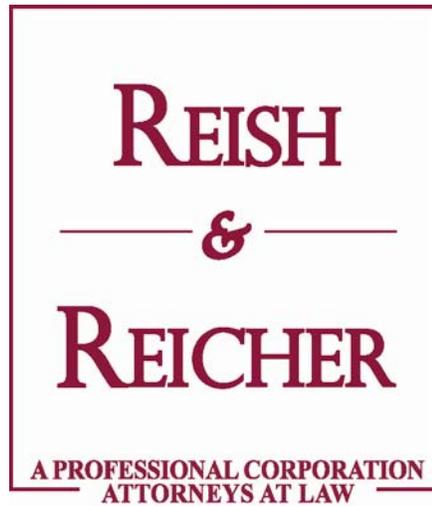




Gary Sutherland

CEO, North American Professional Liability Insurance Agency, LLC

Mr. Sutherland has over 20 years of insurance experience and founded North American Professional Liability Insurance Agency, LLP (NAPLIA) in 1998. NAPLIA has grown to be one of the leading writers of professional liability insurance specializing in financial professionals and was named to Entrepreneur's list of fastest growing companies in America. Mr. Sutherland holds the prestigious designation of Certified Insurance Counselor (CIC), an honor attained by only 2% of all insurance brokers. Mr. Sutherland's expertise is well acknowledged and he regularly speaks at national conferences, including those of Fiduciary360, CFDD and large accounting firms.



JASON C. ROBERTS, ESQ.

COMPENDIUM, BIOGRAPHY, AND REFERENCES

February 25, 2010

Jason C. Roberts, Esq.

JasonRoberts@Reish.com



Jason Roberts is a partner of the law firm of Reish & Reicher, specializing in employee benefits and securities regulation, and is the co-chair of the Financial Services Practice Group.

Professional Experience

He counsels broker-dealers, registered investment advisers (RIAs), hedge funds, private equity funds, retirement plan sponsors and plan providers in ERISA and investment-related matters. Jason represents clients and serves as an expert witness in federal and state court at the trial and appellate level and in arbitrations before FINRA. He also counsels clients involved in government enforcement proceedings and employment disputes.

Professional Activities

Jason currently serves on the steering committee for the American Society of Pension Professionals and Actuaries (ASPPA) 2010 and 2011 401(k) Summits. He also sits on the Editorial Advisory Board of the Employer Resource Institute's California Employer Adviser and the Board of Directors for the Los Angeles Chapter of the Financial Planning Association (FPA), overseeing Professional and Legislative Issues/Government Relations. Jason serves on the Investment Fiduciary Leadership Council's (IFLC) Task Force on Fiduciary Standards for Endowments & Foundations and is a co-director of IFLC's Southern California Fiduciary Roundtable. He is a junior board member for Petra Nemcova's Happy Hearts Fund, a non-profit organization that seeks to improve children's lives through education and sustainable programs in natural disaster areas, and is an active fundraiser and volunteer for the Albergue de Maria, a humanitarian home for children with AIDS.

Publications & Presentations

Jason has published numerous articles on fiduciary best practices, ERISA compliance and securities regulation. He is a nationally-recognized speaker on issues such as fiduciary compliance, the efficacy of retirement savings programs and service provider due diligence and disclosure requirements. Jason is frequently quoted and interviewed by both professional and public publications, including *The Wall Street Journal*, *InvestmentNews*, *Dow Jones News*, *Registered Rep.*, *Ignites*, *PLANSPONSOR Magazine*, *PlanAdviser Magazine*, *Institutional Investor*, *Fund Action*, and *FSI Voice*, and was nominated by his peers as one of the "Top Influencers" of the 401k industry in 2007, 2009 and 2009.

Education

Jason received his B.S.B.A. in Finance & Banking from the University of Missouri and his J.D. from the University of California, Los Angeles (UCLA). He was a recipient of the B.E. Witkin Award for both Contracts and Legal Writing and Research and was an articles editor for the UCLA Law School Journal of Law and Technology. In 2002, Jason served as a judicial extern for the Honorable Sandra Brown Armstrong in the United States District Court for the Northern District of California. He is a graduate of FINRA's Compliance Boot Camp and has obtained the designation of Accredited Investment Fiduciary Analyst™ from the Center for Fiduciary Studies in association with the Katz Graduate School of Business, University of Pittsburgh.

