

*A valuable forum for sharing information, ideas and experiences on current "hot topic" regulatory and legislative/agency initiatives for banking/securities attorneys, senior compliance officers and regulators...the focus is on high-level discussion of current banking and securities law, enforcement proceedings, financial holding company issues, securities underwriting and distribution, and public finance.*

## 2005 Treasury and Capital Markets

# Legal and Legislative Issues Conference

- October 20–21, 2005
- L'Enfant Plaza Hotel
- Washington, DC



### ATTENTION!

General & Managing Counsel  
Capital Markets & Securities Counsel  
Trust Counsel  
Senior Compliance Professionals  
Regulators

*Why You Should Attend*

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

*More Reasons to Attend*

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

### 2005 PROGRAM PLANNING COMMITTEE

Russell J. Bruemmer  
Wilmer Cutler Pickering  
Hale and Dorr LLP

M. Patricia Oliver  
BB&T Corporation

Douglas E. Harris  
Promontory Financial Group, LLC

Barbara R. Mendelson  
Morrison & Foerster LLP

Richard W. Knaub  
Banc of America Securities LLC

Victoria P. Rostow

**SATISFY CLE / CPE  
REQUIREMENTS**



FINANCIAL MARKETS ASSOCIATION

# Thursday, October 20

8:45 – 10:15 am

## BANKING GENERAL COUNSELS

- ▶ **Scott G. Alvarez**, General Counsel  
**Board of Governors of the Federal Reserve System** ■ Washington, DC
- ▶ **John E. Bowman**, Chief Counsel  
**Office of Thrift Supervision** ■ Washington, DC
- ▶ **William F. Kroener III**, General Counsel  
**Federal Deposit Insurance Corporation** ■ Washington, DC
- ▶ **Daniel P. Stipano**, Deputy Chief Counsel  
**Office of the Comptroller of the Currency** ■ Washington, DC

10:25 – 11:25 am

## CURRENT DEVELOPMENTS

- Push Out Issues ■ Bank Trading Activities ■ Anti-Tying/Affiliate Transaction Developments  
■ Asset Management ■ International Linkages ■ Private Equity and Corporate Finance
- ▶ **Robert L. Tortoriello**, Partner  
**Cleary, Gottlieb, Steen & Hamilton** ■ New York, New York

11:25 am – 12:25 pm

## INFORMATION SECURITY AND DATA PROTECTION

- Federal and State Security and Security Breach Notification Requirements ■ Identity Fraud v. Account Fraud and Who Should Notify ■ Practical Problems in Dealing with Security Breaches
- ▶ **David L. Cavicke**, Chief Counsel for Commerce, Trade and Consumer Protection (*Invited*)  
General Counsel, **House Committee on Energy and Commerce** ■ Washington, DC
  - ▶ **Oliver I. Ireland**, Partner/Financial Services  
**Morrison & Foerster LLP** ■ Washington, DC
  - ▶ **Kathryn D. Kohler**, Assistant General Counsel  
**Bank of America Corporation** ■ Charlotte, North Carolina

12:25 – 12:55 pm

Deli Lunch

12:55 – 1:55 pm

## LEGISLATIVE PANEL

- Representatives will address key legislation in their respective committees during the remainder of the 109th Congress and likely priorities during the 110th.
- ▶ **Carter K. McDowell**, Chief Counsel  
**House Financial Services Committee** ■ Washington, DC
  - ▶ **Additional Speakers to be Announced**

2:05 – 2:50 pm

## CRISIS MANAGEMENT

- Crisis Management Process Principles ■ Crisis Planning and Anticipation ■ Crisis Resolution  
■ Managing Relationships with Shareholders, the Media, the Public, Analysts and Regulators ■ The Importance of Independent Review and Investigation
- ▶ **Charles F. Bowman**, Principal Compliance Executive  
**Bank of America** ■ Charlotte, North Carolina
  - ▶ **Douglas E. Harris**, Managing Director  
**Promontory Financial Group, LLC** ■ New York, New York

2:55 – 3:40 pm

## CURRENT TRENDS IN ENFORCEMENT ACTIONS

- Actions by Regulators ■ Worldcom
- ▶ **Glenn C. Colton**, Partner/Securities & Commercial Litigation and White Collar Criminal Defense  
**Wilson Sonsini Goodrich & Rosati** ■ New York, New York
  - ▶ **David Futterman**, Associate General Counsel  
**Bank of America Corporation** ■ New York, New York
  - ▶ **David A. Weintraub**, Managing Director  
**Bear, Stearns & Co. Inc.** ■ New York, New York

3:50 – 4:50 pm

## DEVELOPMENTS IN SECURITIES OFFERINGS

1933 Act Reforms ■ Regulation AB

- ▶ **Anna H. Glick**, Partner/Capital Markets  
**Cadwalader, Wickersham & Taft LLP** ■ New York, New York
- ▶ **Michael Kaplan**, Partner/Capital Markets  
**Davis Polk & Wardwell** ■ New York, New York
- ▶ **Isaac Osaki**, Associate General Counsel  
**Banc of America Securities LLC** ■ New York, New York

5:00 – 6:00 pm

## DERIVATIVES AND COMPLEX STRUCTURED TRANSACTIONS

Update on Interagency Statement on Complex Structured Finance ■ Recent OCC Interpretive Letters on: Bank Products with Embedded Derivatives, Financial Intermediation of Commodities, Electricity and Derivatives, and Risk Management ■ Basel II Treatment of Derivatives ■ Derivatives Under the New Bankruptcy Code

