

REGULATORY COMPLIANCE

Practice

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Our firm's extensive experience with funds in formation, and broad general corporate securities practice, enables our Private Equity Practice attorneys to advise our fund clients on a wide range of increasingly complex regulatory, tax, and other legal issues that affect private funds and their sponsors and investors. For our financial services clients, we regularly advise in matters relating to the U.S. Investment Advisers Act of 1940, the U.S. Investment Company Act of 1940, the U.S. Securities Act of 1933, the U.S. Securities Exchange Act of 1934, the U.S. Commodity Exchange Act, rules of self-regulatory organizations, and state blue sky laws. We also advise clients about the impact of the U.S. Employee Retirement Income Security Act of 1974 and the U.S. Internal Revenue Code generally and as they relate to issues specific to limited partners and general partners.

We also provide on-going counsel on compliance issues affecting investment advisers, broker-dealers and commodity pools and also advice on compliance with specific laws and regulations applicable to broker-dealers. We walk clients through emerging regulatory issues, including ERISA and pension issues, securities registration exemptions, privacy regulations, and Sarbanes-Oxley and Patriot Act compliance.

For example, some of the topics about which we regularly advise our private hedge fund clients include soft dollars, private offerings and the use of the Internet, hot issues regulation, capital introduction programs, anti-money laundering regulation compliance, performance advertising issues, Sarbanes-Oxley Act compliance, trade allocations, Form 13D, 13G, 3, 4, and 5 filings, and privacy regulations. A number of our partners previously worked with the regulatory agencies that oversee the private fund business, and we regularly consult with those regulators as they review and consider changes to fund regulation.