

**CHRISTIAN A. JOHNSON**

Cajohnson2@widener.edu

**PRESENT POSITION & PRIOR ACADEMIC EMPLOYMENT**

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- 2015- **Widener University Commonwealth Law School** Harrisburg, Pennsylvania  
*Dean & Professor of Law*
- 2008–15 **University of Utah School of Law (S.J. Quinney)** Salt Lake City, Utah  
*Hugh B. Brown Presidential Endowed Chair in Law*  
*Associate Dean for Academic Affairs (2012-2014)*  
*Professor (2008 – 2015)*
- 2011 **London Law Consortium** London  
*Professor*
- 2008 **University of Melbourne** Melbourne, Australia  
*Senior Lecturer (June 2008, June 2010, July 2011 & June 2019)*
- ‘95 –08 **Loyola University Chicago School of Law** Chicago, IL  
*Professor (2005 – 2008)*  
*Associate Professor of Law (1999 – 2005)*  
*Assistant Professor of Law (1995 – 1999)*  
*Faculty Director, Corporate Law Center (2002-2007)*
- 2004-06 **Federal Reserve Bank of Chicago (Academic Consultant)** Chicago, IL

**EDUCATION**

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- 1987-90 **Columbia University School of Law** New York, NY  
J.D. - Harlan Fiske Stone Scholar  
Executive Editor Columbia Law Review
- 1984-85 **University of Utah Graduate School of Accounting** Salt Lake City, UT  
Masters of Accounting  
Marvin J. Ashton Scholarship
- 1979-84 **University of Utah** Salt Lake City, UT  
Honors Bachelor of Arts in Accounting  
Magna cum laude, Phi Kappa Phi, Owl & Key, Phi Eta Sigma. Sigma Chi Fraternity  
Highest Academic Achievement Award (Best GPA in Accounting)

## **BOARDS AND COMMITTEES**

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Finance Committee Member, U.S. Army Heritage Center Foundation (2019- present)  
Board Member, Mid Penn Legal Services (2018 – present)  
Chair of Veterans Legal Issues, Pennsylvania Lieutenant Governor’s Task Force on Veterans (2016-18)  
Co-Editor-in-Chief (with Kammel and Booyesen), International Banking and Securities Law (2015 – )  
Chair, Subcommittee on Insolvency and Related Issues (Committee on Derivatives and Futures Law – ABA Business Law Section) (2009-2015)  
Member, New York City Committee on Futures and Derivatives Regulation (2016 - )  
Board of Editors, Journal of Payment Systems Law (2004 –2007)  
ABA Committee: Graduate Legal Education Committee (2002 - 2005)  
Loyola Antitrust Law Center Advisory Board (2002 - 2008)  
International Board Member, J. Reuben Clark Law Society (1999 – 2006)

## **PROFESSIONAL EXPERIENCE**

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1992-95 **Mayer, Brown & Platt** Chicago, IL  
Associate. Finance, bank lending and derivatives.

1991-92 **Jolley, Urga, Wirth & Woodbury** Las Vegas, NV  
Associate. Bank lending and taxation.

1990-91 **Milbank, Tweed, Hadley & McCloy** New York, NY  
Associate. Taxation in the international and capital market areas.

1985-87 **Price Waterhouse** Houston, TX  
CPA. Tax planning, research, and compliance.

## **BAR ADMISSIONS, LICENSES & PROFESSIONAL ASSOCIATIONS**

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Admitted to New York, Illinois, and Nevada state bars  
Certified Public Accountant – Texas  
American Bar Association  
Pennsylvania Bar Association  
Texas Society of CPAs  
American Institute of CPAs

## **LANGUAGE & PERSONAL**

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Fluent in Spanish  
Spouse (Cori Lin), three children  
Tae Kwon Do (black belt)  
Tennis & racquetball

## **PUBLICATIONS**

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Listed in the top 10% of Authors on SSRN by all-time downloads.

