

**Buyside General Counsel Committee  
Meeting Minutes**

Federal Reserve Bank of New York  
33 Liberty St., New York, NY  
Tuesday, September 12, 2017  
12:00 – 1:30 p.m.

Present: Scott Bernstein (Caxton Associates LP), David Brooks (Fortress Investment Group LLC), Owen S. Littman (Cowen Inc.), Simon Lorne (Millennium Management, LLC)

Federal Reserve Bank of New York (“FRBNY”) participants: Michael A. Held (Chair), James P. Bergin, Angela Sun, Janine Tramontana

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Members were reminded that the Committee would be transitioning to a schedule of three meetings per year in 2018. FRBNY staff requested suggestions for additional members.

The group discussed various challenges to the investment management community related to the implementation of the EU’s revised Markets in Financial Instruments Directive (“MiFID II”), with a particular focus on the technological challenges. The group also discussed certain ways in which Brexit is expected to affect asset management activities and the application of MiFID II and the Alternative Investment Fund Managers Directive (“AIFMD”).

The group discussed distributed ledger technology and cryptocurrencies. Members commented on certain legal and regulatory questions surrounding cryptocurrencies and shared their observations on current developments in the space.

The Chair asked members to share their views on potential risks to the buy-side industry, and members raised cybersecurity in particular and noted that they were focused on legal issues related to the use of cloud services.

FRBNY staff provided an overview of recent developments in reference rate reform, including the recent selection of a preferred alternative reference rate by the Alternative Reference Rates Committee (“ARRC”), a committee sponsored by FRBNY and the Board of Governors of the Federal Reserve System. Staff also noted a recent speech by Andrew Bailey, the Chief Executive of the UK Financial Conduct Authority (“FCA”), regarding the future of LIBOR. In that speech, Bailey announced that the FCA has sought voluntary agreement with LIBOR panel members to continue their participation in LIBOR until the end of 2021. FRBNY staff also informed the group that the ARCC is contemplating forming an implementation group comprised of ARRC members and end users and is planning a roundtable on November 2 to be held at the Federal Reserve Bank of New York. The group briefly discussed certain potential legal implications of reference rate reform.

The next Buyside General Counsel Committee meeting is scheduled to take place on Tuesday, January 16, 2018.