

# Dodd-Frank: One Year Later



## AGENDA

8:30 a.m.

### Registration and Breakfast

9:00 a.m. – 9:45 a.m.

### Volcker Rule Implementation and the New Registration Requirements for Fund Managers

This panel will address the status and issues surrounding implementation of the Volcker Rule prohibitions on proprietary trading and private fund sponsorship and investment, as well as provide an analysis of the new Advisers Act registration requirements for fund managers.

Volcker Rule implementation:

- Coverage of proposed or adopted regulations (if released)
- Prohibition on proprietary trading
- Prohibition on sponsoring or investing in private funds

New Requirements for Fund Managers:

- Removal of *de minimis* registration exception
- New exemptions for foreign advisers, small private fund advisers, and venture capital advisers
- Timing and advice for fund managers that now have to register

Panelists:

*Stephanie M. Monaco & David R. Sahr*

9:45 a.m. – 10:30 a.m.

### Changes in Bank Regulation and Structure

This panel will address several recent key regulatory initiatives affecting the structure and approach to regulation of traditional depository institutions and their holding companies.

- Designation and regulation of large banking organizations and Systemically Important Financial Institutions, including enhanced capital and prudential standards, and “living wills”
- The Collins Amendment, including the recently adopted “Capital Floor” amendments
- The transfer of OTS authority and the status of the thrift charter
- Changes to the FDIC insurance regime

Panelists:

*Scott A. Anenberg & Thomas J. Delaney*

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10:30 a.m. – 10:45 a.m.

**BREAK**

10:45 a.m. – 11:30 a.m.

## **OTC Derivatives Regulation: The Long and Winding Road**

This panel will discuss the ongoing saga of derivatives regulation under Title VII of Dodd-Frank.

- Status of regulatory implementation of Dodd-Frank
- International issues
- “Push out” of derivatives activities

Panelists:

*Joshua Cohn & David R. Sahr*

11:30 a.m. – 12:15 p.m.

## **The Consumer Financial Protection Bureau: What to Expect**

This panel will focus on the newly formed Consumer Financial Protection Bureau (CFPB), its broad powers, and the initial challenges facing entities offering consumer financial products and their service providers.

- CFPB structure, leadership, funding and coordination with other federal agencies
- Activities and entities subject to supervision and examination by CFPB
- CFPB’s broad rulemaking authority and its potential impact on consumer financial products and regulated entities
- Enforcement of federal consumer protection laws by the CFPB and state attorneys general and the potential for additional private litigation

Panelists:

*Andrew J. Pincus & Jeffrey P. Taft*

12:15 p.m. – 1:15 p.m.

**LUNCH**

1:15 p.m. – 1:45 p.m.

## **Special presentation: Subpoena Season: The Great Regulatory and Enforcement Reaction to the Fiscal Crisis**

Richard M. Rosenfeld, former Chief Investigative Counsel with the Office of the Special Inspector General for the Troubled Asset Relief Program, and Mayer Brown Partner

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1:45 p.m. – 2:30 p.m.

## **Impact of Dodd-Frank on Internal Investigations, Employment Litigation and Securities Litigation**

This panel will address several key issues related to litigation as a result of the Dodd-Frank Act and the SEC's recently promulgated Dodd-Frank Whistleblower Bounty Rules.

- Corporate compliance programs under the SEC Final Whistleblower Rules
- Eligibility for whistleblower status
- Impact of Dodd-Frank on securities litigation
- Impact of Dodd-Frank on SEC enforcement
- Conducting an investigation in the face of hotline tips in the new regime
- Contact with a represented party pursuant to Rule 4.2
- Whistleblowers outside the US in a multinational organization
- Retaliation claims in federal court and the DOL
- Resolving retaliation claims in light of the anti-waiver provisions

Panelists:

*Anthony Alexis, Matthew D. Ingber & Marcia E. Goodman*

2:30 p.m. – 2:45 p.m.

**BREAK**

2:45 p.m. – 3:30 p.m.

## **The Effects of Dodd-Frank on Securitization**

This panel will focus on the effects of Dodd-Frank on the securitization industry and what the panelists predict for the future in view of the proposed regulations.

- The proposed rule on risk retention, including the most controversial issues such as premium recapture, Qualified Residential Mortgages, the status of the GSEs, and ABCP conduits
- Impact of the Collins Amendment and Volcker Rule
- Conflicts of interest
- Disclosure and due diligence
- Rating agency and ratings prohibition issues

Panelists:

*Jason H.P. Kravitt, Stuart M. Litwin & Jon D. Van Gorp*

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3:30 p.m. – 4:15 p.m.

## **Dodd-Frank – Year Two: Preview of Key US and International Issues for the Next Year**

This panel will highlight several key but less publicized Dodd-Frank provisions taking effect over the next year, efforts on Capitol Hill to affect implementation of the Act, and the status of financial reform efforts in the EU.

- Revisions to the affiliate transaction limitations in Section 23A and the new statutory source of strength provisions
- Areas of Congressional interest, including derivatives, CFPB, and international competitiveness, as well as the prospects for legislative changes
- EU developments, including regulatory restructuring, derivatives, alternative investment funds and capital requirements, as well as the European Commission MiFID review

Panelists:

*Marc R. Cohen, Thomas J. Delaney & Jeffrey P. Taft*