



## **NRS Fall 2017 Compliance Conference** **Customizing Your Compliance Solutions**

**October 23 - 26, 2017 ~ Four Seasons Hotel, Las Vegas, NV**

### **Agenda** *As of 8/28/17 \**

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#### **Monday, October 23**

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1:00 p.m. – 1:30 p.m. Registration Open for Pre-Conference Workshop A

1:30 p.m. – 3:30 p.m. **Pre-Conference Workshop A: Applying Business Analysis Tools to Compliance**  
(Intermediate)

Few (if any) compliance professionals complain about having an abundance of resources. Indeed, obtaining and effectively deploying the money, people and time that you need has never been more important. This workshop will introduce you to some of the tools taught in MBA programs (and with which your senior management is familiar) to allow you to more effectively define and communicate your needs. Mastering the essentials of planning, budgeting, and resource deployment is crucial to a compliance professional's development.

Learning Objectives:

- Increase your participation in your firm's budgeting and planning process
- Interact with other departments to prepare for different contingencies, identify common needs and share resources
- Provide all level of the firm with best-case, worst-case and probable scenarios of upcoming events

3:30 p.m. – 4:00 p.m. Registration Open for Pre-Conference Workshop B

4:00 p.m. – 6:00 p.m. **Pre-Conference Workshop B: Women in Securities Compliance**  
(Intermediate)

Where have we been? Where are we now? Where are we going?

This session will be led by women who have and who are now defining what it means to be a compliance professional. While the session is geared towards women, men who supervise or are supervised by women or work alongside women in compliance will want to attend in order to better understand how to build successful teams that include women.

Learning Objectives:

- Interact with other women in your profession to compare professional development, identify common needs and share resources.
- Increase your professional network and connections
- Assess your unique challenges and ways to address them



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#### **Monday, October 23**

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6:00 p.m. – 7:30 p.m. Main Conference Registration Open

6:00 p.m. – 7:30 p.m. **Meet & Greet Function**

Join NRS, exhibitors and fellow attendees for conversations, cocktails and canapés. Four Seasons concierge will be at the function exclusively for attendees.

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#### **Tuesday, October 24**

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7:00 a.m. – 5:30 p.m. Registration Open

7:00 a.m. – 5:15 p.m. Exhibit Area Open

7:00 a.m. – 8:30 a.m. **Compliance Technology Questions – Ask the NRS Product Pros**

Have a compliance technology question? NRS Product Pros will be available to answer your questions.

NRS is pleased to offer this opportunity to conference attendees. Take advantage of this offer and stop by the NRS Technology area on the conference floor during this time frame. Questions will be answered on a first come, first served basis.

7:00 a.m. – 8:30 a.m. Breakfast

8:30 a.m. – 8:45 a.m. **Welcome Remarks / Conference Kick-Off**

8:45 a.m. – 9:30 a.m. **Keynote Address**

9:30 a.m. – 10:30 a.m. **Regulatory Perspective**

As we pass the midpoint of the first year of a new Administration, we can begin to develop a sense of how the regulatory landscape is evolving. Representatives of the SEC, FINRA and NASAA will share their perspectives on what has changed, what changes are currently taking place, and the issues that will impact your compliance program in the future. In addition to questions from the moderator, the regulators will answer your questions as well.

Learning Objectives:

- Update your understanding of current regulatory concerns
- Identify the issues that will have the greatest effect on you and your firm in the year ahead
- Reconcile what you have heard and read in the media with what the regulators say directly



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10:30 a.m. – 11:00 a.m. Meet Peers and Exhibitors / Refreshment Break

11:00 a.m. – 12:15 p.m. Concurrent Breakouts

#### **Robo-Adviser: Are You Ready? (IA) (Intermediate)**

Robo-advisers are included in the SEC's current examination priorities. If you are not now a robo-adviser, it is likely that within the next few years you may partner with a robo, use the services of a robo, compete with a robo, or even become a robo. This session will benefit not only current robo-advisers, but all advisers who want to see what issues and challenges they will face in the near future.