### ***Work-in-Progress:***

*The Rule of Law and the Continental Bank Failure (to be published in 2020)*

*The Cross Border Implications of the Barings Bank Failure (to be published in 2020)*

### ***Books & Portfolios:***

A Practical Guide to Using Repo Master Agreements (third edition - co-authored with Paul Harding – 2017)

A Practical Guide to Using Repo Master Agreements (second edition - co-authored with Paul Harding – Euromoney Books 2015)

Mastering the ISDA Collateral Documents (co-authored with Paul Harding) (FT Publishing 2012)  
(second edition of Mastering Collateral Management)

Mastering Securities Lending Documentation: A Guide to the Main European and US Master Securities Lending Agreements (co-authored with Paul Harding) (Pearson 2011)

Accounting for Mortgages and Mortgage Backed Securities (BNA Accounting Portfolio Series) (co-authored with Luis Betancourt & Sharon Nowakowski) (Bureau of National Affairs 2008)

Accounting and Disclosure for Derivative Transactions (Accounting Portfolio Series No. 5112) (co-authored with Mary Grossman, Ira Kawaller and Reva Steinberg) (Bureau of National Affairs 2007)

A Guide to Using and Negotiating OTC Derivatives Documentation (Second Edition of Over-the-Counter Derivatives Documentation – Institutional Investor Books 2005)

A Practical Guide to Repo Agreements (co-authored with Paul Harding - Euromoney Books 2004)

Mastering Collateral Management: a Practical Guide to the ISDA Credit Support Documents by Paul Harding and Christian Johnson (Financial Times/Prentice Hall November 2002)

Over-the-Counter Derivatives Documentation: A Practical Guide for Executives, (Bowne 2000)

### ***Book Chapters:***

*Pushing Shadow Banking into the Light: Reforming the U.S. Tri-Party Repo Market* (book chapter, 2018)

*Moving from Soft Law to Hard Law in the Derivative Arena: A Case Study* (book chapter), The Changing

Landscape of Global Financial Governance and the Role of Soft Law (Kammel/Weiss eds. 2015). *Exigent and Unusual Circumstances: The Federal Reserve and the Financial Crisis*, Law Reform and Financial Markets (ed Kern Alexander and Niamh Molongy) (2011) (London: Edward Elgar).

*Legal and Policy Aspects of the Central Bank's Role in the Payment System: Finality of Settlement and "Central Bank Money"* (co-authored with Robert Steigerwald, Federal Reserve Bank of Chicago – published by IMF - 2008)

Collateralizing Over-The-Counter Derivative Obligations (book chapter), Secured Finance Transactions (Paul Ali editor 2007)

*U.S. Perspective* (book chapter), Mastering the ISDA Master Agreement (by Paul Harding) (2<sup>nd</sup> Ed. 2003)

***Law Review Publications:***

*From Fire Hose to Garden Hose: Section 13(3) of the Federal Reserve Act*, 50 Loyola University Chicago Law Journal 715 (2019)

*Regulatory Arbitrage, Extraterritorial Jurisdiction and Dodd-Frank: The Implications of US Global OTC Derivative Regulation*, 14 Nevada Law Journal 542 (Spring 2014), available at SSRN: <http://ssrn.com/abstract=2169401>

*Understanding the 2012 Master Securities Forward Transaction Agreement* (with Ranada Ferguson), Futures & Derivatives Law Report, January, 2014.

*A Primer on Clearing OTC Derivatives: A Buyside Blueprint for Implementation* (with Laura Dicioccio), Futures & Derivatives Law Report (June 2013)

*The Enigma of Clearing Buy Side OTC Derivatives*, Futures & Derivatives Law Report (December 2009), available at SSRN: <http://ssrn.com/abstract=1544017>

*Assessing a Decade of Interstate Bank Branching* (co-authored with Dr. Tara Rice, Federal Reserve Bank of Chicago), Washington and Lee Law Review (2008) Available at SSRN: <http://ssrn.com/abstract=981214>

*A Bank by Any Other Name . . .* (co-authored with George Kaufman), 31 Economic Perspectives No. 4 (2007), available at SSRN: <http://ssrn.com/abstract=1028754>

*The Financial Services Lawyer's Bookshelf: A Selected Bibliography of Payment, Clearing and Settlement Resources* (co-authored with Robert S. Steigerwald), The Journal of Payment System Law (October 2006), available at SSRN: <http://ssrn.com/abstract=942092>

*Justice and the Administrative State: The FDIC and the Superior Bank Failure (Essay)*, Loyola University Chicago Law Journal (2005), available at SSRN: <http://ssrn.com/abstract=802244>

*The Failure of Superior Bank FSB: Regulatory Lessons Learned*, Banking Law Journal (January 2004)

*Netting, Financial Contracts, and Banks: The Economic Implications* (with Bill Bergman, Robert Bliss and George Kaufman), Research in Financial Services, Fall 2003, available at SSRN:

<http://ssrn.com/abstract=505965>

“*Holding Credit Hostage for Underwriting Ransom*”: *Rethinking Bank Antitying Rules*, 64 University of Pittsburgh Law Review 157 (2002), available at SSRN: <http://ssrn.com/abstract=608621>.

