compliance Workshop Panel*<br><br>*(CLE Ethics Credit)* | Location: TBD<br><br>*Chair: Benjamin van Rooij*<br>Speakers:<br>1) Yuval Feldman, Bar-Ilan University Professor of Law, "Behavioral Ethics as Compliance"<br>2) Benjamin van Rooij, University of Amsterdam and University of California-Irvine Professor of Law, "The Deterrent Effect of Tort"<br>3) Judith van Erp, Utrecht University Professor of Public Institutions, "Naming and Shaming and Regulatory Compliance"<br>4) Dan Nagin, Carnegie Mellon, Heinz College Professor of Public Policy and Statistics, "Procedural Justice and Legal Compliance: An Update" |
| 5:00 PM | *Reception*<br>*(light hors d'oeuvres served)* | Location: TBD |

# Schedule for Tuesday, June 4

| Tuesday, June 4th | | |
|---|---|---|
| **Time** | **Session Information** | **Location and Speakers** |
| 9:00 – 9:30 AM | *Breakfast Meet-and-Greet* | Location: TBD |
| 9:30 AM | Parallel Sessions | |
| | Panel Session #1:<br><br>*Corporate Character Theory*<br><br>*(CLE Ethics Credit)* | Location: TBD<br><br>*Chair: John Hasnas*<br>Speakers:<br>1) Mihailis Diamantis, University of Iowa Professor of Law, "Clockwork Corporations: A Character Theory of Corporate Punishment"<br>2) William Laufer, Wharton School Professor of Legal Studies & Business Ethics, Sociology, and Criminology, and Matthew Caufield, Wharton School Ph.D. Candidate, "The Promise of Corporate Character Theory"<br>3) John Hasnas, Georgetown University McDonough School Professor of Business, "Clockwork Corporations: A Valiant Effort to Do the Impossible"<br>4) Kendy Hess, College of the Holy Cross, Professor in Social Philosophy and Ethics, "A Matter of (Corporate) Character" |
| | Panel Session #2:<br><br>*How Do Laws and Regulations Motivate Compliance?*<br><br>*(CLE Ethics Credit)* | Location: TBD<br><br>*Chair: Robert Hughes*<br>Speakers:<br>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"<br>2) Robert Hughes, Wharton School Professor of Legal Studies and Business Ethics, "Breaking the Law Under Competitive Pressure"<br>3) 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)"<br>4) Kish Parella, Washington and Lee University Professor of Law, "Improving Human Rights Diligence in Global Supply Chains" |
| | Panel Session #3: | Location: TBD |

| | | |
|---|---|---|
| | *Culture, Criminality, & Compliance*<br><br>*(CLE Ethics Credit)* | *Chair: Orli Oren-Kolbinger*<br>Speakers:<br>1) Michael Siebecker, University of Denver Professor in the Sturm College of Law, "Corporate Compliance and Criminality"<br>2) Deirdre Healy, University College Dublin Lecturer in Criminology, "Simple Rhetoric and Complex Punitiveness: Federal Criminal Justice Responses to White-Collar Criminality"<br>3) David Zaring, Wharton School Professor of Legal Studies and Business Ethics, "Regulatory Strategies for Improving Banking Culture"<br>4) 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 | *Coffee Break* | |
| 11:00 AM | Parallel Sessions | |
| | Panel Session #1:<br><br>*Corporate Compliance Pathways*<br><br>*(CLE Ethics Credit)* | Location: TBD<br><br>*Chair: Sarah Duggin*<br>Speakers:<br>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"<br>2) Asaf Raz, University of Pennsylvania Law School SJD Candidate, "A Purpose-Based Theory of Corporate Law"<br>3) 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?"<br>4) Oludara Akanmidu, De Montfort University Leicester, Law School Lecturer, "Directors' Duties and Compliance: Is Public Enforcement the Solution?" |
| | Panel Session #2:<br><br>*Technology and Business Ethics*<br><br>*(CLE Ethics Credit)* | Location: TBD<br><br>*Chair: Brett Frischmann*<br>Speakers: |

| | | |
|---|---|---|
| | | 1) Brett Frischmann, Villanova University Professor in Law, Business and Economics, "Re-Engineering Humanity" <br> 2) Kevin Werbach, Wharton School Professor of Legal Studies & Business Ethics, "The Blockchain and the New Architecture of Trust" |
| | Panel Session #3: <br><br> *Compliance in Novel Contexts* <br><br> *(CLE Ethics Credit)* | Location: TBD <br><br> *Chair: Doron Dorfman* <br> Speakers: <br> 1) Doron Dorfman, Syracuse University College of Law Professor of Law, "Suspicious Species: Assistance Animals and Visible Signs of Compliance" <br> 2) John Howe, University of Melbourne School of Government Professor of Law, "Exploring the Intended and Unintended Regulatory Effects of Media Use by Labour Enforcement Agencies" <br> 3) Daniel Harris, Chicago Kent College of Law Adjunct Professor of Agency Law, "The Lost Rationale of Agency Law" <br> 4) Sarah Dadush, Rutgers Law School Professor of Law, "Contracting for Human Rights" |
| 12:15 AM – 1:00 PM | *Lunch Break* | |
| 1:00 PM | Parallel Sessions | |
| | Panel Session #1: <br><br> *Enforcing Business Ethics* <br><br> *(CLE Ethics Credit)* | Location: TBD <br><br> *Chair: Joseph Pileri* <br> Speakers: <br> 1) Geeyoung Min, Columbia Law School Post-Doctoral Fellow in Corporate Law and Governance, "Short-changing Compliance" <br> 2) Joseph Pileri, American University Washington Professor of Law, "Who is the Client? Rethinking Professional Responsibility for Benefit Corporations" <br> 3) Joe McGrath, University College Dublin Lecturer in Criminology, "Differential Association, Opportunity Theory, and White-Collar Crime" <br> 4) Usha Rodrigues, University of Georgia Chair of Corporate Finance and Securities Law, "The Outsiders" |
| | Panel Session #2: <br><br> *Corporate Social Responsibility and Issues of "Beyond Compliance" Behavior* <br><br> *(CLE Ethics Credit)* | Location: TBD <br><br> *Chair: Leora Eisenstadt* <br> Speakers: <br> 1) Leora Eisenstadt, Temple University, Fox School of Business Professor of Legal Studies, "When Compliance Exceeds Law" |

| | | |
|---|---|---|
| | | 2) Shana Starobin, Bowdoin College Professor of Environmental Studies and Government, "Credibility Beyond Compliance: Uncertified Smallholders in Sustainable Food Systems"<br>5) Tetty Havinga, Radboud University Professor of Sociology of Law, "Beyond Compliance: Business Ethics and Food Safety Culture" |
| 2:30 PM | *Coffee Break* | |
| 2:45 PM | Plenary Session:<br>*Regulation, Governance and Compliance*<br><br>(CLE Ethics Credit*)* | Location: TBD<br><br>*Chair: Benjamin van Rooij*<br>Speakers:<br>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"<br>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"<br>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 | |