Learning Objectives:

- Find out the special compliance concerns the SEC has for robo-advisers
- Discover how to "supervise" an algorithm
- Recognize the steps your firm must take to partner with or sub-contract to a robo-adviser

#### **OBAs, Private Securities Transactions, and Gifts and Entertainment: Managing Conflicts of Interest (BD) (Basic)**

FINRA's exam priorities continue to focus on conflicts that can compromise a representative's responsibilities. Speakers will look at the latest developments in supervising outside activities and private securities transactions and discuss the relationship between FINRA Rule 3270 and Rule 3280. The presentation will also focus on FINRA Rule 3220 commonly referred to as the gift and gratuities rule. In addition to sharing effective practices regarding policies and procedures for identifying, documenting and disclosing these practices, experts in the field will also explore recent cases.

Learning Objectives:

- Define FINRA Rules 3270 and 3280
- Define FINRA Rule 3220
- Formulate reporting, analysis and documentation practices that address these areas of interest
- Identify red flag situations and steps to take in mitigating them
- Review reporting best practices to support monitoring



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11:00 a.m. – 12:15 p.m. Concurrent Breakouts Continued

#### **Today's Trading Compliance Challenges: Best Execution, Trade Errors, and Wrap Accounts (IA) (Intermediate)**

Recent SEC enforcement cases have focused attention on the need for advisers to regularly re-evaluate their trading practices to be certain that trades are made in the best interests of their clients and that trading-related disclosures are complete and correct. This session will provide a list of key items that you will want to review with your traders to ensure that your trading operations can withstand SEC scrutiny.

Learning Objectives:

- Challenge your assumptions about what “best execution” means for your firm
- Outline each step in your trade error process and customize tests to verify that errors are being handled correctly
- Identify the SEC’s concerns about trading in wrap fee programs to ensure that your procedures meet the more rigorous standards being applied in enforcement cases

12:15 p.m. – 1:30 p.m. Lunch / Peer Learning Discussion

1:30 p.m. – 2:30 p.m. **Cybersecurity: Recent Developments That Impact Your Firm (IA & BD)**  
(Intermediate)

FINRA and the SEC have both listed Cybersecurity as a focus item for their examination priorities in 2017. In addition, new regulatory leadership has commented on the significant threat cybercrime has to the industry. This has led to some speculation toward an escalation in cybersecurity enforcement. In addition, New York and Colorado have adopted cybersecurity regulations for financial service firms, and depending on the information your firm handles, state privacy laws may impact your response planning efforts. This session will review the current status of cybersecurity examination and regulatory developments, including areas of interest, state cybersecurity initiatives, and key compliance policy and procedure trends.

Learning Objectives:

- Evaluate how recent priorities will impact your plans for cybersecurity
- Determine if state regulations will apply to your firm and how these regulations will change your policies and procedures
- Enhance your response plans with up-to-date insight on breach developments



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2:35 p.m. – 3:35 p.m. Concurrent Breakouts

##### **Cybersecurity – Table Top Exercises for Large Firms**

Learn from your peers through a hands-on exercise. In this session, attendees will work together in responding to a table top exercise of a hypothetical cybersecurity incident at a large firm. As the incident unfolds, attendees will engage in discussions involving response considerations and best practices. Speakers will also add insight and additional considerations related to the exercise.

Learning Objectives:

- Compare your firm's response plans with those of your peers
- Test your ability to evaluate and decide on the best course of action

##### **Cybersecurity – Table Top Exercises for Small Firms**

Learn from your peers through a hands-on exercise. In this session, attendees will work together in responding to a table top exercise of a hypothetical cybersecurity incident at a small firm. As the incident unfolds, attendees will engage in discussions involving response considerations and best practices. Speakers will also add insight and additional considerations related to the exercise.

Learning Objectives:

- Compare your firm's response plans with those of your peers
- Test your ability to evaluate and decide on the best course of action

##### **Cybersecurity – Information Technology (IT) Focus**

A facilitated session designed for compliance professionals who are IT literate. This breakout will focus less on procedures and more on technical matters. The session provides the opportunity to interact with your peers, share your own experiences and learn from the experiences of others.