“*Hidden*” *Costs: A Case Study of Bank Borrowing and Interest Rate Swaps*, Banking Law Journal (Nov.-Dec. 2002)

*The OTC Derivative Lawyer’s Bookshelf: A Selected Bibliography*, Futures & Derivatives Law Report, September 2002

*Banking, Antitrust and Derivatives: Untying the Antitying Restrictions*, 49 Buffalo Law Review 1 (2001), available at SSRN: <http://ssrn.com/abstract=607865>

*The Tax Clinic and Legal Education: Assessing a Decade of Experience* (co-authored with Mary Grossman) 50 Journal of Legal Education 376 (2000)

*At the Intersection of Bank Finance and Derivative Transactions: Who has the Right of Way*, 66 Tennessee Law Review 1 (Fall 1998) (cited in *Thrifty Oil Co. v. Bank of America*, 249 B.R. 537 (S.D. Cal. 2000)), available at SSRN: <http://ssrn.com/abstract=609129>

*Year 2000 Credit Risk and Derivatives: Insulating Banks from Counterparty Meltdown*, 115 The Banking Law Journal No. 9 (Oct. 1998)

*Derivatives and Rehypothecation Failure – It’s 3:00pm, Do You Know Where Your Collateral Is?*, 39 Arizona Law Review 949 (1997), available at SSRN: <http://ssrn.com/abstract=584102>

*Wild Card Statutes, Parity and National Banks - The Renaissance of State Banking Powers*, 26 Loyola University Chicago Law Journal 351 (1995), available at SSRN: <http://ssrn.com/abstract=878782>

*National Banks and Section 91 - Protection from Judgment Creditors Pending Appeal*, (co-authored with William Deitrick), 112 The Banking Law Journal 325 (April 1995))

*The Danielson Rule: An Anodyne for the Pain of Reasoning (Note)*, 89 Columbia Law Review 1320 (1989)

### **Book Reviews:**

*Book Review: Legal Challenges in the Global Financial Crisis* (Wolf-Georg Ringe & Peter M Huber eds. 2014), 30.3 Banking & Finance Law Review (Canada) (2015).

*Understanding Derivative Complexity and Convergence – Book Review: Derivatives: Legal Practice and Strategies* (Robert D. Eicher ed. 2009), Futures & Derivatives Law Report (January 2010).

*Opening a Portal into the World of Central Banking: A Review of Legal Foundations of International Monetary Stability* by Rosa Lastra (Book Review), Banking and Finance Law Review (Summer 2008) (published in Canada by Osgoode Hall Law School).

*The Rosetta Stone of Banking Regulation* (Book Review), Banking and Finance Law Review (published in Canada by Osgoode Hall Law School) (Fall 2006)

*An Apologia for the Use of Over-The Counter Derivatives* (Book Review), The Banking Law Journal (December 1999)

*Shedding Light on Legal Risk* (Book Review), Risk Professional (December 1999)

***Other Publications:***

*Bank Capital and the Credit Crisis*, G8 Summit Magazine 2009

*Confronting the Top 10 Excuses: Negotiating ISDA Derivative Documentation*, the Journal of Payment System Law (September 2006)

*Check Substitution: The Payment Processor's Perspective* (with Peter Soraparu), 1 Journal of Payment Systems Law 612 (October 2005)

*Swaps versus Futures: A Regulatory History*, Derivatives Week, April 29, 2005

*Jobs: Research Assistants*, The Student Lawyer (November 2004)

*Teaching Research Assistants*, The Law Teacher (2004)

*Demystifying FAS 133 – Part 1* (Learning Curve Column with Mary Grossman), Derivatives Week, November 17, 2003, at 7

*Demystifying FAS 133 – Part 2* (Learning Curve Column with Mary Grossman), Derivatives Week, November 24, 2003, at 8

*The Law and Regulation of Payment Systems*, the legal module (power point presentation and written lecture) developed as part of a course sponsored by the Federal Reserve Bank of Chicago entitled Payment Systems: A Multidisciplinary Approach to the Role of Payments in the Global Financial System (2003)

*Close-Out Netting & Set-Off Under U.S. Banking Insolvency Law* (Learning Curve Column), Derivatives Week, August 18, 2003, at 7

*Random Walks Down the Aisle and Class Participation*, The Law Teacher (Spring 2003) (with Wheelless)

