

*Learning Objective: To share information, ideas and experiences on current hot topic regulatory and legislative initiatives with banking/securities attorneys, senior compliance officers, risk managers, internal auditors and regulators where the focus is on high-level discussion of evolving banking and securities law, enforcement proceedings, financial holding company issues, securities underwriting and distribution, and public finance.*

# 2015 Treasury and Capital Markets Legal and Legislative Issues Conference

■ October 22 – 23, 2015

■ Hyatt Regency on Capitol Hill ■ Washington, DC

Ask for the  
2-for-1, Government  
or “First-Timer”  
Registration  
Discount!

Save \$200...Register before September 30.

SATISFY CLE / CPE REQUIREMENTS



## *Why You Should Attend*

- Make new contacts
- High-level peer interaction
- Network with senior regulators

## *More Reasons to Attend*

- Explore industry concerns
- Discuss emerging issues
- Get the latest regulatory and legislative updates

## **ATTENTION!**

- General & Managing Counsel
- Capital Markets & Securities Counsel
- Trust Counsel
- Risk Managers
- Senior Compliance Professionals
- Regulators
- Internal Auditors

## **To Register—**

Call—202/544-6327

Email—[dp-fma@starpower.net](mailto:dp-fma@starpower.net)

Mail—333 2nd Street, NE – #104

Washington, DC 20002

Online—[www.fmaweb.org](http://www.fmaweb.org)



FINANCIAL MARKETS ASSOCIATION

## **2015 Program Planning Committee**

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Randall D. Guynn  
Davis Polk & Wardwell LLP

Malcolm P. Northam  
FMA Board Member

Joseph P. Vitale  
Schulte Roth & Zabel LLP

## Thursday, October 22

7:00 am – 6:00 pm

FMA Registration Desk Open

8:00 – 8:30 am

Continental Breakfast... *Sponsored by Greenberg Traurig, LLP*



8:25 – 8:30 am

Welcome and Morning Announcements

➤ **Barbara R. Mendelson** ■ Partner ■ **Morrison & Foerster LLP**

8:30 – 10:45 am

### 1. GENERAL COUNSELS

Discuss key regulatory and supervisory issues and expectations ■ Provide updates on enforcement developments and priorities

Moderators: **Barbara R. Mendelson** ■ Partner ■ **Morrison & Foerster LLP**

**Matthew T. Martens** ■ Partner (Securities Department) ■ **WilmerHale**

- **Robert L.D. Colby** ■ Executive Vice President & Chief Legal Officer ■ **FINRA**
- **Jonathan L. Marcus** ■ General Counsel ■ **Commodity Futures Trading Commission**
- **Lori H. Price** ■ Associate General Counsel ■ **U.S. Securities and Exchange Commission**
- **Laurie Schaffer** ■ Associate General Counsel ■ **Federal Reserve Board**
- **Karen Solomon** ■ Deputy Chief Counsel ■ **Office of the Comptroller of the Currency (Invited)**
- **Charles Yi** ■ General Counsel ■ **Federal Deposit Insurance Corporation**

10:45 – 11:00 am

Networking Break

11:00 am – 12:00 pm

### 2. LEGISLATIVE UPDATE

Discuss key legislation passed or considered during the 114th Congress

Moderator: **Daniel S. Meade** ■ Senior Counsel/Corporate Regulatory Section ■ **Wells Fargo & Co.**

- **Senior Staff of the U.S. House of Representatives and the U.S. Senate with responsibilities for securities, derivatives and banking policy**

12:00 – 12:40 pm

Deli Lunch... *Sponsored by Morrison & Foerster LLP*

**MORRISON** | **FOERSTER**

12:40 – 1:35 pm

### 3. REGULATORY REFORM

Explore resolution planning ■ Discuss the Financial Stability Board's TLAC proposal ■ Review the ISDA Resolution Stay Protocol ■ Explore Chapter 14 of the Bankruptcy Code ■ Discuss the proper role of the Financial Stability Board in U.S. rulemaking

Moderator: **John L. Douglas** ■ Counsel/Financial Institutions Group ■ **Davis Polk & Wardwell LLP**

- **Randall D. Guynn** ■ Partner & Head of the Financial Institutions Group ■ **Davis Polk & Wardwell LLP**
- **Additional Speakers to be Announced**

*Afternoon Breaks... Sponsored by Schulte Roth & Zabel LLP*

**Schulte Roth & Zabel**

1:35 – 1:45 pm

Networking Break

1:45 – 2:40 pm

#### **4. VOLCKER AND ENHANCED PRUDENTIAL STANDARDS**

Review challenges faced by institutions and regulators in implementing the Volcker Rule, including cross-border issues ■ Discuss adhering to the new prudential regulatory framework, including the development of necessary risk management and corporate governance infrastructures and liquidity and capital planning functions ■ Explore issues related to compliance with IHC structural reforms

