



## **Katten Financial Markets and Funds *Quick Take***

December 2024

### **The Second Trump Administration: Legal News and Regulatory Developments**

The Katten team is dedicated to keeping you informed about the latest legal and regulatory changes during President-elect Donald Trump's second term. Our "Second Trump Administration: Legal News and Regulatory Developments" resource center provides comprehensive analysis, authoritative commentary and concise summaries of both anticipated and recent developments. This resource is designed to help you adeptly and efficiently navigate the evolving legal and business environment. [Visit "The Second Trump Administration: Legal News and Regulatory Developments" resource center.](#) *To receive this content directly via email, [subscribe here.](#)*



### **US Federal Court Vacates SEC's Dealer Rule**

*By Susan Light, Wayne Aaron, James Brady*

On November 21, US District Judge Reed O'Connor in Fort Worth, Texas, vacated the rule recently adopted by the SEC that sought to significantly expand entities that may be required to register as a "dealer" or a "government securities dealer" (Dealer Rule). The decision to vacate the rule is noteworthy, as the Court did not remand the case to the SEC, which would have left the future status of "dealer" regulation unclear. [\*Read about District Judge O'Connor's decision.\*](#)

**Not-So-New News Flash? Change in Administration Ushers Back a Deregulatory Agenda – Implications for Investment Advisers**

By Adam Bolter, David Dickstein, Christian Hennion, Richard Marshall

While most industry observers agree that the transition to the new presidential administration will bring with it a deregulatory agenda, members of Katten's asset management regulatory team compiled their Top-5 Holiday Wish List (in no particular order): *[Spoiler Alert: There's a pretty heavy focus on private funds.]* [Read Katten's Top-5 Holiday Wish List.](#)



### **Stephen Morris Shares Thoughts on CME Grace Period Clarification**

Financial Markets and Funds Partner Stephen Morris spoke with *Risk.net* regarding new guidance from the Chicago Mercantile Exchange (CME) clarifying the meaning of a longstanding CME rule, 930.K. The clarification follows fines imposed by CME on four CME clearing members for including unconditional grace periods in client contracts, which CME viewed as impermissibly restricting clearing member discretion to liquidate accounts not in compliance with applicable margin requirements. [Read about Steve's](#)

[comments.](#)

### **Post-Election Shift: Securities Industry Anticipates Business-Friendly SEC Under Trump Administration**

By Wayne Aaron, James Brady, Susan Light

Post-election, securities industry professionals are pondering the new administration's impact on the regulatory environment and their businesses. While there is no sure outcome, many comfortably predict that under the Trump administration, the Securities and Exchange Commission (SEC) will be a more business-friendly environment, particularly with respect to digital assets. [Read Katten's article on the new administration.](#)



### **Alpine v. FINRA Big News**

By Susan Light, Wayne Aaron

On November 22, the US Court of Appeals for the District of Columbia Circuit granted Alpine a preliminary injunction, ruling that the Financial Industry Regulatory Authority (FINRA) cannot expel Alpine without the SEC's review. Interestingly, the court stated that "Alpine has also demonstrated a likelihood of success on its argument that the lack of governmental review prior to expulsion violates the private nondelegation doctrine." That doctrine generally requires that a private entity statutorily delegated to perform a regulatory role be supervised by a government actor. [Read about the Alpine case.](#)