*An Introduction to the 2002 ISDA Master Agreement* (Learning Curve Column), Derivatives Week, January 6, 2003

*Preview of the 2002 ISDA Master Agreement* (Learning Curve Column), Derivatives Week, August 12, 2002, at 5

*Seven Deadly Sins of ISDA Negotiations* (Learning Curve), Derivatives Week, March 25, 2002, at 6

*Payee Tax Representations* (Learning Curve), Derivatives Week, July 16, 2001, at 6

*Liquidity & the ISDA Master Agreement* (Learning Curve), Derivatives Week, April 30, 2001, at 6

*Rehypothecation Risk* (Learning Curve), Derivatives Week, April 16, 2001, at 5

*Risky Business: Acting as a Lender and OTC Derivative Dealer with the Same Customer*, 82 The Journal of Lending & Credit Risk Management 66 (October 1999)

*Risky Business: Minimizing the Risks of OTC Derivatives Through Loan Documentation*, 82 The Journal of Lending & Credit Risk Management 72 (September 1999)

*Learning to Think About International Tax: (Book Review of International Taxation)*, 81 Tax Notes 1285 (1998) & 17 Tax Notes International 1903 (1998)

*Year 2000 Credit Risk in Derivative Transactions*, Bank Security Reporter (Aug. 1998)

## **SELECTED PRESENTATIONS**

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*From Fire Hose to Garden Hose: Section 13(3) of the Federal Reserve Act, Lehman 10 Years Later: Lessons Learned?*, presented at Loyola's Annual Institute for Investor Protection Roundtable Conference, Chicago, Illinois, September 14, 2018.

*The Basics of Enforcement Actions and Civil Litigation Related to Swaps, Futures and Options* (moderator), New York City Bar, New York, April 17, 2018.

*Non-Legislative Initiatives to Modify the Derivatives Safe Harbors* (panelist), Where Bankruptcy and Derivatives Collide, presented at New York City Bar, New York, March 7, 2017.

*Cross Border OTC Derivative Reforms* (presentation), ABA Section of International Law, 2016 Spring Meeting, New York City, April 13, 2016.

*OTC Derivative Reforms: Comparing the U.S. and the E.U.*, presented at the Irish Central bank, December 18, 2014, Dublin, Ireland.

*The U.S. Federal Reserve and the Great Financial Crisis*, presentation to the University of Economics, December 11, 2014, Wroclaw, Poland.

Conferencia Inaugural (Morning Keynote Talk) -*General Overview of the Dodd Frank Financial Regulation of Derivatives: Implementation, Progress and the Key Differences Between USA and European Legislation*, Congreso - Hacia un Sistema Financiero de Nuevo Cuno: Reformas Pendientes

y Andantes, organized by the Universidad Complutense de Madrid, October 28, 2014, Madrid Spain (<http://congresosistemafinancieroucm.com/programa/>)

“The Transterritorial Application of Dodd Frank Act on Derivatives”, roundtable presentation organized by the Universidad Rey Juan Carlos, presented October 29, 2014, Madrid, Spain.

*Understanding OTC Derivative Reforms*, lecture at the British University at Dubai, October 13, 2014.

*OTC Derivative Markets: Emerging Trends*, invited speaker at the First Middle East Conference on Global Business, Economics, Finance & Banking, October 12, 2014, Dubai.

*OTC Derivative Reforms*, presented to the staff of the National Futures Association, September 12, 2014, Chicago, Illinois.

*Understanding Acts of Insolvency in Master Agreements: The Good, the Bad and the Ugly*, panel organizer and speaker, ABA Section of Business Law Annual Meeting, September 12, 2014, Chicago, Illinois.

*Dodd Frank OTC Derivative Reforms: Exchange Trading/Clearing - Where are We Now?*, presented to the Chicago office of the Commodity Futures Trading Commission, June 16, 2014, Chicago, Illinois.

*Ethics and Accounting for Lawyers*, Business Law Section of the Utah State Bar, May 20, 2014, Salt Lake City, Utah.

*The Brave New World of OTC Derivatives Clearing: Comparing the U.S. and the European Regulatory Approaches*, presented at the Central Bank of Ireland, June 27, 2013, Dublin, Ireland.

*Clearing of Derivatives and its Systemic Implications*, presentation at the University of Stockholm, June 25, 2013, Stockholm, Sweden.

*Comments on Professor Craig Pirrong’s Paper entitled A Bill of Goods: CCPs and Systemic Risk*, presented at Derivatives Regulation after the Crisis Conference, June 22, 2013, Oxford University.