- ▶ **Conrad G. Bahlke**, Partner  
**Weil, Gotshal & Manges, LLP** ■ New York, New York
- ▶ **Ellen Broadman**, Director/Securities and Corporate Practices Division  
**Office of the Comptroller of the Currency** ■ Washington, DC
- ▶ **Isaac Lustgarten**, Partner/Financial Services Regulation  
**McDermott, Will & Emery LLP** ■ New York, New York

6:00 – 7:00 pm

Reception *(Sponsored by The Secura Group)*

# Friday, October 21

9:00 – 10:00 am

## SECURITIES/COMMODITIES GENERAL COUNSELS

- ▶ **Patrick J. McCarty**, General Counsel *(Invited)*  
**Commodity Futures Trading Commission** ■ Washington, DC
- ▶ **Representative (Invited)**  
**U.S. Securities and Exchange Commission** ■ Washington, DC

10:15 – 11:15 am

## BANK SECRECY ACT / ANTI-MONEY LAUNDERING AND RELATED DEVELOPMENTS

Regulatory Developments in the U.S. and Abroad Relating to Anti-Money Laundering Enforcement ■ Best Practices in Financial Institutions to Keep Pace with Evolving Regulatory Expectations and Increasingly Sophisticated Criminal Conduct ■ Protecting Your Institution in the Current Regulatory Environment

- ▶ **Elizabeth T. Davy**, Partner/Financial Institutions Group  
**Sullivan & Cromwell LLP** ■ New York, New York
- ▶ **Michael A. Dawson**, Managing Director  
**Promontory Financial Group, LLC** ■ Washington, DC
- ▶ **Representative (Invited)**  
**Financial Crimes Enforcement Network** ■ Vienna, Virginia

11:30 am – 1:15 pm

## SEC DIVISION REPORTS

- ▶ **Antonia Chion**, Associate Director/Division of Enforcement
- ▶ **Mary Ann Gadziala**, Associate Director/OCIE
- ▶ **Jennifer B. McHugh**, Senior Advisor to the Director *(Invited)*  
Division of Investment Management
- ▶ **Linda Stamp Sundberg**, Senior Special Counsel - Banking and Derivatives/Office of the Chief Counsel, Division of Market Regulation
- ▶ **Representative/Division of Corporation Finance (Invited)**

1:15 pm

Adjournment

*All sessions are closed to the press.*

*FMA reserves the right to amend program content without prior notification.*

# General Information

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**Ways to Register:**

**Phone:** 703/749-1579      **Fax:** 703/749-1688  
**E-mail:** *dp-fma@starpower.net*  
**Online:** *this option is currently NOT available*  
**Mail:** 7799 Leesburg Pike, Suite 800N, Falls Church, VA 22043

**Hotel:** L'Enfant Plaza Hotel ■ 480 L'Enfant Plaza, SW ■ Washington, DC 20024 ■ 20 minutes from Washington Reagan National Airport ■ **Phone:** 202/484-1000 (ask for in-house reservations or email the reservations dept at *reservations@lenfantplazahotel.com*) ■ **Rate:** \$199 ■ Group rate expires **September 26**...contact the hotel directly before that date to make your reservation (guaranteed with a major credit card)...please mention the FMA Conference ■ Reservations may be cancelled up to 24 hours in advance (date prior to arrival) without incurring a no-show penalty of one night's room and tax ■ Suggested attire: business to business casual.

## Registration Form

**Yes, Register me today for the 2005 Legal and Legislative Issues Conference.**

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

Name \_\_\_\_\_ Title \_\_\_\_\_ Nickname/Badge \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

Payment enclosed with this form       Visa     Master Card     American Express     Diners Club    Exp. Date \_\_\_\_\_

Card # \_\_\_\_\_

Please invoice my bank/firm      Signature \_\_\_\_\_

Prior to September 26, the Early Bird registration for FMA Members is \$725; \$825 for non-members. As a special offer, the non-member registration includes a one-year complimentary FMA membership. After September 26, the fees are \$825 and \$925, respectively. Please circle the correct amount. Also, team discounts are available – ask Dorcas Pearce for details.

**Cancellation Policy:** FMA requires a \$75 non-refundable processing fee for any cancellation before October 14; no refunds thereafter. Substitutes are always acceptable. Cancellation penalty assessments will be applied to future FMA programs within the next 12 months. FMA assumes no liability for travel/lodging costs by the attendee in the event the program is canceled. For more information regarding administrative policies (i.e., complaints or refunds), please contact FMA at 703/749-1579 and ask for Dorcas Pearce.

**Payment is required by check, EFT or credit card (Visa/Master Card/Diners Club/American Express) prior to October 14.**

No registration is considered final until payment is received.

**Continuing Legal Education:** CLE accreditation regulations vary from state to state. In past years, this conference has been approved for CLE credits in multiple states. When registering, indicate your interest in obtaining CLE and FMA will prepare the form(s) in the state(s) of your choice, unless attorneys are required to apply individually. State filing fees will be assessed to the individual.



The Financial Markets Association is registered with the National Association of State Boards of Accountancy (NASBA), as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: [www.nasba.org](http://www.nasba.org).

No prerequisites or advance preparation required. ■ Recommended CPE hours: 14 (approximately)

Method of Presentation: Interactive Lecture ■ Level of Learning: Intermediate to Advanced

Field of Study: Accounting and Auditing