Learning Objectives:

- Discuss with your peers the pros and cons of hardware, software, and other vendors that each of your firms use and how they address information handling
- Analyze approaches to meeting technology frameworks
- Explore response experiences to cybersecurity threats



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3:35 p.m. – 3:55 p.m. Meet Peers and Exhibitors / Refreshment Break

3:55 p.m. – 5:10 p.m. Concurrent Breakouts

#### **Recent Trends in Investment Adviser Enforcement Proceedings (IA) (Advanced)**

With a new commissioner, co-directors atop the Division of Enforcement, and a goal of increasing firm examinations, could there be an increase in enforcement proceedings? Find out how the review of recent proceedings can provide insight into developing examination trends and compliance program expectations. With the benefit of experienced attorneys, this session will address the most significant cases for compliance professionals and provide perspective on the applicable rules, their violation, and in hindsight, mitigation efforts. You will learn how the advisers got into trouble and how you can avoid making the same mistakes.

Learning Objectives:

- Address the link between SEC examinations and internal controls
- Reduce regulatory risk on both a personal and firm-wide level
- Understand how examination priorities influence trends in enforcement

#### **Are there WORMs in Your Firm? (BD) (Intermediate)**

At the end of 2016 FINRA levied fines totaling \$14 million against 12 firms for failures in following recordkeeping requirements. SEC and FINRA rules (including Exchange Act 17a-4(f)(2)(ii) and FINRA Rules 4511 and 2010) require member firms to maintain certain electronic records in a non-erasable, non-rewritable format, commonly referred to as WORM (Write Once, Read Many). As more firms decide to outsource recordkeeping functions, record retention requirements relating to electronic documents, communications, and storage require understanding and review of fundamental obligations. This session will spotlight timely issues facing compliance professionals in the use of social media, web conferencing, and cloud storage. Attendees will learn from peers as they share effective practices in record management.

Learning Objectives:

- Confirm your understanding of WORM and how it is used in recordkeeping
- Identify the challenges and solutions to electronic record management
- Determine how best practices can enhance your supervisory procedures

6:00 p.m. – 7:30 p.m. Reception



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#### **Wednesday, October 25**

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7:30 a.m. – 5:30 p.m. Registration Open

7:30 a.m. – 5:00 p.m. Exhibit Area Open

7:30 a.m. – 8:30 a.m. Breakfast - General Attendance

7:30 a.m. – 8:30 a.m. **IACCP® Designee Breakfast**

Attendees who have earned IACCP® designation are invited.

7:30 a.m. – 8:30 a.m. **Have a Compliance Question? Ask the Experts – NRS Consultants**

Have a compliance question on Custody, New Form ADV amendments, Business Continuity Planning or another compliance topic? NRS subject matter expert consultants will be available to discuss your compliance questions.

NRS is pleased to offer this opportunity to conference attendees. Take advantage of this offer and stop by the NRS Consultants' area on the conference floor during this time frame. Questions will be answered on a first come, first served basis.

8:30 a.m. – 8:40 a.m. **Opening Remarks / Exhibitors Address Audience**

8:40 a.m. – 9:25 a.m. **Opening Address**

9:30 a.m. – 10:30 a.m. Concurrent Breakouts

#### **New Form ADV Amendments Effective October 2017 (IA) (Intermediate)**

The Form ADV will be updated in October 2017, and you need to be ready to provide the new information it will require. Even if you don't anticipate filing an amendment before the annual update, you need to start reviewing the new items now to be certain that you can quickly and accurately provide the needed information when the time comes.

