

FORM 3

Utah State Board of CONTINUING LEGAL EDUCATION Utah Law and Justice Center 645 South 200 East Salt Lake City, Utah 84111-3834 Telephone (801)531-9077 Fax (801) 531-0660 Email mcle@utahbar.org

APPLICATION BY NON-APPROVED SPONSOR FOR ACCREDITATION OF A CLE ACTIVITY

Please Note: The program must deal with subject matter directly related to the practice of law

This form must be submitted within 60 days prior to or following the course.

- 1. Name of CLE Sponsor: Public Investors Advocate Bar Association - PIABA
2. Name of Contact Person: Beverly Mitchell
3. Telephone: (405) 241-5383
4. Address: 1300 McGee Dr., Ste. 112 Norman, OK 73072
5. Email: bmitchell@piaba.org
6. Title of CLE activity: 2023 PIABA Mid Year Meeting

7. Date(s): April 27, 2023 Location(s): Norman, OK

8. Method(s) of Presentation:

- Facility in Room with Participants
Interactive Video
Audio Presentation
Internet On- Demand
Telephone to Broadcast Site
Satellite
Videotape Presentation
Discussion Leader Present
Web Cast
Other:

9. Course registration fee(s): \$ 250.00 Expected or actual Attendance: 40

10. The Sponsor's calculation of the requested number of (a) Total Credit Hours (b) Portion of Total Credit Hours devoted to Ethics/Professional Responsibility (c) Portion of Total Credit Hours devoted to Professionalism & Civility
(a) Total Credit Hours: 300 (b) Ethics/Professional Responsibility: 60 (c) Professionalism & Civility:

10. Is this seminar made available to all attorneys in the state of Utah? Yes No If not, state why it is beneficial to limit the attorneys who may attend.

11. Is your organization accredited for CLE in other states? Yes No Please specify which states applying 30+

12. The required course approval fee is computed as follows; \$25 accreditation fee per application. \$1.50 per credit hour per attendee, the \$1.50 fee will cap at \$15.00 per attendee and shall be submitted no more than 60 days following the date of the activity.

13. The Sponsor agrees to submit to the Utah State Board of CLE within 60 days following this activity an alphabetical list of Utah attendees including the State Bar membership number, and or attendance information in a computerized format to be prescribed by the Board.

14. Submit with this Application the following information:

- a. Time Schedule/ agenda (Brochure, Outline, Description)
b. Table of Contents
c. Faculty Description

15. The sponsor represents that it will:

- a. Comply with the Rules and Regulations of the Utah State Board of CLE, including any amendments thereto;
b. Conduct this CLE activity substantially as advertised and presented in this application, subject to any emergency substitutions and withdraws.
c. Allow in-person observation by the justices of the Utah Supreme Court and members of the Utah MCLE Board & staff; The sponsor acknowledges that this activity may be disapproved and prior approval of any CLE activity revoked for non-compliance with the Rules and Regulations, and amendments thereto, or for failure to comply with the agreements and representations contained in this request.

Date: March 15, 2023 CLE Sponsor: Beverly K. Mitchell

By: [Signature] Title: Administrative Assistant

NOTICE OF DECISION

(To be completed by the state accreditation office and returned to applicant)

The following action has been taken on this application.

G APPROVED for 5.0 CLE Credits Including 1.0 Ethics credits, 0 Professionalism & Civility

G ACCREDITATION DENIED. Reference

G RETURNED for more information Please complete each item on this form indicated by the number(s) circled below: 1 2 3 4 5 6 7 8 9 10

G REFERRED to CLE regulatory meeting on / /

G Please see attached materials. Date 05/04/2023 CLE Staff: MLN

Verified (Live)

PIABA *Mid-Year Meeting*

UNCLE STAN'S RETIREMENT ACCOUNT GOT BLOWN UP ... NOW WHAT?

