David A. Korn

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***Summary***

Experienced executive with a strong record of leadership, business collaboration, and driving results; areas of expertise include developing and implementing compliance programs compliant with U.S. Sentencing Guidelines and agency Compliance Management System framework; specific focus areas include ethics, risk and claims management, insurance placement, environmental, health, and safety, fleet and DOT compliance, debt collection, antitrust, anti-corruption and anti-bribery, data privacy, intellectual property, marketing and advertising, records management, business continuity and crisis management, *etc.*; extensive experience working collaboratively with business leaders and employees at all levels of the organization to identify, assess and mitigate risks through strategy development and mitigating control implementation; international experience includes China, Japan, Philippines, EU, Brazil, and Canada.

***Employment***

**Aaron’s, LLC**, *Atlanta, GA 2015 to present*

*Chief Compliance Officer*

* Chief Compliance Officer for a ~$2 billion specialty retail company focusing on sub-prime customers through a lease to own transaction with over 12,000 employees, 1500 corporate and franchise stores, 10 manufacturing facilities, 16 distribution/service centers, and 2,700 vehicles.
* Reports quarterly to the Audit Committee and Board of Directors regarding the status of the Company’s Compliance Program, risk assessment results, Enterprise Risk Management and Compliance Management System Programs, ongoing investigations, and other key issues requiring Board disclosure and/or input.
* Creates, directs, and manages audits across key risk areas; works collaboratively with key business, operational, and capability leaders to identify and mitigate key risks through policy development, risk assessments, audits, corrective action plan creation, and closure.
* Manages a team of 30 individuals responsible for creating, implementing, and maintaining the Company’s Compliance, Enterprise Risk & Risk Management Program in compliance with the U.S. Sentencing Guidelines and federal agency Compliance Management Systems framework including:
	+ Policy, procedure and training development, distribution, and tracking
	+ Risk identification and assessment
	+ Mitigating control creation and implementation
	+ Hotline call review and associated investigations
	+ Debt collection and customer complaint management
	+ Insurance placement and claims management
	+ Physical security and loss prevention.
* Specific expertise and management includes antitrust, antibribery, debt collection, enterprise risk, environmental, safety, fleet safety, records management, facility security, loss prevention, third party oversight/due diligence, and risk management.
* Overhauled, redesigned, and rolled out of an enhanced Code of Conduct and employee hotline (Aaron’s Cares), with associated communications, and training.
	+ Creates an environment of leadership commitment, management, and ownership of compliance; prepare regular communications for the CEO and other leaders around ethics and compliance.
	+ Manages and reviews employee hotline calls and investigates as needed; develops trend reports and reporting the same to operational and senior management and the Board of Directors.
* Interacts regularly with various federal agencies (EPA, OSHA, DOT, CFPB, FTC, etc.) and state AGs.

*Transportation*

* Develops and oversees the safety program for a 2700 vehicle fleet consisting of long-haul tractor trailers, 14-foot box trucks and transit vans including policies, training, and risk assessments focusing on:.
	+ Compliance fundamentals, personnel management (driver qualification, CDL standards, drug & alcohol testing
	+ Vehicle management (equipment requirements, inspections)
	+ Accident management and response
	+ Enforcement, penalties, and exam readiness
	+ Tracking driver safety metrics including vehicle damage costs, telematics trends, driver qualification, CSA violations, HOS violations, *etc.*

*Environmental, Health, and Safety*:

* Developed and manages Environmental, Health & Safety compliance standards, policies, procedures, training and audits for stores, manufacturing, distribution, and service centers as well as box truck/CDL fleet.

*Collections and Call Monitoring:*

* Developed and manages Debt Collection and Call Monitoring Program.
* Manages a team of eight Call QA Specialists responsible for implementing Debt Collection and Call Monitoring Program for over 2500 field and call center collectors including training, communicating, monitoring, scoring, and corrective action; follows the spirit of FDCPA.

*Customer Complaints:*

* Manages a team of four employees responsible for responding to customer complaints conducting customer surveys, tracking social media posts, and ensuring appropriate closure.
* Escalates high risk complaints for handling as needed; ensures appropriate closure within 72 hours.

