

**Chicago-Kent College of Law
Illinois Institute of Technology**

**11th Annual
Conference
on Futures & Derivatives**

Thursday, October 17, 2019

Contact:
Chicago-Kent College of Law
Office of Continuing Legal and Professional Education
(312) 906-5090
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11th Annual Conference on Futures & Derivatives
Thursday, October 17, 2019

8:00 am – 8:40 am	Registration
8:40 am – 8:45 am	Welcome & Announcements
8:45 am – 9:45 am	CFTC Fireside Chat
Auditorium (1st Floor)	<p>In this question-and-answer session, Jamie McDonald, Director of the CFTC's Division of Enforcement, will discuss lessons learned and the Division's priorities and aspirations for the coming year.</p> <p>Scott Williamson, Regional Administrator/Acting Deputy Director, Division of Enforcement, U.S. Commodity Futures Trading Commission</p> <p>James McDonald, Director, Division of Enforcement, U.S. Commodity Futures Trading Commission</p>

9:45 am – 10:00 am	Break
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10:00 am – 11:00 am	New Regulatory Requirements and Other Updates from NFA
Auditorium (1st Floor)	<p>NFA will discuss changes that it has made to its rules in the past year, including revisions to supervision and promotional material rules. The panelists will also outline some common mistakes that firms make when trying to comply with NFA's rules, and some of the disciplinary actions recently taken.</p> <p>Patricia Cushing, Director, Compliance, National Futures Association</p> <p>Jennifer Sunu, Director, Compliance, National Futures Association</p>

11:00 am – 11:15 am	Break
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11:15 am – 11:45 am	At the Intersection of Antitrust and Derivatives Law
Auditorium (1st Floor)	<p>Jake Kahn, Partner, Riley Safer Holmes & Cancila LLP</p>

11:45 am – 12:15 pm	Recent Trends in CFTC's Enforcement of the Supervision Requirement
	<p>The supervision requirement for registrants is an important enforcement tool for the CFTC. Recent cases highlight the significance of establishing and implementing a supervisory structure and compliance program that goes beyond mere paper policies. This session will discuss notable developments in this arena, including practical takeaways from enforcement actions.</p> <p>Allison Passman, Trial Attorney, U.S. Commodity Futures Trading Commission</p>

12:15 pm – 1:15 pm	LUNCH (on your own)
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1:15 pm – 2:15 pm	Ethics Issues in Investigations <i>(eligible for 1.0 hour IL professionalism/ethics credit)</i>
Auditorium (1st Floor)	<p>Andrew Vrabel, Executive Director/Global Head of Investigations, CME Group</p> <p>Renato Mariotti, Partner, Thompson Coburn LLP</p>

2:15 pm – 2:30 pm	Break
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2:30 pm – 3:30 pm	Enforcement Panel
Auditorium (1st Floor)	<p>Mr. Kluchenek and Mr. Schweitzer will discuss, in a point/counterpoint fashion, various CME Group disciplinary and investigatory considerations, including the following topics:</p>

- Advantages / Disadvantages of Global Settlements
- Role and Impact of Cooperation, including Self-Reports
- Parallel Investigations Involving CME Group and the CFTC
- Use of Prior Cases in Negotiating Sanction Determinations
- Pros and Cons of Taking Cases to Hearings
- Negotiating Notices of Disciplinary Action

Matthew F. Kluchenek, Partner, Mayer Brown LLP

Steve Schweitzer, Senior Director and Regional Head of Enforcement, CME Group

3:30 pm – 3:45 pm	Break
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3:45 pm – 4:15 pm	Cybersecurity
Auditorium (1st Floor)	William Ridgway , Partner, Skadden Arps Slate Meagher & Flom LLP

4:15 pm – 4:45 pm	Pushing the Envelope
Auditorium (1st Floor)	Lessons from the Courtroom - Aggressive Trial Tactics in Criminal Defense. Marc L. Mukasey , Founding Partner, Mukasey Frenchman & Sklaroff LLP

4:45 pm – 5:45 pm	Networking Reception, Morris Hall (10th Floor)
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General Information