APRIL 27, 2023

12pm-6pm Eastern

12.00 PM -
1.15 PM

Strategies and Techniques in FINRA arbitrations involving IRA, Pension, and Other Retirement Accounts.

Lance McCardle, Moderator; Sandra Grannum; Mark Maddox. An experienced panel of PIABA lawyers will delve into strategies and techniques such as how to plead these type cases in the Statement of Claim, client and witness preparation, RIA and broker cross examination, defense firm tactics and arbitration techniques, and what to take to every arbitration hearing when dealing with these type claims.

1.20 PM -
2.35 PM

Compliance, Supervision and Suitability in IRA, Pension, and Other Retirement Accounts.

Jenice Malecki, Moderator; Taylor Faw; Alan Besnoff. Learn how IRA, Pension, and other retirement account cases are different in terms of compliance, supervision, and suitability. Understand the nuances as to broker dealer vs. RIA cases.

2.40 PM -
4.10 PM

Economic and Non-Economic Damages in FINRA arbitrations involving IRA, Pension and Other Retirement Accounts.

Thomas D. Mauriello, Moderator; Brian Henderson; Jane Stafford; Stacey Wood. The nature of these type accounts provides for additional economic and non-economic damages that are different than the non-IRA, Pension, and other type retirement accounts. Additionally, Baby boomers who have the choice of a fixed lifetime pension from their employers are retiring in record numbers now and brokerage and RIA firms are anxious to grab a piece of that pie perhaps to the detriment of that retiree. How does one address these type claims. Learn the cutting-edge practices in this presentation.

4.15 PM -
5.15 PM

Ethics Hour: Dealing with the death or incapacity of your client.

Debra Speyer, Moderator; Angela Hayden. How is your case effected and what are the actions steps to take so that your case can progress smoothly. Learn what rules of professional conduct you must understand to properly represent your client.

2023 PIABA Mid-Year Meeting

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2023 PIABA Mid-Year Meeting Speaker Biographies

Alan J. Besnoff
Securities Expert Witness & Litigation Support, LLC
Fremont, New Hampshire

Alan J. Besnoff, CFP, ChFC, CLU is the founder of Securities Expert Witness & Litigation Support, LLC, which provides litigation consulting services and expert testimony for matters involving customer disputes and employment issues within the financial services industry.

Mr. Besnoff's expert engagements typically involve sales practices and alleged violations of rules and industry standards in the areas of securities, life insurance and annuities, as well as supervisory and U-5/wrongful termination matters.

Alan Besnoff has more than 30 years of financial services experience, primarily in supervisory and leadership positions.

Mr. Besnoff has passed FINRA registration examinations for Series 6, 63, 65, 7, 26, and 24, as well as state licensing examinations for Life Insurance & Annuities, Disability Insurance, Long Term Care Insurance, Variable Life Insurance and Variable Annuities.

Professional designations held by Mr. Besnoff include:

Certified Financial Planner, CFP Chartered Financial Consultant, ChFC Chartered Life Underwriter, CLU

Mr. Besnoff has developed and taught compliance training programs and has initiated and implemented policies and procedures to assure branch offices, financial advisors, registered representatives, brokers and managers are in compliance with FINRA regulations, and industry standards. He has taught securities, financial planning, insurance & annuities, and risk management at multiple universities and to financial advisors and managers throughout the financial services industry.

Industry leadership roles held by Mr. Besnoff include having served as President of the National Association of Insurance and Financial Advisors (NAIFA) in Connecticut.

Alan J. Besnoff is the current President of Securities Experts Roundtable.

Mr. Besnoff is serving a second term as Commissioner, Disciplinary and Ethics Commission of the Certified Financial Planner (CFP) Board of Standards.

Taylor Faw
South Carolina Assistant Attorney General
Columbia, South Carolina

Taylor Faw serves as the Chief Compliance Officer of Strathmore Capital Advisors, Inc., based in Charlotte, North Carolina. Prior to joining Strathmore Capital, Taylor was a Lead Compliance Associate with Fairview Investment Services, LLC and Fairview Cyber, LLC in Raleigh, North Carolina. He worked with a variety of investment advisers and investment companies to develop, implement, and maintain compliance programs and initiatives, as well as drafting information security policies and procedures.

