

FIA

L&CY

24-26 April 2024

Gaylord National Resort

National Harbor, MD



2024 L&C Program

Wednesday 24 April

11:00 a.m. ET

REGISTRATION OPEN

Sponsored by Allen & Overy LLP, Katten Muchin Rosenman, and Sullivan & Cromwell LLP

11:00 a.m. ET

ARRIVAL REFRESHMENTS

Co-Sponsored by FIA and CME Group

12:00 p.m. ET

EXHIBITS OPEN

1:15 p.m. ET

WELCOME REMARKS

Speakers:

Ruth Arnould, Managing Director & Associate General Counsel, Bank of America

Matthew Lischin, Managing Director & Co-Head of US CM Law Group, RBC Capital Markets

1:30 p.m. ET

MEET THE CFTC DIRECTORS

CFTC Directors will discuss their respective staff's missions, priorities and past, present and future initiatives.

Moderator:

Allison Lurton, Chief Legal Officer & General Counsel, FIA

Panelists:

Clark Hutchison, Director, Division of Clearing and Risk, CFTC

Ian McGinley, Director, Division of Enforcement, CFTC

Vincent McGonagle, Director, Division of Market Oversight, CFTC

Amanda Olear, Director, Market Participants Division, CFTC

Suyash Paliwal, Director, Office of International Affairs, CFTC

2:30 p.m. ET

NETWORKING BREAK

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

2:45 p.m. ET

AI AND MACHINE LEARNING: THE UNKNOWN FUTURE ROLLS TOWARDS US

Experts weigh in on what your firm should know if it is considering or has implemented artificial intelligence tools. Are there laws that govern the use of AI? What are the pitfalls of relying on AI to optimize firm functions, such as trading, compliance, documentation...even hiring?

Moderator:

Jamila Piracci, Principal, Roos Innovations

Panelists:

Christy Goldsmith Romero, Commissioner, CFTC

Kari Larsen, Partner, Willkie Farr & Gallagher

David McGill, Partner, Orrick, Herrington & Sutcliffe

Shawn Somers, Director, Head of NY IFUS Market Regulation, ICE Futures U.S.

Ferdisha Snagg, Counsel, Cleary Gottlieb Steen & Hamilton

3:45 p.m. ET

ENFORCEMENT: A LOOK BACK AND FORWARD

Hear from the experts about recent CFTC, SEC, DOJ and exchange enforcement cases and what to expect ahead.

Moderator:

Kathleen McArthur, Partner, Sullivan & Cromwell

Panelists:

Gretchen Lowe, Chief Counsel, CFTC

Frances Mendieta, Enforcement Counsel, ICE Futures U.S.

Charley Mills, Partner, Bracewell

Michael Spafford, Partner, Paul Hastings

Andrew Vrabel, Managing Director & Chief Regulatory Officer, CME Group

4:45 p.m. ET

NETWORKING BREAK

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

2024 L&C Program *(Continued)*

5:00 p.m. ET

ROUNDTABLE: MEET YOUR SRO

Here's your chance to hear from your SRO: what are their priorities and what steps can your firm take to have productive engagement with SRO staff?

Moderator:

Matthew Kulkin, Partner, WilmerHale

Panelists:

Katie Clapper, Managing Director, Compliance, National Futures Association

Erin Middleton, Global Head, Rules & Regulatory Outreach, CME Group

Vito Naimoli, Chief Regulatory Officer, ICE Futures U.S.

Michael Procajlo, Executive Director Financial & Regulatory Surveillance, CME Group

5:00 p.m. ET

NEXT GEN RECEPTION HOSTED BY THE BEST PRACTICES COMMITTEE

5:00 p.m. ET

OPENING RECEPTION HOSTED BY FIA

Thursday 25 April

7:00 a.m. ET

REGISTRATION OPEN

Sponsored by Allen & Overy LLP, Katten Muchin Rosenman, and Sullivan & Cromwell LLP

7:30 a.m. ET

CONTINENTAL BREAKFAST

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

8:00 a.m. ET

EXHIBITS OPEN

8:30 a.m. ET

CONCURRENT SESSIONS MARKET SURVEILLANCE IN THE AGE OF EXPANDING PRODUCTS AND INNOVATION

How are derivatives market developments, product trends, and shifting trading and settlement patterns affecting priorities in market surveillance?

