

# Carl E. Kennedy

## Partner

New York Office

+1.212.940.8544

carl.kennedy@katten.com



### Practices

FOCUS: Financial Markets and Funds  
Futures and Derivatives

### Industries

Finance and Financial Markets

### Education

JD, Temple University

MBA, Temple University

BA, Temple University, *magna cum laude*

### Bar Admissions

District of Columbia  
New York

A former policy advisor to Commissioner Scott O'Malia at the US Commodity Futures Trading Commission (CFTC), a primary drafter of several CFTC rules and a key player in the CFTC's adoption of guidelines in implementing the Dodd-Frank Act, Carl Kennedy has deep experience in financial services and government matters. Financial institutions, asset managers, clearinghouses, hedge funds, proprietary trading firms and other such clients look to him for assistance in business, specifically regulatory, compliance, transactional, and enforcement-related issues in the commodities and derivatives markets.

### Lead attorney implementing regulatory compliance on Dodd-Frank rules

Prior to working at Katten, Carl was a senior in-house counsel at a large investment bank, where he offered support on legal and regulatory matters to the bank's macro markets and clearing businesses and advised on implementing global derivatives regulatory reforms, including regulations that were published under Title VII of Dodd-Frank.

Formerly an attorney to a global trade association, which represented the hedge fund industry on US and international legislative and regulatory policy issues, Carl managed regulatory and legislative advocacy on over-the-counter derivatives reform, and his actions ultimately led to the passage of Title VII of the Dodd-Frank Act.

### Recognitions

*Recognized or listed in the following:*

- *Chambers USA*
  - Capital Markets: Derivatives, 2021

# Carl E. Kennedy

Partner

---

## News

---

- Coronavirus (COVID-19) Resource Center (August 10, 2021)
- Katten Boosts Rankings in *Chambers USA* 2021 (May 20, 2021)
- Katten Attorneys Honored for Their Sustained Commitment to Pro Bono Service Including COVID-Related Work (October 28, 2020)
- FIA Profiles Carl Kennedy as Part of 'Diverse Voices' Series (August 28, 2020)
- *Wolters Kluwer* Highlights Recent Katten "Business Not as Usual" Webinar (April 10, 2020)
- Carl Kennedy Featured in *American Lawyer* (June 7, 2019)
- Former CFTC Official Joins Katten in New York (June 6, 2019)

## Publications

---

- Foreign Listed Stock Index Futures and Options Approval Chart March 2021 (March 25, 2021)
- The CFTC Adopts Comprehensive Amendments to Its Bankruptcy Rules (February 2, 2021)
- 2020 Year-End Crypto Assets Legal and Regulatory Developments (January 21, 2021)
- CFTC Adopts New Rules on Position Limits for Derivatives (November 16, 2020)
- Increasing Diversity in the Financial Services Industry (November 2, 2020)
- Financial Markets Regulation COVID-19 Resource Center (October 22, 2020)
- CFTC Adopts New Position Limits Requirements (October 16, 2020)

# Carl E. Kennedy

Partner

---

- Broadening the Pipeline: How to Increase Diversity in the Financial Services Legal Industry (October 15, 2020)
- Time for a Change: The CFTC Adopts Extensive Amendments to Swap Reporting Regulations to Improve Data Quality (October 14, 2020)
- Futures Enforcement and Litigation: A Disruptive Year, Top 5 Takeaways (October 1, 2020)
- A Call to Internalize Greenhouse Gas Cost Externalities: CFTC Subcommittee Publishes First-of-Its-Kind Report Regarding Climate Change's Impact on Financial Markets (September 17, 2020)
- A Promise Made, a Promise Kept: CFTC Adopts Final Cross-Border Swaps Rules Largely as Proposed (August 18, 2020)
- Initial Margin Guidance for US Swap End Users (July 29, 2020)
- LIBOR Preparedness Exams Are Coming – Is Your Firm Ready? (June 6, 2020)
- Federal Courts Side With Strip Clubs in Opposing the SBA's Ineligibility Rules for the Paycheck Protection Program, Possibly Signaling a Broader Trend (June 5, 2020)
- Business Unusual For Financial Services Firms – Returning to New Variations of "the Workplace" (May 19, 2020)
- A Friendly Reminder: CFTC Staff Encourages Exchanges, Futures Brokers and Clearinghouses to Ensure Their Risk Controls and Disclosures Address COVID-19-Related Market Volatility and Negative Prices (May 13, 2020)
- More Than a Refresh but Much Less Than A Substantial Overhaul: The CFTC Proposes Comprehensive Amendments to Its Bankruptcy Rules (April 29, 2020)
- Hope for the Best but Prepare for the Worst — Steps to Take If You are Worried About the Effects of the Pandemic on Your ISDA Counterparty (April 27, 2020)
- Revising Initial Expectations: CFTC Proposes Substantial Amendments to Form CPO-PQR and Related Requirements (April 16, 2020)