Before working for Fairview, Taylor served as an Assistant Attorney General in the Enforcement Division of the South Carolina Securities Division. With the Securities Division, he focused on cases involving unregistered actors and more advanced technological aspects, including market manipulation and digital assets.

Sandra D. Grannum, Esq.
Faegre Drinker Biddle & Reath LLP
Florham Park, New Jersey

Sandra Dawn Grannum is a Partner in the Business Litigation Group at Faegre Drinker Biddle & Reath LLP where she serves on the Firm's governing board and is co-chair of the Firm's nationwide Securities and Financial Services Litigation Team. Sandy is a fellow of the American College of Trial Lawyers and concentrates her practice on securities, broker/dealer arbitration, litigation, mediation, and regulatory defense. Sandy has written and lectured

widely on securities, ethics and diversity and inclusion issues. She assists in preparing clients for SEC Regulation Best Interest and Interpretation RIA. She chairs the full-day PLI Securities Arbitration Seminar conducted annually in New York City and regularly speaks at the SIFMA C&L Annual Conference, ABA Conferences and on other CLE programs addressing securities and employment law. Sandy was one of 13 individuals on the 2015 FINRA Dispute Resolution Task Force which FINRA impaneled to suggest strategies to enhance the transparency, impartiality, and efficiency of FINRA's securities dispute resolution forum for all participants. Sandy earned her law degree from Harvard Law School and her bachelor's degree from New York University. She began her career as a litigation associate at the New York law firm of Cravath, Swaine & Moore before moving to Tenzer Greenblatt to practice securities litigation. Sandy moved in-house to be an Associate General Counsel handling securities litigation at PaineWebber (now UBS Financial Services) in 1997. In November 2001, she became Senior Vice President and Senior Associate General Counsel in UBS's Employment Law Unit. In 2003, she formed her own firm, Davidson & Grannum, with a former PaineWebber/UBS colleague. She joined Drinker in January 2016 and that firm merged to become Faegre Drinker in February 2020.

Angela Hayden, Esq.
Sage Legal, LLC
Newmarket, New Hampshire

Angela Hayden is a longtime member of PIABA and the founder of Sage Legal, LLC, a law practice located in Newmarket, NH, as well as Big Life Leaps Coaching (www.biglifeleaps.com) where she works with legal, financial services, and other professionals with demanding careers who are looking for more meaning in work and life. Angela addresses wellness issues in her coaching practice, helping professionals identify easy solutions to problems they are facing in their lives. She is a past PIABA board member and has served on multiple PIABA committees over the years. She started the PIABA Wellness Group in 2020, which meets online monthly. All PIABAns are welcome to join the monthly calls at any time - no work required!

Brian Henderson
Securities Litigation and Consulting Group, Inc.
McLean, Virginia

Dr. Henderson is Associate Professor of Finance at The George Washington University in Washington D.C. His teaching specialties include investment analysis and portfolio management, performance evaluation, derivative securities, fixed income portfolio management, and corporate finance. He is a Chartered Financial Analyst. He has presented his research at many academic conferences, universities, and to market regulators.

Dr. Henderson works as expert and is an expert in portfolio management, investment performance measurement and evaluation, structured products, fixed income securities, and investment companies. He has testified in FINA arbitrations, and both state and federal courts.

He has significant practical experience through numerous consulting engagements. These roles have included retirement plan design, investment performance evaluation, portfolio design, and quantitative investment research. He has also been on the investment committee at a tactical ETF portfolio manager. Prior to his graduate studies, he worked as an analyst in the Asset-Backed Securities Practice at PricewaterhouseCoopers LLP, where he developed payment models of complex, non-agency mortgage-backed securities.