*Close-out Netting and Derivatives*, presentation to the Central Bank of Latvia, June 19, 2013, Riga, Latvia.

*Clearing OTC Derivatives: Understanding the Business, Mechanics and Legal Issues*, presented to the Commodity Futures Trading Commission, May 21, 2013, Chicago, Illinois.

*Clearing OTC Derivatives*, presented to the Futures & Derivatives Committee, Chicago Bar Association, May 21, 2013, Chicago, Illinois.

*Clearing OTC Derivatives: Potential & Realities*, presented to the National Futures Association, May 20, 2013, Chicago, Illinois.

*The Practicalities of Clearing OTC Derivatives*, presented as part of the Thomson West Webinar



entitled “Preparing to Clear OTC Derivatives: The Brave New World of Swaps Clearing under Dodd-Frank,” May 14, 2013.

*Austerity versus Growth: Lessons for the U.S. Economy*, conference held at the University of Utah College of Law, March 1, 2013 (organizer and participant)

29th Annual Fordham Debate: “*Resolved: Austerity measures are a necessary tactic to deal with a country’s financial crisis*”, February 28, 2013, Salt Lake City, Utah (organizer)

*Regulatory Arbitrage, Extraterritorial Jurisdiction and Dodd-Frank: The Implications of US Global OTC Derivative Regulation*, presented at Trinity University, December 7, 2012, Dublin, Ireland.

*Regulatory Arbitrage, Extraterritorial Jurisdiction and Dodd-Frank: The Implications of US Global OTC Derivative Regulation*, presented at the University of Stockholm, December 6, 2012, Stockholm, Sweden.

*OTC Derivative Regulation and Regulatory Arbitrage*, presented at the London School of Economics, December 5, 2012

*Regulatory Arbitrage, Extraterritorial Jurisdiction and Dodd-Frank: The Implications of US Global OTC Derivative Regulation*, presented at the London International Investment Law and Financial Regulation Symposium, December 5, 2012, London.

Organizer and Moderator, *Three Years after Lehman: Assessing the Regulatory Reforms on the Next Financial Crisis*, February 24, 2012, University of Utah College of Law.

Panelist on *Corporate Accountability in the Post Financial Crisis Era* panel, and *Corporate Fiduciary Duties, Social Responsibility and Governance* panel, Section on Socio-Economics, AALS Annual Meeting, January 4-5, 2012, Washington, D.C.

*Central Banking Powers: The Role of the Federal Reserve in the Global Financial Crisis*, presented at the British University in Dubai, October 10, 2011.

*Federal Reserve Powers and Unintended Consequences: Protecting Investors from Systemic Liquidity Risk*, presentation at The First Annual Institute for Investor Protection Symposium, September 22, 2011, Loyola University Chicago School of Law, Chicago, Illinois.

*Extraterritoriality Issues and Regulatory Arbitrage*, presented as part of the Thomson West Webinar entitled “Developments in Handling Over-the-Counter Derivatives, August 11, 2011.

*“Lender of Last Resort”: The Federal Reserve’s Role in Providing Liquidity during the Global Financial Crisis*, Abu Dhabi University, May 22, 2011.

*The Role of ISDA in the OTC Derivative Markets*, presentation as part of *Forging a New Regulatory Balance: OTC Derivatives and the Global Financial Crisis Program*, held at the University College Dublin, May 20, 2011, Dublin, Ireland

Commentator on the paper entitled *Complexity, Innovation and the Dynamics of OTC Derivatives*

*Regulation* (written by Professor Dan Awrey), at The Regulatory Challenges of OTC Derivatives Program, held at the University College Dublin, May 19, 2011, Dublin, Ireland

*"Lender of Last Resort": The Federal Reserve's Role in Providing Liquidity during the Global Financial Crisis*, American Swedish Chamber of Commerce, April 4, 2011, Stockholm, Sweden.

*"Too Big to Fail" Resolution Authority: Principles and Elements*, Centre for Commercial Law, University of Stockholm, April 4, 2011, Stockholm, Sweden.

*The Great Financial Crisis: The Role of the U.S. Federal Reserve in Providing Liquidity*, Warwick University Law School, March 30, 2011, Coventry, England.

*Extraordinary Actions: The U.S. Federal Reserve and the U.S. Financial Crisis*, University of Surrey, March 28, 2011, Surrey, England.

