





A Joint Workshop

"Cross-Border Resolution Policy: Issues & Options"



Kern Alexander holds the Chair of Law and Finance at the University of Zurich and is Senior Research Fellow in Financial Regulation at the Centre for Financial Analysis and Policy, University of Cambridge. He is a Member of the European Parliament's Expert Panel on Financial Services and was Specialist Adviser to the UK Parliament's Joint Select Committee on the Financial Services Bill 2012. He was educated at Cornell (AB & JD), Oxford (MPhil), and

Cambridge (Phd & MA) Universities. He is a Solicitor of the Supreme Court of England and Wales.



MP Azevedo is the Deputy Director for International Coordination at the FDIC's newly established Office of Complex Financial Institutions. Until December of 2010, Ms. Azevedo was the Senior Vice President and Associate General Counsel in charge of the international regulatory affairs at Western Union. Prior to joining Western Union, Ms. Azevedo was a partner at Winthrop, Stimson, Putnam and Roberts and served as the partner in charge of its Brussels office. Ms.

Azevedo is a graduate of Connecticut College, The Fletcher School of Law and Diplomacy and The University of North Carolina School of Law at Chapel Hill.



H. Rodgin Cohen H. Rodgin Cohen is a partner at Sullivan & Cromwell LLP. He was Chairman of the Firm from July 1, 2000

through December 31, 2009 and has served as its Senior Chairman since January 1, 2010. The primary focus of his practice is acquisition, corporate governance, regulatory and securities law matters for major U.S. and non-U.S. banking and other financial institutions. Mr. Cohen has acted in most of the major U.S. bank acquisitions and government-sponsored and capital-raising efforts during the financial crisis and provides corporate governance advice to a large number of financial and non-financial institutions. He has played a singular role in the market events that have changed the face of the financial services industry and economy, for which The American Lawyer ranked Mr. Cohen #1 among its 25 "Dealmakers of the Year" in 2009. He was also presented an FT Special Achievement Award in recognition of his work on nearly 20 substantial credit crisis-related transactions by the Financial Times in October 2009. Mr. Cohen received IFLR's Contribution to Regulatory Reform Award in March 2012. In December 2011, the M&A Advisor awarded him a Lifetime Achievement Award. Mr. Cohen was the only lawyer named to "The Power 100: The 100 Most Powerful People in Finance" published by Worth Magazine in November 2011. He was recognized for his involvement in "nearly every big financial M&A transaction of the last 30 years" and for serving as the "first call for bank bosses" regarding Dodd-Frank reforms. In March 2010, The National Law Journal named Mr. Cohen one of the "Decade's Most Influential Lawyers." Mr. Cohen is a trustee of New York Presbyterian Hospital, Rockefeller University, the Hackley School, Deerfield Academy, Hampton University, Lincoln Center Theater, New York City Partnership and, formerly, the Economic Club of New York. He is also a member of Harvard Law School's Visiting Committee and the advisory boards of United Way of Westchester-Putnam, the University of Charleston and Wall Street Rising, which in 2005 honored him with its annual Leadership Award for his "steadfast commitment to Lower Manhattan" in the aftermath of the attacks of September 11, 2001. In May 2010, Mr. Cohen and his wife Barbara were honored with the Servant of Justice Award at the Legal Aid Society's 33rd Annual Dinner.



Darrell Duffie is the Dean Witter Distinguished Professor of Finance at Stanford University's Graduate School of Business. He is a member of the Financial Advisory Roundtable of the Federal Reserve Bank of New York, a Fellow and member of the Council of the Econometric Society, a Research Fellow of the National Bureau of Economic Research, a Fellow of the American Academy of Arts and Sciences, a member of the board

of directors of Moodys Corporation since 2008, and the 2009 president of the American Finance Association. Duffie's research and teaching focus on valuation and risk in

financial markets. His recent books include How Big Banks Fail (2010), Measuring Corporate Default Risk (2011), and Dark Markets (2012). Duffie is also a co-author of The Squam Lake Report -- Fixing the Financial System (2010), and is a member of the Resolution Project at Stanford University's Hoover Institution.