CFE, CSCP, CCB:	If you wish to receive Certified Fraud Examiner Credit, Certified Securities Compliance Professional Credit, or Compliance Certification Board Credit, please speak with the staff at the Registration Table for further information.
Computer Ports:	There are 3 computer ports in the lobby along the outside (east) wall of the auditorium. To check email you may login as username GUEST (there is no password) and gain access to the internet.
Course Mats Download:	To download the full set of materials visit: cle.kentlaw.edu/materials , password: ckcle2016. These will be available until November 1, 2019 .
CPE:	If you wish to receive IL CPE Accounting credit, please sign the attendance roster at the Registration Desk in the front lobby. It may be signed at any time. You will receive a certificate of attendance at that time.
Lunch:	12:15 pm – 1:15 pm Restaurant Guides are available in the lobby registration area
MCLE:	MCLE CREDIT PROCEDURE - If you need MCLE credit for this conference please turn in your attendance form at the registration desk at the end of the conference. Following this program, our CLE Office will report your attendance to the Illinois MCLE Board. After your credit is reported, you will receive a Certificate of Attendance via email from our CLE Office within 30 days of this program.
Name Badges:	Please wear your name badge at all times while in the building to ensure admittance to all program related functions, and for security purposes.
Non-Smoking Building:	Smoking is not permitted inside the law school. Please use designated smoking areas located outside of the building.
Program Evaluation:	Your feedback is greatly appreciated, to complete your evaluation please visit: www.surveymonkey.com/r/FuturesDerivatives19
Reception:	4:45 pm – 5:45 pm in the Morris Hall, 10 th Floor
Restrooms:	Located east of the elevators by the drinking fountains (On each floor except concourse - on the concourse, by the south entrance near the bookstore).
Twitter:	Use hashtag #ckfutures to tweet about the conference
Wireless Internet:	Network: DTC-Event Username: cleguest Password: cle2019

Conference Faculty



Patricia L. Cushing

Patricia L. Cushing is a director of compliance at National Futures Association (NFA). She has worked at NFA since 1990. Ms. Cushing's responsibilities include overseeing staff who conduct financial and compliance examinations, investigations and financial surveillance of brokerage firms in the commodity futures industry. Ms. Cushing manages the design of the department's exam programs and is responsible for the training of the examination staff. She leads the compliance department's member education efforts, advises members on compliance issues, and presents at industry conferences. Ms. Cushing has served as a primary liaison between NFA and the CFTC in the development of rules affecting Commodity Trading Advisors and Commodity Pool Operators. Ms. Cushing is a graduate of Saint Mary's College in Notre Dame, Indiana. She is a Certified Public Accountant, Certified Fraud Examiner and a Certified Regulatory Compliance Professional, having received this designation through the FINRA Institute at The Wharton School of Business.



Robert S. Frenchman

Robert S. Frenchman is the Founding Partner of Mukasey Frenchman & Sklaroff LLP. He represents financial services clients in white collar matters, complex litigation, and regulatory enforcement proceedings. Mr. Frenchman has defended financial services clients during investigations and at trial, facing off against federal and state prosecutors, the Securities and Exchange Commission, the Commodity Futures Trading Commission, and the Financial Industry Regulatory Authority. His recent work includes two white collar defense trial victories – the first-ever acquittal in a commodities “spoofing” trial (*US v. Flotron*) and the successful trial defense of a bond trader (*US v. Gramins*). In addition to his work on the Gramins and Flotron trials, Mr. Frenchman represented the star witness and source of the material non-public information in *U.S. v. Martoma*, who received a non-prosecution agreement from federal prosecutors. Mr. Frenchman was a partner in two international law firms before the formation of Mukasey Frenchman & Sklaroff LLP. He received his B.A. from Bowdoin College and his J.D., *cum laude*, from Tulane University of Law.



Jacob L. Kahn

Jacob L. Kahn is a partner at the law firm of Riley Safer Holmes & Cancila LLP. Mr. Kahn has represented a broad range of clients in litigation, from Fortune 100 companies to individual traders. Leveraging his economics degree, Mr. Kahn has also developed a nuanced understanding of the financial markets and their regulation. He regularly defends clients in investigations and enforcement proceedings involving the Commodity Futures Trading Commission (CFTC), the Securities and Exchange Commission (SEC), the National Futures Association (NFA), the Financial Industry Regulatory Authority (FINRA), and various financial exchanges. Mr. Kahn received his B.A. in economics, *cum laude*, from Amherst College and his J. D., Order of the coif, with high honors from Chicago-Kent College of Law.