Learning Objectives:

- Identify the new data you will need to compile before your next Form ADV filing
- Analyze each new question to understand exactly how it applies to your firm
- Establish processes for maintaining books and records required with the new Form ADV



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9:30 a.m. – 10:30 a.m. Concurrent Breakouts Continued

##### **Opening Your Testing Toolbox (IA & BD) (Advanced)**

What's in your compliance testing toolbox? What tests have been the most effective in discovering problems? By the same token, are there tests that you perform that just don't seem to get the job done? Are you encountering areas for which you are struggling to develop an appropriate test? Or did you inherit a set of tests that seem to have outlived their usefulness? This session will show how seasoned compliance professionals (including your peers) make sure that their tests are thorough, effective, and calibrated to the task at hand.

Learning Objectives:

- Customize your current tests to better meet your firm's specific needs
- Assess the strengths and weaknesses of other tests to see if they might have a place in your compliance program
- Pinpoint specific testing strategies that will make your work more effective

##### **Reporting on Your Compliance Program (IA & BD) (Intermediate)**

You've expended tremendous effort in constructing your compliance program, testing your policies and procedures, and analyzing the results of those tests. You want your maximum effort to have the maximum impact on senior management. How can you help those at the top of your firm to fully understand the scope and implications of what you've found?

This session will explore methods of effectively escalating and communicating your findings, and how to use your findings to shape your compliance program going forward.

Learning Objectives:

- Analyze your own senior officers to determine their preferred methods of communication
- Shape your reports to put your most important messages front and center
- Utilize your reports as a cornerstone of your planning, budgeting and hiring processes

10:30 a.m. – 10:45 a.m. Get to Know the Exhibitors / Refreshment Break



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10:45 a.m. – 12:45 p.m. Concurrent Breakouts

##### **Professional Ethics: Ethical Decision-Making for Compliance Professionals** (IA & BD)

As compliance professionals, we are used to working within sets of well-defined rules and creating procedures that manage risks. While there are rules that require Code of Ethics, and while we can develop procedures to mitigate risks of certain types of unethical behavior, ethical decision-making requires different (and, perhaps, antithetical) skills. In this engaging interactive session you will dissect and respond to various ethical-based scenarios as well as join in discussions and commentary with seasoned industry professionals.

Learning Objectives:

- Recognize ethical dilemmas and conflicts of interest that can surface in servicing clients and how compliance, firm culture, and the Code of Ethics can influence decision-making
- Identify how ethical considerations may vary among different members of a firm depending on the circumstances
- Develop an understanding of the ethical challenges firm members face and how you can address these challenges in your ethics training initiatives

##### **Innovation Lab with NRS Product Experts**

Participate in an interactive session and learn how innovative software technology can help you manage compliance more effectively. NRS Product Experts will share our latest innovations and ask for your feedback on solutions designed to reduce risk and save time.

12:45 p.m. – 2:00 p.m. Lunch / Peer Learning Discussion

2:00 p.m. – 3:15 p.m. Concurrent Breakouts

##### **SEC Examinations for New and Never-Examined Firms (IA) (Basic)**

The prospect of undergoing your initial SEC examination is daunting at best. This session will let you know what to expect when the SEC calls and will provide concrete, practical steps to help you through the document-gathering process, the visit itself, and any subsequent requests or deficiencies.

Learning Objectives:

- Develop an examination strategy based on your firm's specific practices
- Train your staff now so that you are not surprised by what an examiner may request
- Recognize common deficiencies and strategies to prevent them in your firm



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#### **Wednesday, October 25**

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2:00 p.m. – 3:15 p.m. Concurrent Breakouts Continued

##### **FINRA Examinations and Enforcement for Broker-Dealers (BD)**

This session will let you know what FINRA examiners are looking for - and finding! Seasoned industry professionals will review 2017 exam priorities, recent enforcement actions, and current examination findings, and demonstrate how they apply to your firm's written supervisory procedures.

Learning Objectives:

- Analyze FINRA initiatives to help your firm meet regulatory expectations
- Identify FINRA exam priorities that apply to your firm
- Scrutinize recent enforcement actions to help you identify and prevent mistakes made by others

##### **Advanced SEC Examinations Workshop (IA)**

Been examined by the SEC? Tell me about it! This session is for the veterans - the compliance professionals who've been through one or more SEC examinations. This is an opportunity to share what you've learned and hear from your peers about their experiences. We'll offer a particular focus on newer, more detailed, and more unusual requests that have been encountered in recent months.