Simon Gleeson specialises in financial markets law and regulation, clearing, settlement, derivatives and sovereign debt. Simon was seconded to the UK Financial Services Authority to assist with the development of the market abuse regime, and advised the World Economic Forum on its 2009 Report on The New Global Financial Architecture. His experience includes advising governments, regulators and public bodies as well as banks, investment firms, fund managers

and other financial institutions on a wide range of regulatory issues. Simon is a member of the Financial Markets Law Committee, the Institute for International Finance's Special Committee on Effective Regulation and the FSB Legal Technical Advisory Committee.



Andrew Gracie was appointed Director of the Special Resolution Unit in the Bank of England in December 2011. The SRU discharges the Bank's statutory responsibilities for resolution including, with the FSA, the preparation of recovery and resolution plans by UK institutions. He previously ran his own consultancy, Crisis Management Analytics, providing advice to financial authorities on crisis management issues. Prior to that, he spent eighteen years in the Bank of England in a

variety of roles in Banking Supervision, Markets and Financial Stability.



Randall Guynn is head of Davis Polk's Financial Institutions Group. He is widely recognized as one of the country's leading bank regulatory and bank M&A lawyers, and a thought leader on financial regulatory reform. See "In the Red Zone," The American Lawyer, January 2009 and "For Davis Polk, Dodd-Frank Pays," The American Lawyer, December 2010. He has advised the Securities

Industry and Financial Markets Association (SIFMA), the principal trade organization for U.S. banks, securities firms and asset managers, all of the U.S.'s six largest banks and many non-U.S. banks on the Dodd-Frank Act and its regulatory implementation. His practice focuses on providing strategic bank regulatory advice and advising on M&A and capital markets transactions when the target or issuer is a banking organization or other financial institution. He also advises on regulatory enforcement actions and white collar criminal defense, bank failures and recapitalizations, corporate governance and internal controls, cross-border collateral transactions, credit risk management, securities settlement systems and payment systems.



Richard J. Herring is the Jacob Safra Professor of International Banking and Professor of Finance at The Wharton School, University of Pennsylvania where he is also founding Director and currently, Co-Director of The Wharton Financial Institutions Center. Formerly he served as Undergraduate Dean and Director of the Lauder Institute of International Management Studies. Outside the University, he serves as Co-Chair of the US Shadow Financial

Regulatory Committee and Executive Director of the Financial Economists Roundtable, a member of the advisory board of the International Center for Regulation in London and European Banking Review in Rome. He has published widely on various topics in financial regulation and international finance. He is an independent director of the DWS Fund Group, the Daiwa closed end funds and Barclays Bank Delaware. His undergraduate degree is from Oberlin College and his graduate degrees are from Princeton University.



Tom Huertas is a Financial Services Risk Advisory partner in the London office of Ernst & Young. Tom has more than 35 years of experience as a regulator, business executive and banker in Europe and North America. As a regulator, Tom was a member of the Executive Committee at the UK Financial Services Authority. He also served as a

member of the Basel Committee and as Alternate Chair of the European Banking Authority. At the FSA Tom led its work on recovery and resolution (living wills), remuneration and the analysis of risks facing the banking sector. He was also responsible for the prudential and conduct of supervision of wholesale firms in the banking, insurance and asset management sectors in the UK. As CEO of a start-up trade

finance and settlement company, Tom led the development of its award winning product. The company successfully facilitated financing over \$1 billion in trade receivables before Tom sold the company to a private investor. As country executive for a major global bank, Tom led the development and growth of its business with corporate and financial institution clients whilst successfully managing compliance with regulations and relationships with national and global supervisors. As chief of staff to the Vice Chairman of a major global bank, Tom played a key role in the development and execution of the bank's regulatory strategy in Europe and the United States. Tom has published extensively on banking and financial issues, including his recent book Crisis: Cause, Containment and Cure. Tom has a Ph.D. in Economics from the University of Chicago.