Moderator: **Joseph P. Vitale** ■ Partner ■ **Schulte Roth & Zabel LLP**

- **Anna M. Harrington** ■ Counsel ■ **Federal Reserve Board**
- **Additional Speakers to be Announced**

2:40 – 2:50 pm

Networking Break

2:50 – 3:45 pm

#### **5. DEVELOPMENTS IN DERIVATIVES**

Explore issues arising from swap dealer exams and annual reports and the impact of substituted compliance ■ Review key issues surrounding uncleared swaps and margin regulation and the impact on swap dealers and smaller financial market participants ■ Discuss lessons learned and open questions relating to mandatory trading and clearing ■ Review swaps and security-based swaps developments and cross-border implications

Moderator: **Paul M. Architzel** ■ Partner & Chair/Futures and Derivatives Practice ■ **WilmerHale**

- **Cliffe Allen** ■ Director, OTC Derivatives ■ **National Futures Association**
- **Seth P. Bender** ■ Senior Vice President & Senior Legal Counsel ■ **HSBC Securities (USA) Inc.**
- **Brian A. Bussey** ■ Associate Director for Derivatives Policy and Trading Practices, Division of Trading and Markets ■ **U.S. Securities and Exchange Commission**
- **Gregory A. Todd** ■ Director & Associate General Counsel/Global Banking and Markets ■ **Bank of America Merrill Lynch**

3:45 – 3:55 pm

Networking Break

3:55 – 4:50 pm

#### **6. CYBERSECURITY AND DATA PROTECTION**

Outline new trends and responses in the cyber threat environment ■ Discuss legislative and regulatory initiatives in the US and the EU ■ Discuss financial crisis incident management and recovery ■ Update on the work of the FFIEC’s Cybersecurity and Critical Infrastructure Committee, including their new assessment tool ■ Explore the latest developments in data security and privacy on mobile apps, in the Cloud and with respect to “big data” and the “Internet of things” ■ Assessing cybersecurity insurance

Moderator: **Joseph P. Vitale** ■ Partner ■ **Schulte Roth & Zabel LLP**

- **Brian J. Peretti** ■ Director/Office of Critical Infrastructure Protection and Compliance Policy ■ **U.S. Department of the Treasury** (*Invited*)
- **Additional Speakers to be Announced**

4:50 – 5:00 pm

Networking Break

5:00 – 5:55 pm	<b>7. AML / OFAC / FCPA UPDATES</b> Examine recent enforcement actions affecting banks and broker-dealers and lessons to be learned from them ■ Discuss compliance strategies and best practices for handling internal investigations ■ Analyze issues to look out for in future ■ Discuss AML issues posed by emerging technologies ■ Explore FCPA issues related to financial service companies  ➤ <b>Timothy P. Leary</b> ■ Senior Counsel ■ Wells Fargo & Co. ➤ <b>Jerome Walker</b> ■ Partner ■ Windels Marx Lane & Mittendorf, LLP ( <i>Moderator &amp; Speaker</i> ) ➤ <b>Suzanne Williams</b> ■ Assistant Director/Bank Supervision and Regulation Division ■ Federal Reserve Board ( <i>Invited</i> ) ➤ <b>FinCEN Enforcement Division Manager</b>
6:00 pm	Program Adjourns for the Day
6:00 – 7:00 pm	Networking Reception... <i>Sponsored by WilmerHale</i>



## Friday, October 23

7:30 am – 1:15 pm	FMA Registration Desk Open
8:00 – 8:30 am	Continental Breakfast... <i>Sponsored by Davis Polk &amp; Wardwell LLP</i>
8:30 – 10:55 am	<b>8. SEC DIVISION REPORTS</b> Discuss key regulatory initiatives and exam priorities in the respective divisions ■ Discuss current and future hot topic issues, including any regulatory initiatives generated by Congress, the FSOC, the FSB and IOSCO  Moderator: <b>Annette L. Nazareth</b> ■ Partner ■ Davis Polk & Wardwell LLP  ➤ <b>Andrew J. Ceresney</b> ■ Director ■ Division of Enforcement ➤ <b>Mark J. Flannery</b> ■ Director ■ Division of Economic and Risk Analysis ➤ <b>David Grim</b> ■ Director ■ Division of Investment Management ➤ <b>Paul A. Leder</b> ■ Director ■ Office of International Affairs ➤ <b>Stephen Luparello</b> ■ Director ■ Division of Trading and Markets ➤ <b>Kyle L. Moffatt</b> ■ Associate Director, Disclosure Operations ■ Division of Corporation Finance ➤ <b>Marc Wyatt</b> ■ Acting Director ■ Office of Compliance Inspections and Examinations
10:55 – 11:05 am	Networking Break
11:05 am – 12:05 pm	<b>9. DEALER SALES PRACTICES AND REGULATORY ENFORCEMENT</b> Regulator expectations for suitability and elderly clients ■ Searching for yield with sub-prime or complex products ■ Responding to SEC and FINRA investigations ■ Disclosing bond mark-ups  Moderator: <b>Malcolm P. Northam</b> ■ FMA Board Member ■ former FINRA Director of Fixed Income Regulation  ➤ <b>Barry Goldsmith</b> ■ Partner ■ Gibson, Dunn & Crutcher LLP ➤ <b>Jeffrey S. Holik</b> ■ Shareholder ■ Shulman, Rogers, Gandal, Pordy & Ecker, P.A. ➤ <b>James S. Wrona</b> ■ Vice President/Office of the General Counsel ■ FINRA

All sessions are closed to the press. ■ Audio & video recording of all sessions is prohibited.  
FMA reserves the right to amend program content without prior notification.