Dr. Henderson has published extensively in peer-reviewed journals and professional books, including the *Journal of Financial Economics*, *Review of Financial Studies*, *Journal of Corporate Finance*, *Journal of Banking and Finance*, *Journal of Portfolio Management*, *Journal of Investment Management*, and *Journal of Fixed Income*. He has contributed chapters to *The Handbook of Fixed Income Securities* and *The Professional Risk Manager's Handbook*.

Mark Maddox, Esq.
Maddox, Hargett & Caruso P.C.
Fishers, Indiana

Mark E. Maddox is a founding partner of Maddox Hargett & Caruso, P.C., one of the nation's largest legal practices concentrating on the representation of securities investors. He has concentrated his career representing investors in disputes with stockbrokers and their firms.

From 1989 - 1991, Mr. Maddox served as the Securities Commissioner for the State of Indiana. During his tenure, he also served on the Indiana Governor's Initiative on Economic Development Policy Panel. Mr. Maddox also led the International Enforcement Committee of the North American Securities Administrators Association as its Chairperson. He served on the Board of Directors of the Public Investor Arbitration Bar Association from 1994 - 2002 and was its President from 1998 - 2000. Mr. Maddox was also a public representative on the NASD Regulation's National Arbitration and Mediation Committee from 1996 - 1998 and 2003 - 2005 and was appointed its Chair for the 2004 - 2005 term. He was admitted to practice before the U.S. Supreme Court in February 1995.

In 1991, Mr. Maddox opened his current private practice that concentrates in the representation of investors in securities arbitration, litigation and regulation. He is a member of the Indianapolis Bar Association and the Indiana State Bar Association where he is a Past Chair of the Securities Sub-Committee. He is an adjunct professor at Butler University where he teaches Business Law to undergraduates.

Mr. Maddox is a graduate of Wabash College (magna cum laude), and earned his J.D. from Vanderbilt University in 1986. He has been a speaker and lecturer for various Continuing Legal Education and securities-related seminars and has been published extensively, most notably the book *Investor Rights for the 21st Century* (2001).

Jenice L. Malecki, Esq.
Malecki Law
New York, New York

Jenice Malecki, Esq. is a well-known New York securities attorney, adjunct professor at NY Law School and has been a FINRA arbitrator and Chairperson. She represents individual and institutional investors in arbitration and litigation, as well as licensed industry participants in regulatory hearings, employment disputes and whistleblower matters. Clients include private and public companies around the world, as well as individuals, from blue-collar workers to athletes, musicians, and billionaire founders of well-known international companies. Malecki Law has represented clients in the United States, many Western European countries, India, China, Hong Kong, Singapore, Israel, Puerto Rico and in several South American countries.

Ms. Malecki is also the Co-Chair of the NYS Bar Association Commercial and Federal Litigation Section's Securities Arbitration Committee. She has been a member of FINRA's National Arbitration and Mediation Committee, on the Board of Directors (and an Officer of) of both the Public Investors Arbitration Bar Association (PIABA) and the PIABA Foundation, as well as has been a member of the Securities and Exchanges Committee at the New York City Bar Association, as well as has been a member of the American and New York State Bar Associations. She has spoken at the Practising Law Institute (PLI), the New York City Bar Association and the New York County Lawyers Association on several panels, and at Fordham Law School, St. John's Law School, Brooklyn Law School and New York L.Jaw School, in addition to speaking at PIABA's annual conferences. Ms. Malecki has also participated in mock trials at Yale, Columbia, Albany, Fordham and FINRA.

Jenice L. Malecki's experience as a New York securities attorney began in class action litigation, *In re Crazy Eddie*, counsel's office of the lead plaintiffs. Throughout the 1990s she represented numerous broker dealers and was instrumental in regulatory matters against well-known "boiler room" stock fraud of the era, including working with people and firms associated with the notorious "Wolf of Wall Street." In 1999 Ms. Malecki founded her own practice, MALECKI LAW, in Manhattan.

