

Minutes of the regular meeting of the Buyside General Counsel Committee

12:00 p.m. – 2:00 p.m., Wednesday, September 17, 2014

Federal Reserve Bank of New York

33 Liberty St., New York, NY

Present:

Thomas C. Baxter, Jr., FRBNY (Chair)
David Brooks, Fortress Investment Group LLC
Adam C. Cooper, Citadel LLC
Marcy Engel, Eton Park Capital Management
Joyce Hansen, FRBNY
Roy Katzovicz, Pershing Square Capital Management, L.P.
John Liftin, D. E. Shaw & Co., L.P.
Owen S. Littman, Cowen Group, Inc.
Simon Lorne, Millennium Management, LLC
David Parkinson, FRBNY
Andrew Paul, Tudor Investment Corporation

Mr. Baxter called the meeting to order at approximately 12:00 p.m.

1. Living Wills

Members discussed the recent completion by the Federal Reserve and the Federal Deposit Insurance Corporation (FDIC) of reviews of the 2013 round of resolution plans submitted by 11 large, complex banking organizations, including the regulators' finding of shortcomings in the plans.

2. Market Analysis and Chat Terminals

Members discussed the greater attention that financial institutions are paying to the means by which their employees communicate over chat, including considering alternatives to the tool offered by Bloomberg through its terminal service.

3. Asset Managers as SIFIs

Members discussed the continued prospect that asset managers might be designated as systemically important financial institutions (SIFIs) by the Financial Stability Oversight Council (FSOC).

4. Alternative Investment Fund Management Directive (AIFMD) and European Investors

Members discussed their firms' continued efforts to understand and comply with the European Union's AIFMD.

5. ISDA Credit Derivatives Protocol

Members discussed the International Swaps and Derivatives Association's (ISDA) 2014 ISDA Credit Derivatives Definitions Protocol, which adds, among other things, new definitions to fill in gaps created by unanticipated legislation concerning government bail-outs and the use of bail-ins. Members expect broad-based adherence with the new protocol.

Members also discussed a protocol being developed by ISDA to support the cross-border enforcement of a temporary stay of early termination rights in relation to resolution-based defaults. It was noted that ISDA has formed a working group composed of representatives from dealers and buy-side and has begun doing presentations on the protocol.

6. Tour de Table

Members briefly discussed the upcoming Scottish independence referendum, including contingency planning for the event of a vote in favor of independence.

The meeting adjourned at approximately 2:00 p.m.