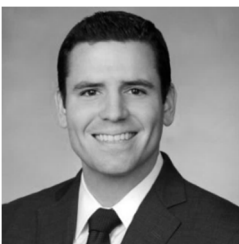
Matthew F. Kluchenek

Matthew F. Kluchenek is a partner in Mayer Brown's banking & finance group and a member of the derivatives and fintech practices. He has a broad-based financial services practice in which he counsels financial institutions, asset managers, trading advisors, trading firms, fintechs, multinational corporations, brokers, exchanges and financial service technology providers with respect to regulatory, transactional and enforcement matters involving derivatives, securities and cryptocurrencies. Mr. Kluchenek also serves as an adjunct professor at the Northwestern University Pritzker School of Law, where he teaches the course on derivatives law and practice. Prior to joining Mayer Brown, Mr. Kluchenek was a partner and the Global Head of Derivatives at Baker & McKenzie and served as Associate General Counsel of CME Group, Inc., as well as the General Counsel of a global high-frequency trading firm. Mr. Kluchenek received his B.A. from Loyola University Chicago, a J.D. from Chicago-Kent College of Law and an LL.M. in securities and financial regulation from Georgetown University Law Center.



Renato Mariotti

Renato Mariotti is a partner at Thompson Coburn LLP, where he represents clients in high-stakes litigation and enforcement matters. Most recently, Mr. Mariotti tried and won *United States v. Jitesh Thakkar*, the first-ever criminal case charging a non-trader with spoofing. After his cross-examination of the government's star witness caused him to admit that there was no conspiracy, the judge acquitted Mr. Thakkar of conspiracy, finding that no rational jury could find him guilty. After 10 out of 12 jurors voted for acquittal on the remaining counts, the Justice Department dismissed them shortly thereafter, resulting in complete acquittal for Mr. Thakkar. Prior to joining Thompson Coburn, Mr. Mariotti was a federal prosecutor in Securities and Commodities Fraud Section of the United States Attorney's Office. In that role, Mr. Mariotti was best known as the lead prosecutor in *United States v. Michael Coscia*, the nation's first-ever spoofing prosecution. After securing a first-of-its-kind indictment, he successfully defended the constitutionality of the spoofing and commodity fraud statutes. After a lengthy trial, the jury returned a guilty verdict on all 12 counts after less than one hour of deliberation. Mr. Mariotti received his A.B. from the University of Chicago and his J.D. from Yale Law School.



James McDonald

James McDonald is the Director of the Commodity Futures Trading Commission's (CFTC) Enforcement Division. Mr. McDonald joins the CFTC from the U.S. Attorney's Office for the Southern District of New York, where he served as an Assistant U.S. Attorney and most recently in the Public Corruption Unit. While at the U.S. Attorney's Office, Mr. McDonald prosecuted a wide variety of cases, including serving as a member of the trial team that successfully prosecuted former Speaker of the New York State Assembly Sheldon Silver for public corruption offenses. Earlier in his career, Mr. McDonald served as a law clerk to the Honorable John G. Roberts, Jr., Chief Justice of the United States, and, before that, as a law clerk to United States Court of Appeals for the Sixth Circuit, the Honorable Jeffrey S. Sutton, Jr. A graduate of Harvard College and University of Virginia School of Law, Mr. McDonald previously served in the Office of White House Counsel, as a Deputy Associate Counsel, and he worked at the law firm of Williams & Connolly LLP. Originally from Tulsa, Oklahoma, Mr. McDonald has also served as a visiting professor at the University

of Tulsa College of Law, where he taught Constitutional Law, Federal Courts, Foreign Relations Law, and Supreme Court Decision making.



Allison V. Passman

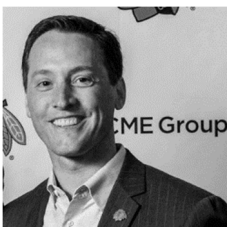
Allison V. Passman is a senior trial attorney with the Commodity Futures Trading Commission (CFTC) where she has investigated and litigated dozens of matters involving spoofing, manipulation, false statements, swaps reporting, fraud, supervision, and many others. She currently leads the foreign corruption task force and was the 2018 recipient of the Chairman's Award for Exceptional Service. Before joining the CFTC in 2011, Ms. Passman worked in the White Collar and Government Investigations group at Latham & Watkins. She also clerked in the Northern District of Illinois after graduating *cum laude* from Northwestern

University School of Law. Ms. Passman obtained a Bachelor of Business Administration *with highest honors* from Emory University.