COMPENDIUM OF SPEECHES, PUBLICATIONS AND QUOTES 2007 TO PRESENT

TOPIC	EVENT
UPCOMING SPEAKING ENGAGEMENTS	
“ERISA Compliance”	<u>Speech</u> : FINRA Annual Conference, Baltimore, MD 5/27/10
“DOL New Rulings and Regulations”	<u>Speech</u> : IRS/ASPPA Mid-Atlantic Benefits Conference, Philadelphia 5/24/10
“Guaranteed Income”	<u>Panelist</u> : UBS Financial Services Inc., Annual Adviser Conference, Newport, RI, 5/10/10
“ERISA Litigation and Fiduciary Best Practices”	<u>Speech</u> : UBS Financial Services Inc., Annual Adviser Conference, Newport, RI, 5/10/10
“401(k) Participant Advice: What You Need to do to Protect Your Plan Sponsors and Yourself”	<u>Speech</u> : fi360 Annual Conference, Orlando, FL 5/6/10
“‘Ask the Expert’: An Open Discussion on Fiduciary Exposure and ERISA Bonding”	<u>Speech</u> : fi360 Annual Conference, Orlando, FL 5/7/10
“TBA”	<u>Speech</u> : Catlin Consortium, Boca Raton, FL 4/28-30/10
“Pending Litigation and Legislative Update”	<u>Speech</u> : MassMutual, Annapolis, MD, 4/21/10
“Evergreen Conference Center at Stone Mountain”	<u>Speech</u> : SEBC Conference, Stone Mountain, GA 4/20/10 [2:30-3:10PM]
“Guaranteed Income”	<u>Panelist</u> : UBS Financial Services Inc., Annual Adviser Conference, Miami, 4/19/10
“ERISA Litigation and Fiduciary Best Practices”	<u>Speech</u> : UBS Financial Services Inc., Annual Adviser Conference, Miami, 4/19/10
“Guaranteed Income”	<u>Panelist</u> : UBS Financial Services Inc., Annual Adviser Conference, Newport Beach 3/17/10
“ERISA Litigation and Fiduciary Best Practices”	<u>Speech</u> : UBS Financial Services Inc., Annual Adviser Conference, Newport Beach 3/17/10
“Inadvertent Fiduciary Status: Common Pitfalls for Service Providers and Opportunities for Acknowledged Fiduciaries”	<u>Speech</u> : ASPPA 401(k) Summit, Orlando, FL, 3/16/10
“Legal and Compliance Update”	<u>Speech</u> : ASPPA 401(k) Summit, Orlando, FL, 3/15/10
“Ask an Expert: Compliance and ERISA-Related Issues”	<u>Panelist</u> : A Bold New World of Compliance, Ascendant Conference, Santa Monica, 3/10/10
“Recent Trends in ERISA Regulations: Opportunities”	<u>Speech</u> : A Bold New World of Compliance, Ascendant Conference, Santa Monica, 3/10/10

“Regulatory Enforcement and Litigation”	<u>Speech</u> : A Bold New World of Compliance, Ascendant Conference, Santa Monica, 3/10/10
“Preparing for DOL Examinations and Responding to Information Requests”	<u>Speech</u> : A Bold New World of Compliance, Ascendant Conference, Santa Monica, 3/10/10
February 2010	
“Senate Bill Stirs Retirement Plan Lobby”	<u>Quote</u> : <i>InvestmentNews</i> , February 21, 2010
“Compliance and Risk Management”	<u>Speech</u> : NSCP West Coast Meeting, San Francisco
“Legislative Update”	<u>Speech</u> : Compliance Roundtable, La Canada,
January 2010	
“New 401(k) Regulations Could Prompt More Advisers to Move Toward Flat Fees”	<u>Quote</u> : <i>InvestmentNews</i> , January 3, 2010
December 2009	
“DOL Regulatory Updates Teleconference”	<u>Speech</u> : Teleconference, CPI Qualified Plan Consultants, Inc.
“2010 Push for Income in DC Plans Expected”	<u>Quote</u> : <i>InvestmentNews</i> , December 13, 2009
November 2009	
“401(k) Advice Faces Critical Test in House”	<u>Quote</u> : <i>InvestmentNews</i> , November 29, 2009
“Labor Department to Rework Advice Reg”	<u>Quote</u> : <i>InvestmentNews</i> , November 22, 2009
“Labor Department Scraps Investment Advice Rule”	<u>Quote</u> : <i>InvestmentNews</i> , November 19, 2009
“Labor Department Cracking Down on Broker-Driven Rollovers”	<u>Quote</u> : <i>InvestmentNews</i> , November 18, 2009
“One way to Break Into the 401(k) Market”	<u>Quote</u> : <i>InvestmentNews</i> , November 15, 2009
“The Next Level: Key Focus Areas for Plan Advisors”	<u>Speech</u> : Co-presenter, NRP Annual Conference, Palm Springs
“Investment Advice and You a Winning Combination”	<u>Speech</u> : Co-presenter, NRP Annual Conference, Palm Springs
October 2009	
“Protect Yourself: Customer Arb Filings Continue To Rise”	<u>Quote</u> : <i>RegisteredRep.com</i> , October 29, 2009