Moderator:

Gary DeWaal, Senior Counsel, Katten

Panelists:

Jon Ammons, Partner, Reed Smith

Frank Hayden, Vice President Trading Compliance, Calpine

Greg Mocek, Partner, Allen & Overy

Patrick Swartzner, Director - Market Regulation, ICE Futures U.S.

Melissa Zierk, Managing Director, General Counsel, R.J. O'Brien & Associates

2024 L&C Program (Continued)

TO CLEAR OR NOT TO CLEAR: WHICH DIRECTION ARE REGULATORS GOING?

Panelists will discuss the impact of regulations on demand for and access to clearing. The US prudential regulators' proposed changes to the bank capital rules will feature in the discussion, in particular how the revised RWA, Supplementary Leverage Ratio and GSIB Surcharge would penalize client clearing. What are the regulatory objectives, and can they be squared with Dodd-Frank's objective to steer more derivatives to clearing? Meanwhile, the CFTC and SEC have taken steps to expand clearing in respectively proposing updates to permissible investments for FCMs and DCOs and [finalized] rules requiring clearing of US treasuries, among other initiatives. How do we make sense of these apparently competing priorities among regulators?

Moderator:

Julie Mao, Vice President, Goldman Sachs

Panelists:

*Randy Benjenk, Partner, Financial Services, Covington & Burling
Michael Coffee, Associate General Counsel, HSBC
Edward Mayfield, Director & Assistant General Counsel, Bank of America
Sarah Riddell, Of Counsel, Morgan Lewis & Bockius*

A BUSY YEAR FOR CARBON AND ENVIRONMENTAL MARKETS

Academic findings have questioned the credibility of carbon offsets. The CFTC's Enforcement Division announced the formation of a task force on carbon markets and issued a call for whistleblowers. The SEC [is developing] its landmark climate disclosure rule. States such as California have passed laws governing net zero claims and trading in voluntary carbon markets. The CFTC published proposed guidance on the listing of VCM derivatives. IOSCO consulted on good practices for VCMs. And multi-lateral and industry ventures continue to pursue standardization in terminology, documentation and verification methods. Panelists will distill these many developments and their practical implications for your firm and customers.

Moderator:

William McCoy, Managing Director, Legal and Compliance Division, Morgan Stanley

Panelists:

*Chloe Cabot, Vice President, Regulatory Affairs, JP Morgan Chase Bank
Alexandra Farmer, Partner, Kirkland & Ellis
Abigail Knauff, Special Counsel, Office of Chairman Rostin Behnam, CFTC
Robin Rix, Chief Legal, Policy and Markets Officer, Verra
Michael Sorrell, Deputy General Counsel, FIA*

9:30 a.m. ET

NETWORKING BREAK

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

9:45 a.m. ET

CONCURRENT SESSIONS

ENFORCEMENT CASE STUDIES: MNPI, TRADING PITFALLS, DISCLOSURES

Enforcement experts Break down real-life cases for their practical impact to firms. The panel will translate market conduct cases into do's and don'ts for traders and examine whether firms effectively have additional obligations to protect material non-public information and deliver disclosures to customers in the wake of recent regulatory initiatives.

Moderator:

Elizabeth Davis, Practice Group Co-Chair, Davis Wright Tremaine

Panelists:

*Stacie Hartman, Partner, Steptoe
Peter Malyshev, Partner, Cadwalader, Wickersham & Taft
Renato Mariotti, Partner, Bryan Cave Leighton Paisner
Steve Schweitzer, Executive Director, Global Head of Enforcement, CME Group
Douglas Yatter, Global Vice Chair White Collar Defense & Investigation Practice, Latham & Watkins*

BUYSIDE HOT TOPICS

Know your customer. Learn the regulatory, legal and operational issues that are top of mind for asset managers and investment funds.