Eva Hüpkes is Adviser on Regulatory Policy and Cooperation at the Financial Stability (FSB) Board. Prior to assuming her position with the FSB in September 2009 she served as Head of Policy and Regulation with the Swiss Financial Market Supervisory Authority FINMA. She joined FINMA's predecessor organization, the Swiss Federal Banking Commission (SFBC), in 1999. Before that she worked at the Legal Department of the International Monetary Fund in

Washington D.C. She is a member of the New York Bar and holds degrees in law and international relations from the University of Geneva, the Graduate Institute of International Studies, Geneva, and Georgetown University (LLM. with distinction), and a doctorate in law (magna cum laude) from the University of Berne. She played a pivotal role in promoting effective resolution of financial institutions as Secretary to the FSB's groups working on resolution, as Co-Chair of the Basel Committee Working Group on Cross-Border Bank Resolution and as member of the Advisory Panel of the International Association of Deposit Insurers. She also served as Consulting Counsel to the IMF advising national authorities on the implementation of international standards relating to banking regulation and supervision and crisis management, and is a Lecturer in international financial regulation at the University of Zurich and Frankfurt Goethe University.



Thomas H. Jackson, president of the University of Rochester from 1994 to 2005, holds faculty positions in the William E. Simon Graduate School of Business Administration and in the University's

Department of PoliticalScience. Before he became Rochester's ninth president, Jackson was vice president and provost of the University of Virginia, which he first joined in 1988 as dean of Virginia's School of Law. He had been professor of law at Harvard from 1986 to 1988 and served on the Stanford University faculty from 1977 to 1986.A 1972 graduate of Williams College, Jackson earned his law degree from Yale in 1975. He first clerked for U.S. District Court Judge Marvin E. Frankel in New York in 1975–76, and then for Supreme Court Justice (and, later, Chief Justice) William H. Rehnquist in 1976–77. Jackson is the author of bankruptcy and commercial law texts used in law schools across the country, and served as Special Master for the U.S. Supreme Court in a dispute involving every state in the country over the disposition of unclaimed dividends held by brokerage houses.



Jan Krahnen is a Professor of Finance at Goethe University's House of Finance, in Frankfurt, Germany. He is also a Director of the Center for Financial Studies (CFS), a CEPR-Fellow, and the 2011 President of the European Finance Association. His current research interests focus on the implications of the 2007-2010 financial turmoil for banking, systemic risk, and financial market regulation. His publications appeared in the Review of Economic

Studies, the Journal of Financial Intermediation, the Journal of Banking and Finance, and Experimental Economics. Jan Krahnen has been involved in policy counselling on issues of financial market regulation, most recently as a member of the Issing-Commission, advising the German government on the G-20 meetings. He is also a member of the Academic Advisory Board, German Federal Ministry of Finance, a member of the Group of Economic Advisors (GEA) at the European Securities and Markets Agency (ESMA), Paris and a member o the High Level Expert Group on Structural Reform of the EU Banking Sector (Liikanen Commission), Brussels.



Harvey R. Miller currently is a partner in the New York City based international law firm of Weil, Gotshal & Manges, LLP where he had been a member of the firm's management committee for over 25 years and created and developed the firm's Business Finance & Restructuring department specializing in reorganizing distressed business entities. From September 2002 to March 2007, he was a

managing director and vice chairman of Greenhill & Co.; adjunct associate professor of

Law 1974-76, and adjunct professor of Law 1976 to present, New York University Law School; visiting lecturer, Yale Law School, 1983-84; lecturer in Law 2000 to present, Columbia University School of Law; member, board of visitors Columbia University School of Law through 2002; member, Dean's Council Columbia University School of Law 2003-present; member, National Bankruptcy Conference; fellow, American College of Bankruptcy; fellow of the American Bar Foundation; trustee, Committee on Economic Development



Roberta Romano is Sterling Professor of Law at Yale Law School and director of the Yale Law School Center for the Study of Corporate Law. Her research has focused on state competition for corporate charters, the political economy of takeover regulation, shareholder litigation, institutional investor activism in corporate governance, and the regulation of securities markets and financial instruments and institutions. Professor Romano is a fellow of the American Academy of

Arts and Sciences and the European Corporate Governance Institute, a research associate of the National Bureau for Economic Research, a past President of the American Law and Economics Association and the Society for Empirical Legal Studies, and a past co-editor of the *Journal of Law, Economics and Organization*. She is the author of *The Genius of American Corporate Law* and *The Advantage of Competitive Federalism for Securities Regulation*, and series editor of the Foundations of Law reader series and editor of the volume in the series, *Foundations of Corporate Law*(2d ed.).