*Risk Management:*

* Manages the Company’s Risk Management Program including determining the appropriate types, amounts and self-insured retentions for the Company’s Casualty, Property, and Executive Liability (D&O) insurance coverage; manages the Company’s Worker’s Compensation Program, auto liability, and general liability claims management program,.
	+ Reduced insurance premiums by 30% YOY (2017-2018) while enhancing and/or adding key coverage terms in all lines.
	+ Reduced WC and AL claims YOY by 22%.
* Established Business Continuity Plan and Crisis Management Program including hurricane and COVID-19 response plans to expedite the return to normal business operations.
* Developed and manages the Enterprise Risk Management Program, working closely with Internal Audit and Legal focusing on the identification and mitigation of key risks.
* Member of the M&A due diligence and integration team.

**Koch Industries – Georgia Pacific LLC,** *Atlanta, GA 2012 to 2015*

*Vice President, Compliance & Ethics, Consumer Products Group*

* Vice-President, Compliance & Ethics, Consumer Products Group in the paper, towel, and paper towel dispenser division.
* Member of the Executive Management Team.
* Supported and led the Company Compliance & Ethics Program through collaboratively working with business leaders to identify commercial risks and noncompliance, develop clear and concise Standards and the associated policies and procedures to ensure compliance, communicate expectations, provide training, conduct assessments, and create corrective action plans to close gaps.
* Led a compliance team of six employees responsible for working with key business leaders to identify risks and create, implement, and manage mitigation activities.
* Provided advice and counsel regarding key risk areas including antitrust, anticorruption, marketing/advertising, data privacy, anti-money laundering, government interaction, intellectual property, product quality, product stewardship, internal investigations, third party compliance, and Code of Conduct.
* Proactively identified compliance risks through risk assessments and compliance audits; regularly reports progress on implementation of compliance plan(s) to Executive Management Team.
* Developed controls and compliance action plans to effectively manage those risks.
* Provided training on various legal, regulatory, and commercial compliance areas (e.g. IP, Antitrust, Data Privacy, Third Party Oversight, *etc*.) in addition to numerous areas specific to the Code of Ethics (*e.g.* Respectful Workplace, Reporting Concerns, Non-Retaliation, *etc.*)
* Monitored and reviewed Guideline calls; conducted and/or coordinated investigations as needed.
* Member of the M&A due diligence and integration team.

**Koch Industries - INVISTA S.à r.l,** *Kennesaw, GA*

*Global Business Compliance Director*

* Global Business Compliance Director for a $2 billion fiber manufacturing company with extensive commercial and manufacturing operations throughout North America, South America, Europe, and Asia.
* Member of the Executive Management Team.
* Responsible for implementation and management of Company's Compliance Program including environmental, health, safety, anti-corruption, governmental interaction, third-party oversight, intellectual property. Management, antitrust, data privacy, anti-money laundering; records and information management, marketing, promotion and advertising, DOT hazardous materials transportation, facility and asset security, and Code of Conduct.
* Works closely and collaboratively with business leaders proactively to address risk, identifying and mitigating compliance, commercial, and environmental, health, and safety risks in business strategies and on-going operations.
* Conducts compliance investigations and risk assessments to proactively identify, manage, and mitigate risks; assists in developing corrective actions plans to address identified risks including those related to FCPA.
* Provides ongoing advice and counsel to business leaders and employees on various commercial and compliance risks and associated strategies to eliminate or mitigate those risks.
* Develops and provided training on various commercial and ethical issues including environmental, health, and safety, anticorruption, antitrust, third-party oversight and due diligence, governmental interaction, *etc.*
* Extensive international experience identifying and managing commercia, anti-corruption, environmental, health, and safety risks in Asia-Pacific (including China, Korea, Japan, Australia, New Zealand, the Philippines), Europe, and South America.