Moderator:

Cheryl Isaac, Partner, K & L Gates

Panelists:

*Jan Folea, Partner and Co-Chair of Securities Litigation Enforcement, Stradley Ronan Stevens & Young
David Mitchell, Partner, Friend Frank Harris Shriver & Jacobson
Michael Parodi, Counterparty Relations, Bridgewater Associates
Michael Topiel, Executive Director and Counsel, UBS*

2024 L&C Program *(Continued)*

NO SHELTER HERE: GLOBAL REGULATIONS IMPACTING US FIRMS

Get practical insights on how laws and regulations outside the US stand to impact you and your customers.

Moderator:

Kristyn Walker, Senior Counsel, Wells Fargo Securities

Panelists:

Michelle Crutchfield, Director & Assistant General Counsel, Bank of America

Ian Cuillerier, Partner, White & Case

Michael Loesch, Partner, Baker Botts

Nihal Patel, Partner, Fried Frank Harris Shriver & Jacobson

Owen Taylor, Head of Legal, Clearing Services, LCH

10:45 a.m. ET

NETWORKING BREAK

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

11:00 a.m. ET

EMERGENCE OF CARBON INTENSITY ATTRIBUTES TO REDUCE SUPPLY CHAIN EMISSIONS

Sponsored Session Presented by Jones Day

While carbon offsets represent a mechanism to avoid or reduce emissions corporate emissions, there are other standards that are emerging to address the increasing demand for low carbon products to decrease supply chain emissions. The panel will discuss growing efforts to develop carbon intensity attributes as a standardized instrument to incentive reductions of supply chain emissions by (1) enabling sellers to differentiate their products on the basis of low carbon performance and (2) enabling buyers to make informed product purchasing decisions on the basis of low carbon performance. These developments may raise financial market opportunities and considerations as low carbon financing mechanisms evolve beyond carbon offsets.

Speakers:

Dickson Chin, Partner, Jones Day

Jennifer Hayes, Lead Counsel - Corporate Strategy and Sustainability, Chevron

11:15 a.m. ET

CONCURRENT SESSIONS

NEW PRODUCTS, NEW ENTRANTS, NEW MODELS

Bitcoin ETFs, 0-day options, event contracts. "Retailification" of futures. Disintermediated clearing. There is no shortage of new products, faces and trade flows in futures and derivatives markets. Nor implications for legal and compliance teams tasked with supporting the business.

Moderator:

Yvette Valdez, Partner, Latham Watkins

Panelists:

Nicole Brinkerhoff, Chief Compliance Officer, TradeStation Securities

Laurian Cristea, Partner, Barnes & Thornburg

Victoria Earls, Chief Counsel, Investigations & Enforcement, Interactive Brokers Group

Kimberly Johns, Managing Director & Senior Counsel, Goldman Sachs

Kristin Johnson, Commissioner, CFTC

FROM LINE 1 TO SUPERVISORS: HOW TO CREATE (AND MAINTAIN) A CULTURE OF COMPLIANCE

Experts will explain how to turn a "culture of compliance" from chimera to reality for your firm.

Moderator:

Janet McCormick, Executive Director, Head of FCM Regulatory Governance Compliance, UBS

Panelists:

Gregory Compa, Senior Director, Head of Institutional Compliance, Coinbase

Ryan Hayden, Of Counsel, Steptoe

Matthew Lisle, Senior Vice President, Futures Chief Compliance Officer, Wedbush Securities

Taylor Prodromos, Director, Compliance Officer, Mizuho Securities

2024 L&C Program (Continued)

NO SHELTER THERE: US REGULATIONS IMPACTING GLOBAL FIRMS

Get practical insights on how US laws and regulations stand to impact your non-US affiliates and branch offices. Or your customers located outside the US.

Moderator:

Matthew Lischin, Managing Director & Co-Head of US CM Law Group, RBC Capital Markets

Panelists:

*Karl Egbert, Partner, Baker McKenzie
Peter Kals, Senior Vice President & Assistant General Counsel, Citigroup Global Markets
Darren Littlejohn, Partner, Clifford Chance US
Deborah North, Partner, Cleary Gottlieb Steen & Hamilton*

12:30 p.m. ET

ANNUAL MEETING & KEYNOTE LUNCH - ARTIFICIAL INTELLIGENCE GETS REAL

Co-Sponsored by FIA and Willkie Farr & Gallagher
As we all experienced, 2023 was the year where AI suddenly, explosively, became useful—and terrifying. Some experts are terrified: These tools seem poised to eliminate millions of jobs, allow writing and other creative skills to fade out of humanity, and unleash disinformation, violence and exploitative material on a scale never seen before. Optimists insist that these tools will bring creative expression to millions of people who have good ideas without the skills to bring them to light.