*Understanding OTC Derivative Clearing*, presented as part of the Chicago Bar Association Program on Dodd-Frank and Derivative Reforms, March 11, 2011, Chicago, Illinois.

*Reforming OTC Derivative Markets: The Nuts and Bolts of Title VII of Dodd-Frank*, continuing legal education program, March 10, 2011, New York, New York.

*Understanding the Reach of Over-the-Counter Derivative Market Reforms in the U.S.*, presented to the law faculty at the University College Dublin, November 24, 2010, in Dublin, Ireland.

*Hedge Fund Concerns with respect to Clearing, Exchange Trading, and Margining of OTC Derivatives*, presented as part of the Thomson West Webinar entitled "The Future of OTC Derivatives," November 1, 2010.

*OTC Derivative Reforms*, presented to the British Columbia Securities Commission, October 1, 2010, Vancouver, British Columbia.

*Clearing, Exchange Trading, and Margining of OTC Derivatives*, presented as part of the Thomson West Webinar entitled "The Derivatives Market after the Financial Overhaul," August 3, 2010.

*Extraordinary Actions: The Federal Reserve and the U.S. Financial Crisis*, presented at the National University of Singapore Faculty of Law Centre for Commercial Law Studies, July 29, 2010, Singapore.

*Analyzing the Federal Reserve's Response to the U.S. Financial Crisis*, presented to the faculty of the University of Monash Law School, June 22, 2010, Melbourne, Australia.

*Legislative Update*, presented as part of the Thomson West Webinar entitled "The Derivatives Debate: The Market Role and the Road to Regulation," May 24, 2010.

*OTC Derivatives Clearing: Separating Hype from Hope*, presented to the Federal Reserve Bank of Chicago's Working Group on Financial Markets, May 12, 2010, Chicago, Illinois.

*Collateral Dispute Resolution Procedures*, presented to the Chicago Bar Association, May 11, 2010, Chicago, Illinois.

*The Effect of Anticipated OTC Derivative Market Regulatory Reform on New York City*, paper presented at the Symposium entitled *The Fall of the Economy: How New York Can Rise to the Challenge*, March 5, 2010, held at St John's University School of Law, New York, New York.

*The U.S. Federal Reserve's Effort to Deal with the Great Panic*, lecture presented at Pontificia Universidad Javeriana, Bogota, Colombia, October 30, 2009.

*The Expansive Reach of the Federal Reserve*, presented as part of the Precursors to a Crisis panel at the Symposium entitled *The Financial Crisis: Regulatory and Corporate Governance Critiques and Reforms*, presented at the University of Utah College of Law, September 25, 2009.  
<http://www.ulaw.tv/watch/792/financial-crisis-symposium---afternoon-session>

*Understanding the Role of the Federal Reserve in the U.S. Financial Crisis*, presented to the Securities Section of the Utah Bar Association, Salt Lake City, Utah, September 16, 2009.

*The Role of the U.S. Federal Reserve in Combating the Financial Crisis*, lecture give at the University of Johannesburg, Johannesburg South Africa, July 7, 2009.

*"Unusual and Exigent Circumstances:" The Role of the U.S. Federal Reserve in the Recent Financial Crisis*, presented as part of the Central Bank Liquidity Panel at the WG Hart Workshop on Law Reform and Financial Markets, Institute of Advanced Legal Studies, University of London, London, June 24, 2009.

Testimony before the U.S. House of Representatives Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, *The Effective Regulation of the Over-the-Counter Derivatives Markets*, June 9, 2009, Washington, D.C. (see [http://www.house.gov/apps/list/hearing/financialsvcs\\_dem/hrcm\\_0600909.shtml](http://www.house.gov/apps/list/hearing/financialsvcs_dem/hrcm_0600909.shtml))

*The U.S. Economic Crisis: Causes, Myths and Solutions*, presented to the law faculty of the University of Hong Kong and the Asian Institute of International Financial Law, Hong Kong, May 4, 2009

*OTC Derivatives: Legal Risk, the Lehman Insolvency and Derivative Documentation*, presented at the ABA Section of Business Law, April 18, 2009, Vancouver, British Columbia.

*Understanding the Financial Crisis*, presentation to the J Reuben Clark Law Society, March 25, 2009, Salt Lake City, Utah.

*Beehive State Debate on the Financial Crisis*, presentation to the BYU Law School Federalist Society, March 24, 2009.

*Main Street in Crisis*, organizer and panelist, University of Utah, February 20, 2009.