**Zep Inc.***Atlanta, GA (spun-off from Acuity Brands, Inc. in IPO in 2007) 2007 to 2012*

###### Chief Compliance Officer

* Chief Compliance Officer for a $675 million chemical blending company with more than 3,000 products and 350,000 customers.
* Developed and implemented the Compliance and Ethics Program for the newly formed company focusing on commercial and regulatory risks.
* Reported regularly to the Board of Directors and Audit Committee on the status and effectiveness of Company Compliance Program including key developments and future compliance activities.
	+ Recognized by Board of Directors through a Formal Board Resolution for development and sustainability of the Company’s EHS Compliance Program and successful management of Company’s three-year EPA Compliance Agreement (2011).
* *Environmental, Health, Safety & DOT Hazardous Materials Compliance:*
	+ Developed, implemented, and managed a comprehensive program that included policies, procedures, training, auditing, scoring, reporting, and the implementation of corrective actions.
	+ No material findings or monetary penalties despite more than 50 government agency audits (EPA, DOT, OSHA), between 2010 and 2012 at US, European, and Canadian manufacturing and distribution facilities.
	+ Successfully managed Company’s EPA Compliance Program and three-year criminal probation as a result of environmental violations occurring prior to hire date.
	+ Managed Company’s numerous remediation sites with an initial environmental reserve of more than $16M; successfully reduced the environmental reserve by more than $4,8M at three sites by obtaining an agreement with the Georgia Environmental Protection Division to reduce remediation scope.
* *Ethics and Compliance Program*:
	+ Developed, implemented, and managed a company-wide Ethics & Compliance Program including the Code of Ethics and Business Conduct, associated policies, communication calendar, training, employee certification, and the reporting and investigation of ethical or legal issues.
	+ Instilled a culture of compliance/disclosure without fear of retaliation.
* *Facility Security:*
	+ Managed and provided guidance to facilities on security programs (DOT HazMat and DHS C-FATS regulations).
* *Internal Audit (2009-2010):*
	+ Managed internal audit program working closely with both internal auditors and external auditors.
	+ Ensured compliance with the Sarbanes-Oxley, testing “key controls”, and reviewing quarterly SOX 404 Certifications.
		- Reduced the number of key controls tested by 22% in two years.
		- Reduced cost of internal auditors by $124K or 26% through a successful RFP and implementation of flat rate billing.
* *Risk Management Program:*
	+ Managed the Company’s risk management program including determining the appropriate types, amounts and self-insured retentions for the Company’s Casualty, Property, and Executive Liability (D&O) insurance coverage; managed the Company’s Worker’s Compensation Program, Business Continuity Planning, and toxic tort product liability litigation.
* Reduced the number of toxic tort litigation suits by 75% in just over three years through dismissal or *deminimis* settlements allowing a reduction of the Company’s Toxic Tort Reserve by more than $6M.
	+ Reduced the overall costs and rate of the Company’s Property, Casualty, and Executive Liability Programs by more than 20% or $1.1M in Fiscal Years 2011 and 2012.
	+ Reduced the frequency of workplace related injuries by more than 66% from Fiscal Years 2010 through 2012. Reduced claim severity by more than 24% from Fiscal Year 2011 and 2012. Further improvements in key performance indicators including claim reporting, PPO penetration, and claim closure rates.
	+ Designed and implemented Enterprise Risk Management Program to identify, track, and mitigate Company risks.
* *Interim General Manager, Industrial Distribution (2010):*
	+ P&L responsibility for $10M in distribution sales; reduced fixed costs by more than 50%; integrated the business into acquired distribution business.
* General Manager, Zep Equipment & Service Division (2011):
	+ P&L responsibility for $9M equipment business; developed Strategic Plan that focused on market, strategy, structure, and people.
* Member of Acquisition Targeting and Integration Team; four acquisitions with total revenue greater than $210M.

**Acuity Brands, Inc*.****, Atlanta, GA (included Zep Inc.) 2004 to 2007*

*Vice-President, Compliance*

* Vice-President, Chief Compliance Officer for $2.1 billion manufacturing company of commercial and residential lighting and cleaning products; responsible for developing, implementing, and enforcing Compliance Program for corporate headquarters and business units (Acuity Brands Lighting and Acuity Specialty Products).
* Reported regularly to the Board of Directors and Audit Committee on the status and effectiveness of Company Compliance Program including future compliance activities.
* *Ethics and Compliance Program:*
	+ Developed and implemented the Company’s Compliance & Ethics Program including policies, procedures, training, measuring progress and reporting to the Executive Team and the Audit Committee of the Board of Directors.
	+ Revised/updated Code of Ethics and Business Conduct, developed and implemented Ethics & Compliance Training, and prepared and distributed the Company’s Annual Compliance Certification to ensure adherence with the US Sentencing Guidelines, NYSE Rules and Regulations, and Sarbanes-Oxley Act.
	+ Implemented Standard Work; oversaw and provided training on how to conduct investigations on behalf of the Company.
	+ Developed and distributed regular communications to the worldwide workforce on various compliance and Code of Ethics topics including insider trading, anticorruption, confidential information, gifts to/from third parties, and environmental, health, and safety, *etc*.
	+ Managed Company Compliance Hotline and conducted compliance investigations in the US, Mexico, and Europe covering a variety of compliance, regulatory, and employment issues.
* *Environmental, Health, Safety & DOT Hazardous Materials Compliance:*
	+ Managed an EPA mandated Compliance Agreement resulting from historical environmental violations; reported regularly to the EPA regarding the status of the Company’s compliance.
	+ Managed numerous remediation sites with an environmental reserve of more than $7M.
	+ Supervised compliance with federal, state, and local environmental, safety and hazardous materials laws and regulations in the United States, Canada, Mexico, and Europe; in three years, reduced the number of EPA, OSHA, and DOT HazMat violations by more than 50%.
	+ Developed and implemented company-wide Environmental and Safety Management System with specific policies and procedures, training, and facility audits; supported 120 Environmental, Safety & DOT HazMat Coordinators at 11 manufacturing facilities and 41 distribution centers.
		- In three years, reduced both frequency and severity of the workplace related injuries by 9%.