William Ridgway

William Ridgway, a partner at Skadden, Arps, Slate, Meagher & Flom, is a former federal prosecutor and experienced trial and appellate lawyer whose practice focuses on cybersecurity and data privacy matters, white collar crime and intellectual property litigation. Prior to joining Skadden, Mr. Ridgway was an assistant U.S. attorney in the U.S. Attorney's Office for the Northern District of Illinois, where he served as the deputy chief of the National Security and Cybercrimes Section. In this role, he oversaw and managed all of the office's cybercrime, data breach and intellectual property cases. Mr. Ridgway also held the positions of national security cyber specialist and computer hacking and intellectual property coordinator for the U.S. Attorney's Office. In his eight years as a federal prosecutor, Mr. Ridgway tried numerous cases and handled a wide range of high-profile cybercrime and intellectual property matters, including the prosecution of an international cybercrime ring responsible for stealing over \$100 million, as well as prosecutions of the leaders of two prominent hacking groups for hundreds of cyberattacks that targeted businesses, nonprofits and government bodies around the globe. Mr. Ridgway also led the prosecution of the operators of one of the world's largest online piracy rings. Mr. Ridgway has received numerous awards and recognition throughout his career, including the Director's Award for Superior Performance from the Executive Office for United States Attorneys for prosecuting an international racketeering enterprise (2015) and the Chicago Crime Commission's Stars of Distinction Award for the prosecution of criminal enterprises operating in Chicago (2009 and 2010). He also was selected as a Leadership Greater Chicago Fellow in its 2017 class. Mr. Ridgway also has been a lecturer at University of Chicago Law School since 2011, where he teaches a class on cybercrime.



Steve Schweitzer

Steve Schweitzer is the Senior Director and Regional Head of Enforcement for CME Group Inc.'s Market Regulation Department. He is primarily responsible for overseeing the Market Regulation Department's enforcement efforts in the Chicago, Illinois office, directly managing enforcement counsels and prosecuting market participants in enforcement actions before CME Group's exchange disciplinary committees. Mr. Schweitzer joined CME Group in 2010 in the position of Enforcement Counsel, and most recently served as Director before assuming his current role. Prior to joining CME Group, He served as an Assistant State's Attorney in the Cook County State's Attorney's

Office from 2001 to 2009 in the criminal and civil divisions. He then worked in the Department of Central Management Services for the State of Illinois as Deputy General Counsel for Administration and Support Services.



Jennifer Sunu

Jennifer Sunu is Director of Compliance at National Futures Association, where she has worked since July 1994. Ms. Sunu's responsibilities include supervising the Compliance Department in its completion of its core functions, including: audits, investigations, and financial surveillance; overseeing the development of enforcement cases; responding to member inquiries; and informing members of NFA's initiatives through member meetings and industry conferences. Ms. Sunu has a B.S. degree in accounting from the University of Illinois at Chicago. She is

also a certified regulatory compliance professional, having received this designation through the FINRA Institute at The Wharton School of Business, and a certified fraud examiner.



Andrew Vrabel

Andrew Vrabel is the Global Head of Investigations in the Market Regulation Department of CME Group. His teams are responsible monitoring the CME Group markets for disruptive and abusive trading activity, conducting formal investigations of potential rule violations, and performing reviews to ensure the accuracy of data elements of the exchanges' audit trail. Prior to assuming his current role, Mr. Vrabel was an associate general counsel in legal department of CME Group where he focused on systems safeguards and operational risks, as well as other domestic and international regulatory matters. He also previously

served as the aide to CME Group's chief executive officer and later its chief operating officer. Before joining CME Group, He was a criminal prosecutor in Chicago, Illinois, and prior to law school, he was a commodity merchant at a global agribusiness firm. Mr. Vrabel earned a bachelor's degree from the University of Illinois at Urbana-Champaign and a juris doctor from Loyola University of Chicago School of Law.



Scott R. Williamson

Scott R. Williamson is a 28-year veteran with the Commodity Futures Trading Commission (CFTC). He is currently the Regional Administrator of the CFTC's Chicago Office and the Acting Deputy Director in the CFTC's Division of Enforcement, where he oversees the Chicago staff's investigations and litigations. Mr. Williamson was a recipient of the Chairman's Distinguished Service Award in 2016. He received his J.D. from the University of Chicago Law School, and his undergraduate degree in economics from Yale University.