*Derivatives, Lehman Brothers and Global Systemic Risk*, presented to the University of British Columbia's National Centre for Business Law, Calgary, Canada, February 2, 2009.

*Wall Street in Crisis*, organizer and panelist, University of Utah, October 6, 2008.

*Reducing Systemic and Legal Risk in International Derivative Markets*, presented to the law faculty of the University of Hong Kong and the Asian Institute of International Financial Law, Hong Kong, December 4, 2007

*Understanding Over-the-Counter Derivatives through the Lens of CFTC Regulation*, presented at the Chicago Mercantile Exchange, Chicago, Illinois, November 1, 2007

*The Globalization and Regulation of OTC Derivatives and Financial Risk*, presented at Pontificia Universidade Católica do Rio de Janeiro, Rio de Janeiro, Brazil, October 18, 2007

*A Bank by any Other Name . . .* (focus on industrial loan companies), paper presented with George Kaufman, Western Economic Association International 82nd Annual Conference, Seattle, June 30, 2007 and at the Federal Reserve Bank of Chicago, Chicago, July 25, 2007

*Regulating Financial Risk: The Case of OTC Derivatives on International Financial Markets*, presentation at National University of Singapore, April 25, 2007.

*An Introduction to Over-the-Counter Derivatives*, presented at the American Bar Association Section of Business Law Spring Meeting, March 16, 2007, Washington, D.C.

*Assessing a Decade of Interstate Bank Branching*, work-in-progress paper presented at the Thomas Jefferson School of Law, San Diego, California, March 9, 2007. .

*Contractual Innovations Developed by the OTC Derivatives Industry: Amending Contracts to Deal with Systemic Industry Changes*, paper presented at the Third International Conference on Contracts, Houston, Texas, February 23, 2007.

*Regulating Financial Risk: The Case of OTC Derivatives on International Financial Markets*, paper presented at the Putting Theory into Practice Osgoode Hall Law School International Speakers Series, Toronto, Canada, February 7, 2007.

*The Legal and Policy Aspects of Central Bank Payment Settlement and Finality* (with Robert Steigerwald), presented at the International Monetary Fund Seminar on Current Developments in Monetary and Financial Law: Law and Financial Stability, Washington D.C., October 27, 2006.

*Assessing a Decade of Interstate Bank Branching*, work-in-progress paper presented at the University of Utah College of Law Colloquium, September 21, 2006.

*Administrative Justice*, paper presented at the Western Economic Association International 81<sup>st</sup> Annual Conference, San Diego, California, June 30, 2006.

*Assessing a Decade of Interstate Bank Branching* (with Dr. Tara Rice, Federal Reserve Bank of Chicago), presented at the Federal Reserve Bank of Chicago, May 25, 2006, Chicago, Illinois.

*Understanding the Bankruptcy and Insolvency Law Treatment of OTC Derivatives*, presented at the American Bar Association Section of Business Law Spring Meeting, April 6, 2006, Tampa, Florida.

*A Primer on OTC Derivatives and ISDA Documentation*, presented to the Commercial Finance and Transactions Committee, Chicago Bar Association, Chicago, IL, February 16, 2006.

*LLM Programs for Foreign Lawyers: What are we Teaching and How are we Teaching It?*, panel presentation at the 2006 AALS Annual Meeting, Washington, D.C., January 4, 2006.

*Understanding the New Bankruptcy and Insolvency Reforms*, presented to the general counsels of the various banks of the Federal Home Loan Bank System, Chicago, Illinois, October 6th, 2005

*Clarifying Ambiguities: Bankruptcy Reform and Derivatives*, panel presentation at a meeting of the Subcommittee on Insolvency and Related Issues (Derivatives and Futures Law Committee), ABA Annual Meeting, Chicago, Illinois, August 5, 2005

*Differential State Regulations, Bank Performance and Out-of-State Entry*, (joint paper presentation with Dr. Tara Rice), Western Economic Association International 80<sup>th</sup> Annual Conference, San Francisco, California, July 8, 2005

*Swaps versus Futures*, Introduction to Derivatives Workshop Panel, Futures Industry Association 27<sup>th</sup> Annual Law & Compliance Division Conference, Baltimore, Maryland, May 11, 2005

*The Intersection of Compliance Rules and Derivative Risk Management*, presented at the Directors Roundtable Program, *The Changing Investment Management Landscape: Practical Approaches to Evaluate a Compliance Program's Effectiveness*, April 14, 2005, Chicago, Illinois.