Ms. Malecki has been a "Top Attorney" according to Super Lawyers and the National Law Journal, featured in the New York Times Magazine, New York Magazine, National Law Journal and other publications, as well as being named as one of "New York's Women Leaders in the Law 2014." Ms. Malecki is Martindale- Hubbell's highest legal

ability rating of "AV Preeminent." She appears regularly on TV, in the news and on the radio. She is a frequent bar association and law school speaker, as well as a seasoned authority on New York law, who frequently files official comments for consideration on new rules and laws. In 2014, 2015 and 2019, she visited Senators and House of Representatives members' offices to gain support for investor related laws.

Thomas D. Mauriello, Esq.
Mauriello Law Firm, APC
San Diego, California

Tom Mauriello is the principal of the Mauriello Law Firm, APC in San Diego, which he founded after beginning his legal career at a large national plaintiffs' securities class action firm. The firm focuses on investment disputes representing investors in FINRA arbitrations and courts and also has represented registered representatives, broker dealers, institutional investors, and issuers in various contractual, operational, employment, and other matters. Tom is a member of the California, New Jersey and Pennsylvania bars. He received his BA from Brown University in 1983 and his JD from the University of San Diego School of Law in 1988. Prior to law school, he worked as a paralegal at a New York City law firm registering securities offerings with the SEC and state securities regulators. After law school, Tom served as a judicial clerk to Judge Robert E. Cowen of the U.S. Court of Appeals for the Third Circuit. He is in his second term on the Board of Directors of the Public Investors Advocate Bar Association ("PIABA"), where he has served as secretary and currently serves as treasurer.

Lance McCardle, Esq.
Fishman Haygood Phelps Walmsley Willis & Swanson LLP
New Orleans, Louisiana

Lance C. McCardle is a Partner in the law firm of Fishman Haygood, L.L.P. in New Orleans, Louisiana. He practices in the Firm's Litigation section, primarily in the areas of securities arbitration and litigation and general commercial litigation. Lance presently serves on the Editorial Board of the *Piaba Bar Journal*, and he is a member of the ABA Securities Law Committee, serving on the Securities Arbitration Subcommittee. Lance regularly represents investors in cases against brokers and investment advisors. He has represented several investors in cases against independent broker-dealers involving the sale of direct participation programs and multiple institutions in cases relating to the sale of auction rate securities.

He received his Juris Doctor, *magna cum laude*, and Masters in Business Administration from Loyola University in 2005. While in law school, Lance served on the Editorial Board of the *Loyola Law Review* and was the Oralist/Briefwriter for the school's First Amendment Moot Court Competition Team. He is the author of *Despite Congress's GOOD Intentions, the DMCA Produces a BAD Result: A Means to Create Monopolies*, published in 2004 in the *Loyola Law Review* and *Why Might A Broker Prefer To Be In Court, Not Arbitration* in *HANDLING A SECURITIES CASE: FROM INVESTIGATION TO TRIAL AND EVERYTHING IN BETWEEN*, published by the Practising Law Institute in 2012.

Lance is a fellow of the Louisiana Bar Foundation and a member of the Louisiana State, Federal, and American Bar Associations, as well as the American and Louisiana Associations for Justice. He has taught skills classes at Loyola University College of Law and Media Law at Tulane University. He is also a member of the St. Thomas More Inn of Court, and previously served as a Director of the Younger Lawyers Division of the New Orleans Chapter of the Federal Bar Association. Lance has been recognized in *The Best Lawyers in America* and *Super Lawyers* in the area of securities, and he has been named a Top Lawyer by *New Orleans Magazine*, and Future Star in *Benchmark Litigation*. He can be contacted at (504) 586-5298 or lmccardle@fishmanhaygood.com.