In this presentation Pogue will demonstrate the state of the art in AI creativity—and prepare you for the years to come.

Speaker:

David Pogue, Emmy-Winning CBS Sunday Morning Correspondent, NOVA Host & Former New York Times Columnist

2:00 p.m. ET

NETWORKING BREAK

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

2:15 p.m. ET

CONCURRENT SESSIONS

ETHICS: TRANSACTION CASE STUDY

The panel will discuss ethical issues from the perspective of attorneys representing a firm, counterparty or market participant in a hypothetical set of transactions.

Moderator:

Kara Dutta, Assistant General Counsel, Intercontinental Exchange

Panelists:

*Tammy Botsford, Executive Director and Assistant General Counsel, J.P. Morgan Securities
Rob Cordell, Executive Director & Counsel, Mizuho Americas
Ronald Filler, President, Ronald H. Filler & Associates
Edward So, Partner, White & Case
Thane Twiggs, Risk Management, Chief Compliance Officer, Cargill*

SCANNING THE HORIZON: HOW TO PREPARE YOUR BUSINESS FOR NEW REGULATIONS

Identifying new regulations coming down the pike is one thing. Effectively preparing your business is another. Experts will discuss the science -- and art -- of translating regulatory change into business vernacular.

Moderator:

Ruth Arnould, Managing Director & Associate General Counsel, Bank of America

Panelists:

*Margo Bailey, Vice President and Senior Counsel, MIAx
Tamika Bent, Chief Counsel to Commissioner Kristin Johnson, CFTC
Conor Weber, Senior Director & Associate General Counsel, CME Group
Carl Kennedy, Partner and Co-Chair, Katten
Joshua Sterling, Partner, Jones Day*

EFFECTIVE CONTROLS FOR ELECTRONIC AND AUTOMATED TRADING

Trading electronically? Algorithmically? Panelists will discuss the range of controls your firm should have in place to minimize and prevent associated risks.

Moderator:

Ellen Wheeler, Partner, Foley & Lardner

Panelists:

*Michael Banys, Senior Director, Investigations, CME Group
Matthew Beville, Special Counsel, WilmerHale
Clifford Histed, Partner, K&L Gates
Laura Mul, Director, US Futures and Commodities Compliance, RBC Capital Markets*

2024 L&C Program (Continued)

Ryan Olszewski, Compliance Officer, Director Regulatory Report, Societe Generale

3:15 p.m. ET

NETWORKING BREAK

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

3:45 p.m. ET

CONCURRENT SESSIONS

OFF-CHANNEL COMMUNICATIONS

The CFTC and SEC continue to issue record fines against firms for recordkeeping violations tied to the use of off-channel apps and devices. The profile of sanctioned market participants has shifted from large firms to smaller market participants. Will this trend continue and what can your firm do to avoid being the next headline?

Moderator:

Ari Nakkab, Executive Director, Global Head of CGM Compliance, Macquarie Futures USA

Panelists:

Holly Campbell, Associate, Bryan Cave Leighton Paisner
Harris Kay, Partner, Davis Wright Tremaine
David Karrow, Associate General Counsel, ABN AMRO Clearing
Neal Kumar, Partner, Willkie Farr & Gallagher
David Meister, Partner, Skadden, Arps, Slate, Meagher & Flom

CCP RECOVERY, RESOLUTION AND WIND-DOWN

This panel will review the latest efforts by US and European regulators, as well as international standard-bodies to safeguard clearinghouses during ordinary times and stress. More than a decade after the global financial crisis and the ensuing policy directive for mandatory clearing, panelists will consider whether opportunities remain to further improve the clearing ecosystem, including CCP governance, infrastructure and loss allocation.