# Carl E. Kennedy

Partner

---

- Some Financial Businesses May Be Ineligible for the SBA's Paycheck Protection Program (April 8, 2020)
- The CARES Act: An Overview of Programs Impacting Financial Businesses (March 27, 2020)
- Business Not as Usual – COVID 19: US Securities and Derivatives Industry Regulators Provide Relief and Guidance (March 19, 2020)
- The CFTC Proposes New Rules Walking Back Its Maximalist Cross-Border Swaps Regulatory Approach (March 4, 2020)
- Have We Finally Reached Our Limits? CFTC Proposes New Position Limits Rules in Effort to End Decade-Long Saga (February 14, 2020)
- A New Captain at the Helm: The CFTC's 16-Month Regulatory and Enforcement Agenda Under Chairman Tarbert (September 24, 2019)
- National Futures Association Proposes Overhaul of its Member Requirements for the Supervision of Branch Offices and Guaranteed Introducing Brokers (July 2, 2019)

## Presentations and Events

---

- A Beacon Into 2021 Crypto Industry, Legal and Regulatory Developments Year to Date (June 2, 2021) | *Speaker*
- Law & Compliance Division Conference (April 28–30, 2021) | *Moderator* | *Pandemic Lessons*
- WIND Emerge Group: Derivatives and Networking 101 Webinar (March 16, 2021) | *Presenter*
- Trade Practices 2021: Law and Regulation (March 9, 2021) | *Moderator*
- Katten's Annual Financial Markets Regulation Crystal Ball — A Look Back at 2020 and a Look Forward to 2021 (February 24, 2021) | *Moderator*
- Virtual Derivatives and Futures Law Committee Winter Meeting 2021 (January 28–29, 2021) | *Moderator* | *Market Infrastructure and Access*

# Carl E. Kennedy

Partner

---

- 2020 Year-End Crypto Assets Legal and Regulatory Developments: It Wasn't Just Bitcoin Breaking \$29,000 (It's Even Higher Now)! (January 21, 2021) | *Presenter*
- Positioning for the CFTC's New Position Limits Rules (November 17, 2020) | *Speaker*
- Law & Compliance Division Conference (October 7–9, 2020) | *Panelist* | *Ethics*
- Katten's Annual Financial Markets Litigation and Enforcement Symposium Series (October 1, 2020) | *Moderator* | *Broadening the Pipeline: How to Increase Diversity in the Financial Services Legal Industry*
- A Brave New World: Effective Supervision and Compliance by CFTC and SEC Registrants in the New Business as Usual Environment (June 18, 2020) | *Panelist* | *Best Practices and Challenges to Address Going Forward*
- Why Overhaul CFTC Part 190 Bankruptcy Rules Now – A Conversation with the CFTC's Robert Wasserman (June 16, 2020) | *Presenter*
- Navigating with CARES: Roadmap and Roadblocks to Getting Small and Mid-Size Business Loans Under the CARES Act (April 8, 2020) | *Panelist*
- Business Not as Usual: Katten's Webinar Discussion with the CFTC's Dorothy DeWitt and Division of Market Oversight Senior Staff (March 20, 2020) | *Speaker*
- Business Not as Usual: Practical and Regulatory Responses to COVID-19 for the US Financial Services Industry (March 12, 2020) | *Speaker*
- Have We Finally Reached Our Limits? CFTC Proposes New Position Limits Rules in Effort to End Decade-Long Saga (February 14, 2020) | *Speaker*
- Hear It Directly from the Source (February 4, 2020) | *Moderator* | *Hear It Directly from the Source: Katten Attorneys Sit Down with the CFTC's DSIO Director and NFA's New OTC Derivatives Head*
- Derivatives and Futures Law Committee Winter Meeting 2020 (January 23–25, 2020) | *Panelist*

# Carl E. Kennedy

*Partner*

---

- CFTC Regulatory and Enforcement Agenda Webinar (September 24, 2019) | *Presenter*
- The National Futures Association's Proposed Revised Requirements for the Supervision of Branch Offices and Guaranteed Introducing Brokers. Get Prepared! (June 20, 2019) | *Presenter*