Learning Objectives:

- Engage with other compliance professionals and compare exam experiences
- Discover more effective ways of managing the examination process
- Expand your knowledge of what examiners want and how best to deliver it

3:15 p.m. – 3:45 p.m. Mingle with Peers and Exhibitors / Refreshment Break

3:45 p.m. – 5:00 p.m. Concurrent Breakouts

##### **Custody – SEC's New Guidance (IA) (Intermediate)**

In October advisers will need to meet new SEC requirements that overturn long-standing ideas of when an investment adviser does (and does not) have custody of client funds and securities. Are you ready? This session will take a deep dive into the new custody requirements, including transfers to accounts of identical registration, Standing Letters of Authorization, and new books and records requirements.

Learning Objectives:

- Pinpoint when and where you will now be deemed to have custody
- Scrutinize your current procedures to make sure you are in compliance
- Prepare for new ADV and recordkeeping requirements



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#### **Wednesday, October 25**

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3:45 p.m. – 5:00 p.m. Concurrent Breakouts Continued

##### **Senior Investor, Senior Colleague (IA & BD) (Intermediate)**

In 2015 FINRA and the SEC issued the National Senior Investor Initiative Report spotlighting the need for suitable and fair treatment of an aging population of investors. Since then, regulators have continued their focus on this maturing issue. Newly adopted FINRA Rule 2165 (Financial Exploitation of Specified Adults) and Rule 4512 (Customer Account Information) will become effective in February 2018. The SEC has proposed a new rule focused on business continuity and transition plans of investment advisers that has yet to be adopted. However, with nearly 57% of investment advisers having 10 or fewer non-clerical employees (according to our *2016 Evolution Revolution* profile) there is clearly a need to address risks associated with a firm's operations in the event an adviser is unable to continue providing services to clients. This session will address regulatory requirements and expectations related to senior investors and well as best practices in firm transition plans for senior colleagues.

##### Learning Objectives:

- Learn the ways firms are addressing the challenges related to older clients and diminished capacity
- Identify the signs to look for in older colleagues that may impact the quality of their advice to clients
- Assess your firm's preparedness for the upcoming rule requirements as they relate to your policies and procedures

##### **Machine Learning and Artificial Intelligence: Compliance Considerations** (IA & BD) (Advanced)

Can machines actually learn? How is artificial intelligence advancing our industry? As these areas evolve, how are firms incorporating their use into their operations? Can data driven approaches to computer algorithms be more accurate than logic-based approaches? As compliance professionals, the growth in processing language is a new consideration in risk management. The power of machine learning can ultimately reduce costs, increase efficiencies, and provide tailored services, but how are risks managed along the way? This session introduces the basic concepts and uses of the subject matter and provides insight into considerations firms should have as the area grows within the industry.

##### Learning Objectives:

- Develop an understanding of the basic definitions of machine learning and artificial intelligence
- Identify the ways in which firms are using these advancements in the operation of their firms and how regulators are using them in the surveillance of the industry
- Explore the challenges inherent in devising supervisory systems for tasks not performed by humans



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#### **Wednesday, October 25**

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6:00 p.m. – 7:30 p.m. Reception

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#### **Thursday, October 26**

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7:30 a.m. – 2:00 p.m. Registration Open

7:30 a.m. – 11:30 a.m. Exhibit Area Open

7:30 a.m. – 8:30 a.m. Breakfast

7:30 a.m. – 8:30 a.m. **Have a Compliance Question? Ask the Experts – NRS Consultants**

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8:30 a.m. – 8:45 a.m. **Welcome Remarks**

8:45 a.m. – 9:45 a.m. **Tools for Buying or Selling Securities Firms (IA & BD) (Advanced)**

Are you (or your firm's owners) considering a sale of your firm (now, or as part of a business succession plan)? Are you looking to buy a firm (or several)? Too often, mergers and acquisitions are made without understanding and preparing for inherent compliance issues. This session will review what you need to know in order to buy or sell a securities firm while remaining in compliance with regulatory requirements.