Debra G. Speyer, Esq.
Debra Speyer Law Firm
Bala Cynwyd, Pennsylvania

Debra G. Speyer is principal of the Law Offices of Debra G. Speyer and handles arbitrations throughout the United States. When she is not at her law office, she can be found on her solar powered farm raising heritage Scottish long horned Highland cattle, Galloway cattle, Llamas, and Dorper and Kahadian sheep.

Before going into private practice in 1990, Debra was an attorney with the Enforcement Division of the National Association of Securities Dealers (now known as FINRA) prosecuting brokerage firms and stockbrokers for investment fraud and regulatory violations. Prior to that, she was an attorney and vice president with Thomson McKinnon Securities, Inc., an international brokerage firm which later merged with Prudential Securities. While at Thomson McKinnon, she passed every stockbroker and brokerage firm examination that the securities industry offered, including all options and commodities examinations.

Debra holds a law degree, a master's degree in finance with a thesis on program trading and stock markets, and a bachelor's degree in accounting. Prior to entering law school, she was an accountant. She has been listed in Philadelphia Magazine's Best Lawyers, SuperLawyers, Suburban Magazine and Mainline Magazine for her work handling securities fraud and elder law matters. She is also listed in Who's Who in American Law and Who's Who in America. She was honored by the National Organization of Women Business Owners with their "Women Making History" award. Debra is a member of the Million Dollar Advocates Forum for her securities arbitration work. The Million Dollar Advocates Forum is limited to attorneys who have won million - and multi-million-dollar verdicts and settlements.

Jane L. Stafford, Esq.
Stafford Law Firm LLC
Prairie Village, Kansas

Jane L. Stafford founded her firm after gaining more than 20 years securities law experience with several highly regarded firms. Ms. Stafford focuses her practice in the area of securities law representing clients in addressing compliance, enforcement and regulatory matters as well as investors seeking recovery of lost money.

Areas of Practice: Investment Advisors; Broker-Dealers; Individual Investors; General Securities; Enforcement Work; Individual Registered Representatives; Issuers; Corporate Governance; Contested Estate Matters

Bar Admissions: Missouri

Education: American University, Washington College of Law, Washington, District of Columbia; Vanderbilt University, Nashville, Tennessee, Bachelor of Arts

Professional Associations and Memberships: Kansas City Securities Association, 1991 - Present
Director and Officer; Securities Industry Association, Legal and Compliance Division; Missouri Bar, 1992 - 1994,
Vice Chairman Business Law Committee; Missouri Bar, 1995 - Present, Member Continuing Legal Education
Committee; Kansas City Metropolitan Bar Association, 1994 - 1995
Chairman; Kansas City Metropolitan Bar Association, 2001 - 2003, Vice Chairman; Kansas City Metropolitan Bar
Association, 1995 - 1996, Securities Committee and member Corporate Law Committee

Dr. Stacey Wood PhD
Stacey Wood PhD
Claremont, California

Dr. Stacey Wood PhD ABPP is the Molly Mason Jones Professor of Psychology at Scripps College in Claremont, CA and is board certified in Geropsychology.

Dr. Wood received a B.A. in Bio- Psychology from Middlebury College, and a MA and PhD in Clinical Neuropsychology from the University of Houston. Dr. Wood completed further training as an intern at the University of Arizona and as a NIMH (National institute of Mental Health funded) post-doctoral Fellow at UCLA.

Dr. Wood's research has examined factors that increase susceptibility in fraud victims, tactics that are commonly employed by scammers, and the psychological effect on these crimes on the victims with an emphasis on elderly victims.

Dr. Wood has published over 70 papers in peer-reviewed journals. Dr. Wood has had research funding from NIH, NIJ, Robert Wood Johnson Foundation, the Haynes Foundation, the Borchard Foundation among others.

In her other life, Dr. Wood works as a consulting psychologist on cases related to elder financial exploitation for Adult Protective Services and as a court appointed expert. In this role, Dr. Wood has testified over 40 times in State and Federal courts, as well as at FINRA hearings.