Daniel Ryan is the Chairman of our Financial Services Regulatory Practice and a member of the firm's Financial Services Leadershipteam. Dan advises the firm's largest global financial services clients on matters ranging from business strategy and M&A activity to governance, risk, and regulatory issues. He is often called upon by the boards of directors and management of major financial institutions to consult on critical issues and during the financial crisis served as an advisor to the boards of many of the

firms most impacted by the crisis. Most recently, Dan has spent the large majority of his time advising our G-SIFI clients and large global banking clients on Dodd-Frank and global regulatory reform matters. Dan began his career at PwC as an auditor focused on

serving large securities firms and banks. He rejoined PwC in 2006 after successfully founding and then later selling his own technology firm, which developed a trading technology for the NASDAQ equities market. Prior to that, Dan served as the chief financial officer of a leading U.S. investment bank, where he was responsible for all aspects of the firm's support infrastructure. Dan has an MBA in finance from Columbia University and he is a certified public accountant in the State of New York.



David Schraa is Regulatory Counsel for the Institute of International Finance. Before moving to the IIF in 2004, he served in several legal capacities at J.P. Morgan and UBS in Paris and New Yor, and was Resident Counsel for the Euroclear Operations Centre of Morgan Guaranty in Brussels. He is a graduate of the Harvard Law School,

Harvard Gradate School of Arts and Sciences and Pomona College.



John F. Simonson is Deputy Director for Systemic Resolution Planning and Implementation, he is responsible for the implementation of the FDIC's resolution obligations under Title I and Title II of the Dodd Frank Wall Street Reform and Consumer Protection Act ("Dodd Frank Act"). This includes overseeing the review or development of resolution plans for the rapid and orderly of a complex financial institution designated as systemically important.

John has over 20 years of experience in finance, capital markets, and business operations and planning. Immediately prior to joining the FDIC, John was the Senior Vice President and Chief Financial Officer for the Export-Import Bank of the United States. In this position, he was the principal advisor on all matters pertaining to the Bank's funds and financial policies and for leading the Bank's financial operations including accounting, budget, treasury, and management of its \$85 billion credit portfolio. John has also held Managing Director and Vice President-level positions at several large global financial firms where he was responsible for structuring, underwriting, restructuring, and risk management of a variety of loans and other credit products in national and international markets. He also held positions in strategic and operational planning and analysis. John received his undergraduate degree magna cum laude from Rice University, majoring in mathematics and economics. He received his

MBA from the University of Chicago, specializing in finance and international business, and has also studied at the London School of Economics.



Kenneth E. Scott, law and business professor emeritus and Hoover Institution senior research fellow, is a leading scholar in the fields of corporate finance reform and corporate governance who has written extensively on federal deposit insurance issues and federal banking regulation. His current research concentrates on legislative and policy developments related to the current financial crisis, comparative corporate governance, and financial

regulation. Professor Scott has extensive consulting experience, including work for the World Bank, Federal Deposit Insurance Corporation and Resolution Trust Corporation, and, most recently, the National Association of Securities Dealers (now FINRA). He is also a member of the Shadow Financial Regulatory Committee, Financial Economists Roundtable, and the State Bar of California's Financial Institutions Committee. Before joining the Stanford Law School faculty in 1968, he served as general counsel to the Federal Home Loan Bank Board, chief deputy savings and loan commissioner of California and worked in private practice in New York with Sullivan & Cromwell.