Learning objectives:

- Discover the steps that need to be included in the sale of your firm in your business continuity plan
- Identify key timing issues to will ensure that your clients can continue to receive uninterrupted services as the acquisition takes place
- Adopt vital compliance reviews when conducting due diligence of potential purchases



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#### **Thursday, October 26**

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9:50 a.m. – 11:05 a.m. Concurrent Breakouts

#### **Confront Today's Advertising and Social Media Challenges for Broker- Dealers** (Intermediate)

FINRA Rule 2210 governs broker-dealers' communications with the public including communications with retail and institutional investors. Today broker-dealers find themselves using multiple communication channels, from websites and social media pages to corporate events to communicate and market their services to the public. Clearly, with multiple possibilities to connect with the public, broker-dealers need tools to help make advertising compliance programs more effective. The panel will explore solutions and methods for attendees to help develop strong programs for today's challenges.

Learning objectives:

- Explore key considerations for an effective supervisory program for marketing and social media
- Consider which factors impact a strong compliance program for advertising and social media
- Evaluate the new risks and red flags associated with advertising

#### **Frontiers in Advertising & Social Media (IA)** (Intermediate)

As consumers continue to connect through technology and seek more avenues for information, advisers and broker dealers are being pulled along. The ability to create a user experience that explores a deeper client relationship has led many firms to develop a digital strategy. These strategies involve more story-telling, personalization, and visualizations than ever before. Advisers and broker dealers find themselves using multiple channels: from their website to social media page to corporate events and various publications. Where content is king, firms have found new ways to leverage resources to provide text, tweets, video, and graphics to support client connections. How are these developments impacting compliance programs?

Learning objectives:

- Understand the trends reshaping marketing in a socially connected world
- Assess the use of content resources in your firm's marketing campaigns
- Evaluate the new risks associated with the frontiers in advertising



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#### **Thursday, October 26**

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9:50 a.m. – 11:05 a.m. Concurrent Breakouts Continued

##### **ERISA Fundamentals and Fiduciary Rule Update (IA & BD) (Basic)**

While tremendous attention has been given to the (seemingly endless) saga of the Fiduciary Rule, advisers and brokers have continued to provide a variety of fiduciary and non-fiduciary services to ERISA plans. In this session our panel of experts will go back to the fundamentals to provide the essential information you need to make sure that your plan-level services are in compliance with ERISA.

Learning objectives:

- Analyze the basic definitions and concepts on which ERISA is based
- Determine the pros and cons of 3(21) and 3(38) fiduciary status
- Re-evaluate your procedures for providing 408(b)(2) disclosures

11:05 a.m. – 11:30 a.m. Boxed Brunch / Lunch

11:30 a.m. – 1:30 p.m. **Critical Skills for High-Performance Compliance Professionals (IA & BD)**

Beyond black and white thinking, how do compliance professionals address the shades of grey? One of the important roles of a compliance professional is to help define laws or practices that are vague or grey. The willingness to address difficult questions in the company of senior management and provide a clear picture of the way in which they should respond when a rule provides no “right” way to act is a skill that can be developed. This session will discuss ways to drive forward the development of standards or practices for addressing the grey areas and suggestions for how to take the lead.

Learning Objectives:

- Learn how to identify grey areas in your firm
- Discover how to establish and reinforce a grey-area response plan
- Evaluate the resources you have for grey-area mitigation

1:30 p.m. – 2:00 p.m. **Takeaways / Conference Wrap-up**

You have gathered so much information and knowledge over the course of the conference. What are your actionable takeaways? What goes on your to-do list? In case you missed something or are unsure if you got it right, this session is a great way to finalize your notes or clarify them.

Compare your notes as NRS’s expert consultants provide their top takeaways from the conference so you can walk away with a plan for applying all you’ve learned to your own compliance program.

2:00 p.m. **Conference Adjourns**

*\*Subject to change*