- “Labor of Love: Department of Labor Scrutiny on Investment Advisers” Speech: MarketCounsel Member Summit, Princeton, NJ
- “Customizing Your Own QDIA Asset Allocation Solution” Speech: Co-presenter, CFDD Advisor Conference, Scottsdale, AZ
- “Advanced ERISA: The Pension Protection Act of 2006- Its Impact on Advisers and Brokers” Speech: National Society of Compliance Professionals Conference, Philadelphia, PA
- “Fiduciary Compliance and ERISA Plan Governance” Speech: National Society of Compliance Professionals Conference, Philadelphia, PA
- “Trends, Claims & Settled Cases: How To Use Professional Liability Insurance To Grow Your Business” Speech: Co-presenter, CFDD Advisor Conference, Scottsdale, AZ

September 2009

- “Walking a Tightrope” Quote: *Planadviser*, September-October 2009
- “The Great Default” Panelist: Planadvisor National Conference, Orlando, FL
- “Congress to Tackle Rule on Retirement Advice” Quote: *InvestmentNews*, September 20, 2009
- “DOL Green Lights Summary Prospectus for DC Plans” Quote: *Ignites*, September 10, 2009
- “Investment Advice and Retirement Plan Participants” Interview: by Kristen McNamara, DowJones Newswire, Dow Jones NewsPlus, September 2009 <http://link.brightcove.com/services/player/bcpid12786682001?bclid=16952128001&bctid=39593169001>
- “Washington Update” Speech: QA3 Financial National Sales Meeting, Indianapolis, IN
- “Washington Update” Speech: Triad Advisors National Sales Meeting, San Diego
- “Pitfalls for Registered Representatives Under ERISA” Article: *LIMRA Regulatory Review*, September 2009

August 2009

- “Washington Update” Speech: Transamerica Retirement Services Regional Sales Conference, Santa Monica
- “Regulatory Challenges Under Proposed Reform Agenda” Speech: LIMRA Regulatory Summit 2009, Windsor, CT
- “Introduction to Retirement Plan Foundations Update from Capitol Hill” Speech: Pre-conference Workshop, LPL National Sales Conference in San Diego
- “Washington Update” Speech: Transamerica Retirement Services Regional Sales Conference, Chicago, IL

“Washington Update”

Speech: CUNA Mutual Group, Retirement Plan Services Boston Symposium, Boston, MA

July 2009

“Employees Name Investment Adviser in 401(k) Suit”

Quote: *InvestmentNews*, July 19, 2009

June 2009

“Insurance-Affiliated Brokers Face Major Changes Under Obama Plan”

Quote: *InvestmentNews*, June 28, 2009

“Bill Advances to Require 401(k) Fee Disclosure”

Quote: *MarketWatch*, June 24, 2009

“Litigation and Enforcement Trends”

Speech: LIMRA/LOMA- Market Conduct Exchange Annual Meeting, Las Vegas, NV

“Disclosure and Reporting Requirements Post 408(b)(2)”

Speech: Investment Fiduciary Leadership Council, SoCal Fiduciary Roundtable, Irvine, CA

“Corporate Retirement Plans - Crisis in Confidence”

Speech: Co-presentation with Retirement Capital Group and Pension Architects, Corporate Retirement Plan Luncheon, Los Angeles, Costa Mesa, Santa Clara

“Target-Date Funds Under The Microscope”

Quote: *MarketWatch*, June 4, 2009

“Adviser Consents”

Panelist: Investment Fiduciary Leadership Council, SoCal Fiduciary Roundtable, Irvine, CA

“Washington Update”

Panelist: PLANSPONSOR 2009 Plan Designs Conference, Chicago, IL

May 2009

“Uncertain Times: Capitalizing on Opportunities in The Pension Protection Act”

Speech: Co-presenter, Financial Services Institute, Webinar for Financial Advisors

“Uncertain Times: Capitalizing on Opportunities in The Pension Protection Act”

Speech: Co-presenter, Financial Services Institute, Webinar for Broker-Dealers

“Market Volatility and Your 401(k): Meeting your Responsibilities and Managing your Liabilities in today’s Uncertain Environment.”

Speech: The Sullaway Nakashima Group of Wachovia Securities, Escondido and Carlsbad, CA

“RIAs Taking on More Liability”

Quote: *Fund Action*, May 11, 2009

“Unpleasant Surprise May Loom in Fine Print of Andrews Bill”

Quote: *Fund Action*, May 11, 2009

“Fiduciary Participant Advice (PPA): Can It Work in Your Practice and How Do You Manage the Fiduciary Liability”