*Juxtaposing Derivatives*, Introduction to Derivatives Workshop Panel, Futures Industry Association 26<sup>th</sup> Annual Law & Compliance Division Conference, Baltimore, Maryland, May 12, 2004

*Legal Topics in Derivative Documentation*, presented to the general counsels of the various banks of the Federal Home Loan Bank System, New York, New York, October 3<sup>rd</sup>, 2003

*Work-in-Progress Presentation, Legal Issues of Close-out Netting*, presented to the faculty of the University of Utah College of Law, Salt Lake City, Utah, September 16, 2003

*Legal and Economic Issues Arising from Superior Bank Failure*, paper presented at Western Economic Association International 78<sup>th</sup> Annual Conference, Denver, Colorado, July 12, 2003

*The Economics and Legalities of Netting in Bank Insolvencies*, (joint paper presentation with Bill Bergman, Robert Bliss and George Kaufman), Western Economic Association International 78<sup>th</sup> Annual Conference, Denver Colorado, July 13, 2003

*Understanding ISDA Negotiations & The Documentation Process*, Introduction to Derivatives Workshop Panel, Futures Industry Association 25<sup>th</sup> Annual Law & Compliance Division Conference, Baltimore, Maryland, May 7, 2003

*Cross-Border Issues in the Regulation of Over-the-Counter Derivatives*, Athenian Policy Forum Conference on the Global Economy: Financial, Legal and Technological Asymmetries, Chicago, August 16, 2002

*Derivatives Collateralization Issues: Implications for Banks, Exchanges, and Clearing Organizations*, presented to the Financial Markets and Payments System Work Group, Federal Reserve Bank of Chicago, May 22, 2002

*Legal Uncertainty and OTC Derivatives*, presented at the Federal Reserve Bank of Chicago, Dec. 5, 2001

*Workshop on Resolving Large Complex Banking Organizations: The Nuts and Bolts* (workshop participant), Federal Reserve Bank of Chicago, November 16, 2001

*Panel on OTC Derivatives: the Need for Cross-border Cooperation*, CFTC International Symposium and Training on Derivative Products, Markets and Financial Intermediaries, October 22, 2001

*Current Issues in Derivative Transactions*, presented to the general counsels of the Federal Home Loan Banking System, February 6, 1998, at Washington D.C.

*Understanding Derivative Transactions*, presented at the Chicago Bar Association, March 1998

### ***Moderator***

*Fraud Loss and Dispute Resolution*, 2008 Payments Conference – Payments Fraud: Perception versus Reality, Federal Reserve Bank of Chicago, June 5, 2008.

*After the Moratorium: The Future of Industrial Banks in Utah*, organizer and moderator of panel discussion presented at the University of Utah College of Law, Salt Lake City, Utah, January 22, 2007.

American Bar Association Section of Labor & Employment Law Teleconference, Moderator, *Commissioner V. Banks - Is the portion of a money judgment or settlement paid to a plaintiff's attorney under a contingent-fee agreement income to the plaintiff?*, February 10, 2005

### ***Selected Workshops***

*Derivative & Finance Documentation*, presented to the Caribbean Development Bank, June 8-12, 2015, Barbados.

*Negotiating Finance Contracts*, presented to the Islamic Development Bank, September 1-2, 2014, Jeddah, Saudi Arabia.

*Troubled Asset Resolution: National Economic Objectives*, presented to members of the Nigerian judiciary, April 23-24, 2014, Washington, D.C.

*ISDA Derivative Documentation*, presented to the Bank of Latvia (central bank), December 20-21, 2010, Riga, Latvia.

*Loan Documentation*, presented to Ecopetrol, Bogota, Colombia, October 28-29, 2009.

*Introduction to OTC Derivatives*, presented to Suramericana, Medellin, Colombia, October 30, 2009.

*Understanding OTC Derivatives*, presented to the Board of Directors of the Federal Home Loan Bank of Indianapolis, March 11, 2009, Dana Point, California.

*OTC Derivatives*, presented to the Brunei Investment Agency, Brunei Darussalam, January 12-14, 2009.

*Loan Documentation*, presented to the EDC (Export Development Bank of Canada), Ottawa, Canada, October 20-21, 2008 and October 19-20, 2009.

*Derivatives and ISDA Master Agreement Workshop*, presented to the Inter-American Development Bank, February 11-13, 2008 and March 27-28, 2008, Washington, D.C.

*Loan Documentation*, presented to BNDES (the Brazilian Development Bank), Rio de Janeiro, Brazil, October 16-10, 2007.