

McCombs School of Business – Policy and Compliance Series

Topic: Regulation Best Interest

February 10 - 11, 2020

Hosted by the Salem Center for Policy with support from UT Law CLE

MONDAY, FEBRUARY 10

8:00 a.m. **Registration and continental breakfast**

8:50 a.m. **Welcoming remarks**

9:00 a.m. **How Reg BI will shape industry practices**

A discussion of how the financial services industry will need to adapt to sweeping new rules governing the giving of investment advice.

Moderator – Jim Burns, Partner, Willkie Farr & Gallagher

- Dan Kahl, Deputy Director, Office of Compliance Inspections and Examinations, SEC
- Ira Hammerman, General Counsel, SIFMA
- Leo Rydzewski, General Counsel, CFP Board
- Tom Selman, Founder, Scopus Financial Group

(10:00 a.m. Break)

10:15 a.m. **Assessing the market impact of the new rules**

Remarks by SEC Chief Economist SP Kothari followed by a discussion with former Chief Economist Chester Spatt on how the economics of giving advice has changed.

Moderator – Scott Bauguess, McCombs School of Business

- SP Kothari, Chief Economist, SEC
- Chester Spatt, Professor, Carnegie Mellon University, and former SEC Chief Economist

(11:15 a.m. Break)

11:30 a.m. **On the policy and politics of the regulatory landscape**

A discussion of the events and politics that led to this point and views on how they think the new policies and practices will develop.

Moderator – Jason Zweig, Columnist, The Wall Street Journal

- Dan Gallagher, Partner, Wilmer Hale, former SEC Commissioner
- Andrea Seidt, State of Ohio Securities Commissioner

12:30 p.m. **Lunch with keynote address: "Influencing Investors"**

How investor decisions are affected by the way information is presented to them.

- Brad Barber, Gallagher Professor of Finance, Graduate School of Management, UC Davis

2:00 p.m. **Understanding the new rules**

A review and discussion of Regulation Best Interest, Form CRS, and interpretive guidance to broker dealers and investment advisers.

Moderator – Diane Blizzard, former Associate Director (retired), SEC

- Christopher Gilkerson, General Counsel, Charles Schwab
- Jennifer Morton, Counsel, Shearman & Sterling
- Emily Russell, Chief Counsel, Division of Trading and Markets, SEC
- Sara ten Siethoff, Associate Director, Division of Investment Management, SEC

(3:15 p.m. Break)

3:30 p.m. **Potential areas for compliance focus**

Areas where compliance officers at investment advisers, securities brokers, and wealth managers may experience challenges in understanding and applying the new rules.

Moderator – Jay Baris, Partner, Shearman & Sterling

- Tom Selman, Founder, Scopus Financial Group
- James Anderson, Partner, Willkie Farr & Gallagher
- David Peavler, Director of Fort Worth Regional Office, SEC

(4:30 p.m. Break)

4:45 p.m. How will investors respond?

How will investors change their behaviors in response to how the industry applies the rules?
What will be the impact on the financial services industry?

Moderator – Jennifer Juergens, Senior Economist, Cornerstone Research

- Rick Fleming, SEC Investor Advocate
- Jonathan Reuter, Professor, Boston College
- Dana Rhodes, Managing Director, Riskalyze

5:45 p.m. Reception

TUESDAY, FEBRUARY 11

8:00 a.m. Continental breakfast

8:40 a.m. Opening keynote “The Long Road to Regulation Best Interest”

- Andrew (Buddy) Donohue, Independent Director, BNY Mellon Funds

9:15 a.m. Culture and ethics: How will the professional practice need to adapt?

More than just setting a new standard of conduct, the new rules reflect a need to revisit the ethics of investment advising. It’s not just about finding the bright lines to toe.

Moderator – Jonathan Cohn, Professor, McCombs School of Business

- Niki Boyson, Professor, Northeastern University
- Ryann Marotta, Wealth Manager, Austin Asset
- Micah Hauptman, Counsel, Consumer Federation of America

(10:15 a.m. Break)

10:30 a.m. The impact on the use of technology under Regulation BI

Panelists will discuss the risks and benefits of using technology solutions and third-party providers under Regulation Best Interest.

Moderator – James Spindler, Professor, UT Law School and McCombs School of Business

- Harvey Westbrook, Senior Manager, Deloitte Advisory
- Aaron Gubin, Head of Product, SigFig
- Ken Joseph, Managing Director, Duff & Phelps

(11:30 a.m. Break)

11:45 a.m. Enforcement and litigation risk

Experts will discuss litigation risk and how and where the new rules could create new exposures.

Moderator – Jennifer Marietta, Principal, Cornerstone Research

- Rob Cohen, Partner, Davis Polk
- Kit Addleman, Partner, Haynes and Boone
- Anthony Kelly, Partner, Dechert LLP

12:45 p.m. End of Regular Program

TUESDAY FEB 11, AFTERNOON SPECIAL SESSIONS

2:30 p.m. – 5:00 p.m. Compliance Workshops

Facilitator led discussions for FINRA-registered broker-dealers, SEC-registered investment advisers, and Dual registrants

- Joshua Broaded, Partner, ACA Compliance Group
- Ken Joseph, Managing Director, Duff & Phelps
- Tom Selmen, Founder, Scopus Financial Group
- Ronak Patel, Shareholder, Winstead PC
- Linda Shirkey, Managing Director, Bates Group

For registrants seeking how to prepare and distribute Form CRS. The workshop will open with an overview of Form CRS's content and distribution requirements, followed by small-group working sessions to help each attendee draft their own Form CRS. The workshop will be interactive, drawing on insights and best practices shared by the facilitators and by attendees. The facilitators will also host conversations about the identification, mitigation and disclosure of conflicts of interest within the framework of Regulation BI.