Moderator:

Brandon Hammer, Counsel, Cleary Gottlieb Steen & Hamilton

Panelists:

Ryan Hajen, Senior Compliance Manager, LSEG
John McKinlay, Senior Director, Assistant General Counsel, CME Group
Jackie Mesa, COO and Senior Vice President of Global Policy, FIA
Michael Voisin, Partner, Linklaters
Bob Wasserman, Chief Counsel, Division of Clearing and Risk, CFTC

COMMODITIES/END-USER

Panelists will discuss the regulatory and legal issues that are top of mind for firms that trade and clear physical commodities and related derivatives, from dealers and FCMs to money managers and prop firms to corporates and end users.

Moderator:

Casey Khan, Counsel, Sidley

Panelists:

Vijay D'Cruz, Associate General Counsel, Vitol
Summer Mersinger, Commissioner, CFTC
Deanna Reitman, Partner, Faegre Drinker Biddle & Reath
Michael Sorrell, Deputy General Counsel, FIA
Paul Tramonte, Division Director - CGM Compliance, Macquarie Energy

4:45 p.m. ET

NETWORKING BREAK

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

5:00 p.m. ET

TECHNOLOGY VENDOR SHOWCASE - COMMS SURVEILLANCE REDUX

Recent SEC and CFTC enforcement cases demonstrate the need for firms to have the right technology in place to monitor chat messages and other forms of communications as part of their compliance programs. We are bringing together five of the leading service providers – Behavox, Global Relay, Shield, SteelEye and Symphony - in a special showcase to help you understand the technology available and assess what your firm might need. Compliance expert Ari Nakkab of Macquarie Group will take these firms through a series of rapid-fire presentations to highlight their relevance to firms in the derivatives markets. Each service provider will be available at the end of the showcase to answer your questions. Drinks will be available!

Moderator:

Ari Nakkab, Executive Director, Global Head of CGM Compliance, Macquarie Futures USA

5:15 p.m. ET

NETWORKING RECEPTION

Co-Sponsored by Bryan Cave Leighton Paisner LLP and Davis Wright Tremaine LLP

9:00 p.m. ET

LATE NIGHT KARAOKE

Friday 26 April

8:00 a.m. ET

REGISTRATION OPEN

Sponsored by Allen & Overy LLP, Katten Muchin Rosenman, and Sullivan & Cromwell LLP

8:00 a.m. ET

CONTINENTAL BREAKFAST

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

8:00 a.m. ET

EXHIBITS OPEN

8:15 a.m. ET

POLICY PULSE: DEEP DIVE INTO THE PEOPLE, POLICIES & POLITICS SHAPING OUR INDUSTRY

Get an inside look at legislative priorities that stand to impact derivatives and digital assets. What can we expect in this election year?

Moderator:

Walt Lukken, President & CEO, FIA

Panelists:

Kyle Glenn, Vice President of US Government Relations, FIA
Micah Green, Senior Counsel, Steptoe
Julia Hueckel, Senior Policy Advisor, Global Regulatory Policy, Coinbase Derivatives Exchange
Jimmy Ryan, Partner, Avog

10:00 a.m. ET

CLOSING REMARKS

Speaker:

Ruth Arnould, Managing Director & Associate General Counsel, Bank of America

10:15 a.m. ET

NETWORKING BREAK

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

10:30 a.m. ET

CONCURRENT SESSIONS

EFFECT OF THE ADMINISTRATIVE STATE ON FINANCIAL REGULATION

Is deference to federal agencies dead? The Supreme Court has promulgated the major questions doctrine and is set to revisit Chevron deference. Meanwhile the CFTC and SEC have suffered adverse decisions in high-profile cases in lower federal courts that call into question agency discretion in issuing staff advisories and relief. FINRA's authority is also under attack. This panel will discuss the impact of these court decisions on the SEC, CFTC and broader federal financial

regulation, in both the short- and long-term.

Moderator:

Dan Davis, Partner and Co-Chair, Katten

Panelists:

Katherine Cooper, Partner, Bryan Cave Leighton Paisner
Roy Englert, Partner, Kramer Levin
Michelle Kallen, Partner, Jenner & Block
Paul Pantano, Senior Counsel, Willkie Farr & Gallagher
Rob Schwartz, General Counsel, Office of the General Counsel, CFTC

OTC TRADING AND CLEARING - WHAT'S NEW?