David Skeel is the S. Samuel Arsht Professor of Corporate Law at the University of Pennsylvania Law School. He is the author of *The New Financial Deal* (Wiley, 2011); *Icarus in the Boardroom: The Fundamental Flaws in Corporate America and Where They Came From* (Oxford, 2005) and *Debt's Dominion: A History of Bankruptcy Law in America* (Princeton, 2001), as well as "Redesigning the International Lender of Last

Resort," *Chicago Journal of International Law* (2005) (with Patrick Bolton) and other articles on sovereign debt, bankruptcy, and corporate law. He also has written commentaries for the *New York Times, Wall Street Journal, Weekly Standard* and other publications.



John B. Taylor is the Mary and Robert Raymond Professor of Economics at Stanford University and the George P. Shultz Senior Fellow in Economics at the Hoover Institution. He is Director of

the Stanford Introductory Economics Center. He formerly served as director of the Stanford Institute for Economic Policy Research, where he is now a senior fellow. Taylor's academic fields of expertise are macroeconomics, monetary economics, and international economics. He is known for his research on the foundations of modern monetary theory and policy, which has been applied by central banks and financial market analysts around the world. He has an active interest in public policy. He served as senior economist on the President's Council of Economic Advisers from 1976 to 1977, as a member of the President's Council of Economic Advisers from 1989 to 1991. He was also a member of the Congressional Budget Office's Panel of Economic Advisers from 1995 to 2001. Taylor served as a member of the California Governor's Council of Economic Advisors from 1996-98 and 2005-10. For four years from 2001 to 2005, Taylor served as Under Secretary of Treasury for International Affairs where he was responsible for currency markets, trade in financial services, foreign investment, international debt and development, and oversight of the International Monetary Fund and the World Bank. He was also responsible for coordinating financial policy with the G-7 countries, was chair of the OECD working party on international macroeconomics, and was a Member of the Board of the Overseas Private Investment Corporation. His book Global Financial Warriors: The Untold Story of International Finance in the Post-9/11 World chronicles his years as head of the international division at Treasury. His book Getting Off Track: How Government Actions and Interventions Caused, Prolonged, and Worsened the Financial Crisis was one of the first on the financial crisis, and he has since followed up with two books on preventing future crises, co-editing The Road ahead for the Fed and Ending Government Bailouts As We Know Them. His latest book is First Principles: Five Keys to Restoring Americas' Prosperity.

David N. Wall is the Assistant General Counsel for Complex Financial Institutions of the FDIC Legal Division. The Complex Financial Institutions Section is responsible for legal support of the FDIC's Office of Complex Financial Institutions. The Section supports the FDIC's execution of policies and program initiatives concerning the development of contingency strategies and resolution planning for, and review of, recovery and resolution plans developed by complex financial institutions as well as the FDIC's international outreach and coordination efforts with regard to the resolution of complex financial institutions. Mr. Wall has provided legal support and assisted in the development of policy initiatives for implementation of significant portions of the Dodd-Frank Act and for development of key FDIC international initiatives. Mr. Wall began his career focusing on the legal issues surrounding the financial markets with the Commodity Futures Trading Commission and joined the FDIC in 1989 following

experience with the Federal Home Loan Bank Board. Mr. Wall is a graduate of Cornell University and the University of Michigan Law School.



Peter J. Wallison, a codirector of AEI's program on financial policy studies, researches banking, insurance, and securities regulation. As general counsel of the U.S. Treasury Department, he had a significant role in the development of the Reagan administration's proposals for the deregulation of the financial services industry. He also served as White House

counsel to President Ronald Reagan and is the author of Ronald Reagan: The Power of Conviction and the Success of His Presidency (Westview Press, 2002). His other books include Competitive Equity: A Better Way to Organize Mutual Funds (2007); Privatizing Fannie Mae, Freddie Mac, and the Federal Home Loan Banks (2004); The GAAP Gap: Corporate Disclosure in the Internet Age (2000); and Optional Federal Chartering and Regulation of Insurance Companies (2000). He also writes for AEI's Financial Services Outlook series. In May 2011, he received an honorary degree from the University of Colorado for his work on the regulation of financial services