12:05 – 12:15 pm

Networking Break

12:15 – 1:15 pm

## 10. COMPLIANCE OFFICER PERSONAL LIABILITY

How do regulators decide whether or not to pursue personal liability against chief compliance professionals? ■ What steps can a firm or individual take to minimize risk? ■ Which recent enforcement actions against compliance professionals are instructive? ■ What are the latest trends in advancement of fees and indemnification of expenses for actions against compliance professionals?

- **Richard M. Alexander** ■ Partner/Financial Services Practice Group ■ **Arnold & Porter LLP**
- **William B. Mack** ■ Of Counsel ■ **Greenberg Traurig, P.A.** (*Moderator & Speaker*)
- **Michael J. Watling** ■ Senior Litigation Counsel ■ **FINRA**

1:15 pm

Program Adjourns

## Conference Sponsors

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Mail: 333 2nd Street, NE ■ #104  
Washington, DC 20002

**Hotel:** Hyatt Regency Washington (on Capitol Hill) ■ 400 New Jersey Avenue, NW ■ Washington, DC 20001  
■ 20 minutes from Washington Reagan National Airport; 75 minutes from Dulles International Airport; 90 minutes from BWI Airport ■ **Reservations:** 888/421-1442 or <https://aws.passkey.com/g/50460980> (dedicated FMA online reservations link) ■ **Phone:** 202/737-1234 (main hotel #) ■ **Rate:** \$259 ■ FMA's group rate expires **September 30**. Make your reservation (guaranteed with a major credit card) before that date and, if making a reservation by phone, mention the "Financial Markets Association" to get the group rate ■ **Suggested attire:** business to business casual.

## Registration Form Yes, I'm interested in receiving CLE / CPE accreditation in the following state(s) \_\_\_\_\_ (circle one)

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Payment enclosed with this form  Visa / Master Card / American Express Exp. Date \_\_\_\_\_  
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Please invoice my firm

**Until September 30, the Early Bird registration for FMA Members is \$995; \$1,195 for non-members.** As a special offer, the non-member registration includes a one-year complimentary FMA membership. After September 30, the fees increase to \$1,195 and \$1,395, respectively. **2-for-1 team, government/agency and "first-timer" discounts are available...ask Dorcas Pearce for details.** Please circle the correct amount.

**Refund and Cancellation Policy:** Requests for refunds must be received in writing by September 30 and will be subject to a nonrefundable \$100 cancellation fee; no refunds after September 30. Substitutes are always acceptable—please notify FMA beforehand of such substitutions or at check-in at the FMA Registration Desk. FMA assumes no liability for travel/lodging costs by the attendee in the event the program is canceled. For more information regarding administrative issues (i.e., refund, complaint or program cancellation), please contact FMA at 202/544-6327 and ask for Dorcas Pearce.

**Payment is required by check, EFT or credit card (Visa / Master Card / American Express) prior to October 9.** No registration is considered final until payment is received. If payment is not received prior to the conference start, you must provide payment upon check-in at the FMA Registration Desk. On-site registration is also available.



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**Prerequisites:** FMA recommends that attendees have at least 3 years of relevant experience in a field closely aligned to broker-dealer or banking law and/or compliance/audit/risk management. Such experience might include course work, regulatory or examiner job experience or similar professional work-related experience.

**Advance Preparation:** None ■ **Recommended CPE hours:** 14.5 ■ **Type of Delivery Method:** Group-Live

**Level of Learning:** Advanced ■ **Field of Study:** Auditing

**Continuing Legal Education:** CLE accreditation regulations vary from state to state. In past years, this program has been approved for CLE credits in multiple jurisdictions. When registering, indicate your interest in obtaining CLE and FMA will: 1) prepare and submit the form(s) in the state(s) of your choice; or 2) provide required materials for the attorney to submit the CLE application. Ask Dorcas Pearce for details and advise her prior to the conference of imminent deadlines for filing. FMA will not be responsible for individuals' annual reporting deadlines and/or late fees. State filing fees will be assessed to the individual. At this time, approximately 12.0 CLE hours are projected in 60-minute states; 14.5 CLE hours in 50-minute states.

**Additional accreditations:** FMA's educational programs are designed to fulfill the continuing education needs of professionals in the financial services industry. Contact Dorcas Pearce at 202/544-6327 or [dp-fma@starpower.net](mailto:dp-fma@starpower.net) for more information. Application filing fees will be assessed to the individual.