Experts will survey the top legal, regulatory and enforcement issues impacting OTC trading and clearing.

Moderator:

Maria Chiodi, Managing Director, Head Group Functions Legal Americas, UBS

Panelists:

Colin Lloyd, Partner, Sullivan & Cromwell
Michael Otten, Senior Vice President, OTC Derivatives, National Futures Association
Gabriel Rosenberg, Attorney, Davis Polk & Wardwell
Matthew VosBurgh, Global Head of Swap Dealer Compliance, Barclays
John Williams, Partner, Milbank

THE ROLE OF LEGAL AND COMPLIANCE IN CYBERSECURITY AND CRISIS MANAGEMENT

High-profile cybersecurity breaches have disrupted futures and securities markets in recent years. Targets include market participants and service providers. Experts expect cyber threats to only proliferate in years to come. It's no surprise, then, that US and global regulators are taking increased interest in firms' disaster recovery and business continuity plans and capabilities, with cybersecurity at the top of the list. This panel will review regulatory developments and industry initiatives in cybersecurity and operational resilience, with a special focus on what legal and compliance departments can do to prepare their firms to comply with new requirements and how legal and compliance can support operations teams before, during and after crises.

Moderator:

Stephen Morris, Partner, Katten

Panelists:

Joseph Ajibesin, Executive Director and Counsel, Morgan Stanley
Sabeena Liconte, General Counsel and Chief Compliance Officer, Americas, ICBC Standard Securities
Jim Lundy, Partner, Foley & Lardner
Chelsea Pizzola, Associate General Counsel, DRW Holdings
Dale Spoljaric, Vice President, OTC Derivatives, National Futures Association

2024 L&C Program *(Continued)*

11:30 a.m. ET

NETWORKING BREAK

Co-Sponsored by Baker Botts, Bracewell LLP, and WilmerHale

10:30 a.m. ET

CONCURRENT SESSIONS

ETHICS: INVESTIGATION CASE STUDY

The panel will discuss ethical issues from the perspective of attorneys representing the firm and individuals in a hypothetical regulatory investigation.

Moderator:

Shay Georgalas, Vice President, Barclays

Panelists:

Robert Fleishman, Retired Partner, Kirkland & Ellis

Jonathan Flynn, Senior Counsel, Allen & Overy

Nathan Howell, Partner, Sidley

Jeffrey Steiner, Partner, Gibson, Dunn & Crutcher

THIRD-PARTY SUPERVISION: OBLIGATIONS AND BEST PRACTICES

What obligations attach to CFTC and SEC registrants and non-registrants in supervising vendors and other third parties? Beyond the rules, what should your firm be doing to minimize third-party risk and enhance resilience?

Moderator:

Nancy Stern, Managing Director, General Counsel and Chief of Staff, ABN AMRO Clearing

Panelists:

Dorothy DeWitt, CEO, Tolt Strategies

Alexandra Guest, U.S. Head of Internal Control, Scotiabank Global Banking & Markets

Raymond Ramirez, Partner, Eversheds Sutherland (US)

Mark Krikke, Manager, Compliance, National Futures Association

Natalie Tynan, Associate General Counsel, Head of Technology Documentation Strategy, FIA

THE ON-PLATFORM 4-1-1: TRADING ON SEFS, DCMS AND DIGITAL ASSETS PLATFORMS

The distinction between a trading platform and market participant is collapsing owing to emerging technologies and market structures. Yet regulators continue to apply and enforce traditional registration categories. What are the do's and don't of trading on-platform? How do they differ across platforms? And as unregistered venues proliferate in digital assets?

Moderator:

Kathryn Trkla, Partner, Foley & Lardner

Panelists:

Ashley Ebersole, General Counsel, Ox

Stephen Humenik, SVP, Global Head of Capital Markets, Legal & Head of Clearing, Crypto.com

Ken McCracken, General Counsel & Chief Regulatory Officer, Nodal

Irene Moyseyenko, Senior Legal Counsel, Bloomberg

Ryne Miller, Managing Partner, Miller Strategic Partners

12:45 p.m. ET

GRAB & GO LUNCH

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