Speech: fi360 Conference, Scottsdale, AZ

April 2009

“Washington Update for Plan Advisors”	<u>Speech</u> : MassMutual’s Advisor Symposiums, Scottsdale, AZ
“Fiduciary Practices - Study Panel”	<u>Speech</u> : Western Pension & Benefits Spring Conference, Burbank, CA
“Protecting Participants - Fiduciary Advice”	<u>Speech</u> : Western Pension & Benefits Spring Conference, Burbank, CA
“What’s New with 401(k) Fiduciary Compliance”	<u>Speech</u> : Intercare University, Update on 401(k) Fiduciary Compliance, La Jolla and Carlsbad, CA
“Fiduciary Best Practices”	<u>Panel</u> : Moderator, Alpha Hedge 15th Annual Institutional Investment Conference, San Francisco, CA
“Compliance Watch: Watch What You Say About Retirement”	<u>Quote</u> : <i>The Wall Street Journal</i> , April 21, 2009
“Feds Wag Finger at Target Date Funds Amid Losses”	<u>Quote</u> : <i>InvestmentNews</i> , April 12, 2009
“Tips on Managing Investment-Related Risks”	<u>Article</u> : <i>RLR&C Report to Plan Sponsors</i> , Vol. 12, No. 1
March 2009	
“American Funds Sued Over Botched 401(k) Conversion”	<u>Quote</u> : <i>Ignites</i> , March 24, 2009
“Investment Advice for Participants: Capturing Rollovers”	<u>Article</u> : <i>RLR&C Bulletin</i> , March 19, 2009
“Washington Update”	<u>Speech</u> : MassMutual Retirement Services Symposiums, Orlando, FL
“Investment Advice for Participants: Prohibited Transactions and Level Fee Advice”	<u>Article</u> : <i>RLR&C Bulletin</i> , March 12, 2009
“Investment Advice to Participants: What the ‘Final’ DOL Regulation Means”	<u>Article</u> : <i>RLR&C Bulletin</i> , March 4, 2009
“The QDIA Regulations Open the Door for New Default Options”	<u>Quote</u> : Special Issue of <i>Planadviser</i> , 2009 Adviser Buyer’s Guide, March 2009
February 2009	
“401(k) Participants May Have Madoff Claim	<u>Quote</u> : <i>Defined Contribution & Savings Plan Alert</i> , Vol. V, No. 5, February 9, 2009
“Disclosure Obligations Post 408(b)(2)”	<u>Speech</u> : Los Angeles Chapter of the Western Pension and Benefits Conference, Los Angeles, CA
“DOL Final Rules on Investment Advice and their Effect on Broker-Dealers and RIAs Servicing IRAs and Plan Participants”	<u>Speech</u> : Los Angeles Broker-Dealer Compliance Roundtable, NSCP, La Canada, CA

“Experts Mull Whether Advice From Agents Can be Unbiased”

Quote: *InvestmentNews*, February 1, 2009

January 2009

“ERISA & the Employee Retirement Plan Business”

Speech: OneVoice 2009: FSI’s Broker-Dealer Conference, San Antonio, TX

November 2008

“An Overview of the Retirement Plan Marketplace”

Speech: Co-presenter, LIMRA and LOMA’s Compliance and Market Conduct Exchange, San Antonio, TX

October 2008

“Department of Labor Proposals for Rendering Investment Advice on ERISA plans and IRA Accounts”

Speech: Co-presenter, Financial Services Institute, webinar

“Service Contracts For RIAs & BDs Under the DOL’s 408(b)(2)”

Speech: Co-presenter, Center for Due Diligence Advisor Conference, Phoenix, AZ

September 2008

“QDIA Essentials: How to Choose Between Target-Date Funds, Balanced Funds, and Managed Accounts for a Plan—The Pros and Cons of Each”

Speech: Panelist, PLANADVISER National Conference, Orlando, FL

January 2008

“The Pension Protection Act – Challenges and Opportunities”

Speech: Panelist, Financial Services Institute’s Annual Broker-Dealer Conference, Orlando, FL

“Emerging Trends for PPA Fiduciary Advisers”

Article: *ASPPA Journal*, Winter 2008, Vol. 38, No. 1

July 2007

“The Pension Protection Act: What’s in it For You?”

Quote: *FSI Voice*, Summer 2007

January 2007

“The Pension Protection Act: Opportunities and Challenges for Broker-Dealers”

Speech: Co-presenter, Financial Services Institute, webinar

REFERENCES

WRITTEN WORK PRODUCT REFERENCES:

Randy Long	Founder and CEO	SageView Advisory Group, LLC	(800) 814-8742
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Lou Harvey	President	DALBAR	(617) 723-6400
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Jeff Gery	Senior Counsel	Lincoln Financial Group, Inc.	(260) 455-1847
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SPEAKING REFERENCES:

Tracy DeWald	General Counsel	Securities America, Inc.	(402) 399-9111
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Craig Markham	President	MetLife Broker-Dealer Group	(314) 525-9470
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David Bellaire	General Counsel	Financial Services Institute	(770) 980-8488
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