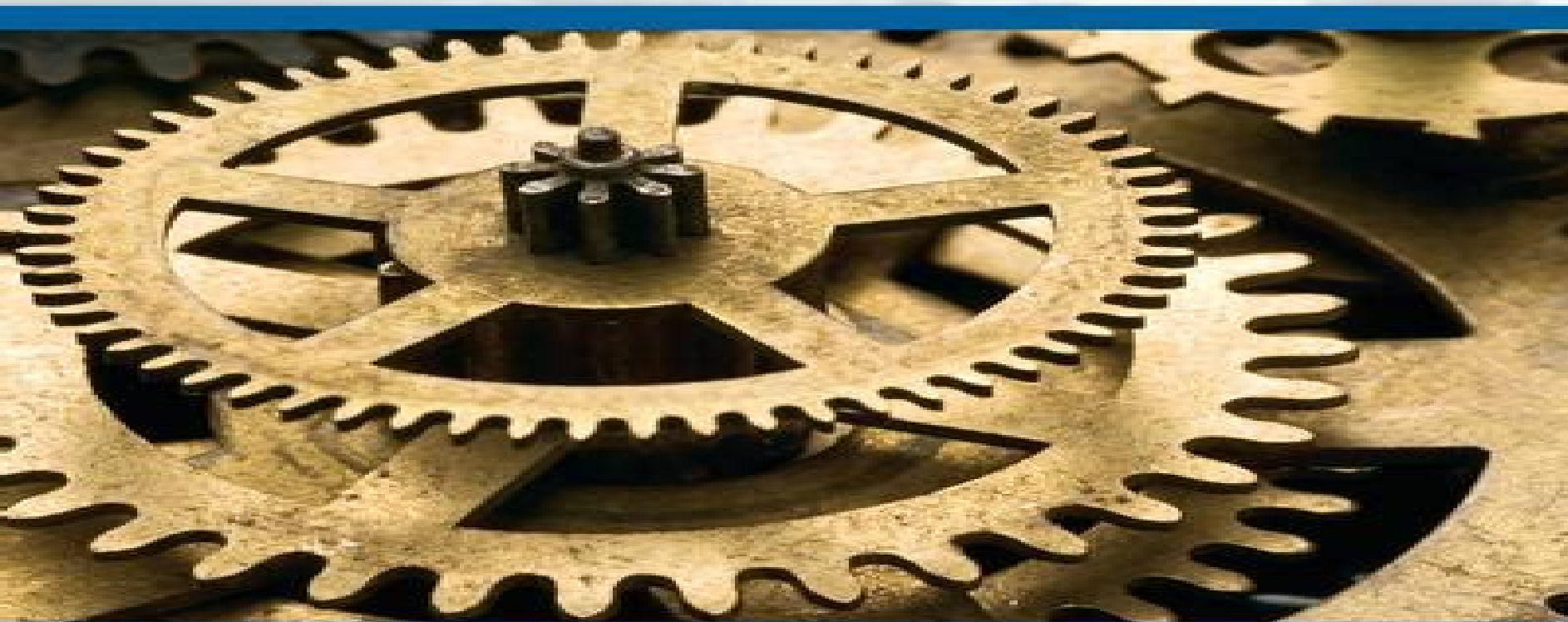


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The Federalization of Corporate Governance Marc I. Steinberg, 2018-02-23 This book focuses on the federalization of corporate governance in the United States from both historical and contemporary perspectives Although the states traditionally have regulated the sphere of corporate governance encompassing the relations among and between the subject corporation its directors its officers its stockholders and other stakeholders federal law today impacts the governance of publicly traded companies to a greater degree than ever before in U S history This book discusses the evolution and development of corporate governance from a federal law perspective from the commencement of the twentieth century to the present It examines the tension between state company law and federal law analyzes the federal historical developments explains the ramifications of the federal legislation enacted during the past two decades and recommends corrective measures that should be implemented The book accordingly provides an original historical and contemporary analysis of the federalization of corporate governance a subject that impacts this country s economic well being in a very fundamental way

Corporate Director and Officer Liability Marc I. Steinberg, 2025 This book reframes the role of corporate directors and officers as discretionaries rather than fiduciaries in the context of a wide range of key issues including the duty of care the business judgment rule exculpation statutes the duty of loyalty and mergers and acquisitions

Corporations and the Privilege against Self-Incrimination Stijn Lamberigts, 2022-12-29 This book asks whether the well established privilege against self incrimination applies to corporations whether it should and if so to what extent Those questions have an increasingly important EU criminal law dimension To answer them this study draws on

comparative insights from Belgium England and Wales and the US as well as case law of the ECtHR and EU Law It covers the established CJEU case law in competition cases the recent CJEU ruling in DB v Consob and addresses Directive EU 2016 343 It will appeal to scholars of EU criminal law but also to white collar and competition practitioners **Disruptive**

Change and the Capital Markets Marius Fischer, 2023-04-03 The risk based approach to capital markets regulation is in crisis Climate change shifting demographics geopolitical conflicts and other environmental discontinuities threaten established business models and shorten the life spans of listed companies The current rules for periodic disclosure in the EU fail to inform market participants adequately Unlike risks uncertainties are unquantifiable or may only be quantified at great cost causing them to be insufficiently reflected in periodic reports This is unfortunate given the pivotal role capital markets must play in the economy s adaptation to environmental discontinuities It is only with a reformed framework for periodic disclosure that gradual and orderly adaptation to these discontinuities appears feasible To ensure orderly market adaptation a new reporting format is required scenario analysis should be integrated into the European framework for periodic disclosure **Behind the Swap** Andrew DeJoy, 2022-05-10 Andrew DeJoy s Behind the Swap examines the risks involved in post trade processing in swaps and derivative markets and provides solutions to better control those risks While Andrew doesn t claim to have all the answers he does believe there is a way to create a safer stronger and better financial system for all stakeholders In August of 2020 Citibank made one of the worst mistakes in banking history it accidentally sent out almost 900 million of its own funds Many of the recipients didn t give back the money Citibank sued And a federal court ruled that the recipients could keep the funds Citibank s error is not surprising The underlying contributors that led to the mistaken payment permeate the global financial services industry Manual data entry decades old technological infrastructure inadequate training and systems that can t interact with one another are just a few of the problems that face post trade processing the machinery behind financial markets Unfortunately years of neglect by regulators and financial institutions themselves has left this infrastructure needlessly complex astoundingly inefficient frequently inaccurate and woefully inadequate for modern financial markets Behind the Swap helps explain what s driving the recent series of banking blunders like Barclay s 678 million clerical error and Citibank s fat finger Flash Crash that caused an 8% decline in the Swedish stock market The book also touches on concepts that readily connect to Credit Suisse s 5.5 billion loss on its trades with Archegos The problems are easy to see but difficult to admit For financial institutions the current system costs billions of dollars each year in labor systems maintenance and lost funds For regulators the current system precludes the ability to track systemic risk It also artificially inflates the stability of the global financial system For lawyers and prosecutors the current system allows ample opportunity for unlawful misconduct such as rogue trading and fraud **Understanding Securities Law**

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