**American Airlines, Inc.*,*** *Fort Worth, TX 1996 – 2004*

*Managing Director, Environmental, Safety, and Compliance (2001 – 2004)*

* Ensured Company compliance with federal, state, and local environmental and safety laws and regulations.
* Managed a staff of 14 environmental/safety professionals and a $2M budget.
* Guided and directed over 900 Environmental and Safety Coordinators at 175 field locations regarding adherence with Company environmental/safety rules and government regulations.
* Developed OSHA and environmental training for Company employees.
* Regularly negotiated with state governments and federal agencies to reduce aircraft and ground service equipment emissions. Participated in the negotiations with the California Air Resources Board (“CARB”) and the South Coast Air Quality Management District (“SCAQMD”) to reduce N0x emissions from the Company’s ground service equipment in service at LAX and John Wayne Airport.
* Coordinated the Company's Quarterly Compliance Meetings with the General Counsel. Compliance issues reviewed included safety, security, and environmental compliance, financial reporting, employee Network Hotline complaints, and significant litigation matters.

*Managing Director, Safety, Security & Environmental Compliance* *(1999 – 2001)*

* Ensured Company compliance with the terms of its federal probation and Safety, Security, and Environmental Compliance Program while supervising a staff of 60 employees.
* Advised Company senior executives and operational managers on the requirements of the Company’s Air Carrier Standard Security Program (“ACSSP”), FAA (“TSA”) Security Directives, environmental, hazardous material transportation, and safety policies and procedures.
* Extensive expertise in passenger and cargo security including passenger checkpoint security, baggage and passenger screening, and cargo acceptance.
* Drafted policies, procedures, and employee training materials to ensure compliance with the Company’s ACSSP and related FAA Security Directives.
* Gained extensive experience in airport and airline operations specifically related to compliance with federal, state, and local safety, security, and environmental regulations.
* Monitored pending industry-related legislation and rulemaking proceedings.

*Attorney, Legal Department (1996 – 1999)*

* Managed and litigated criminal grand jury investigation involving the Company as a result of various violations of federal and state laws including the management and disposal of hazardous waste, dangerous goods/hazardous materials transportation, and cargo security.
* Managed Company's compliance investigations in a variety of areas including fraud, employee grievances, training, discrimination, and conflict of interest.
* Developed the Company's passenger/cargo security policies, procedures, and training. Extensive experience negotiating with state, federal, and local agencies including the FAA, EPA, OSHA, and DOT.
* Managed/litigated various types of commercial, and employment related lawsuits in jurisdictions nationwide.

**Wildman, Harold, Allen & Dixon***, Chicago, IL 1992 – 1996*

*Attorney*

* 200+ attorney firm; managed and litigated commercial litigation cases including breach of contract, product liability, and tort defense.
* Drafted and argued various motions as well as taking and defending depositions.

## *EDUCATION*

* 1. **Washington University Law School***, St. Louis, MO, Juris Doctorate*

Class Rank – Top 15%

Honors: Law Review, Author – Municipal Antitrust Liability: A Question of Immunity, 42 Was. U. J. Urb. & Contem. L. 413 (1992).

Dean’s Academic Scholarship

Congressional Internship – Senate Judiciary Committee

* 1. **University of Michigan***, Ann Arbor, Michigan, Bachelor of Arts*

Graduated with Distinction

University of Michigan Dean’s List - Class Honors – 1989, 1987, 1986.

#### *OTHER*

 ISO9001:2008 Internal Quality Auditor

Member, Ethics and Compliance Officers Association

 Member, Manufacturers Alliance (MAPI), Ethics and Compliance Committee

Member, Risk Management Society