

The Hastings Business Law Journal's Annual Symposium

April 16, 2009

Location: UC Hastings College of the Law, the Alumni Reception Room, 200 Building

“Beyond the Bailout: Risk, Responsibility and the Road Ahead”

Looming on the horizon is an opportunity to rewrite our financial regulatory system. The ability to create such fundamental change happens only once every few generations. How that shapes up will depend in part on our understanding of the crisis, the lessons learned, and what can be done to facilitate a speedy and long-term recovery.

Introduction

9:00am – 9:15am: Registration and Welcome

9:15am - 9:30am: Opening Statements

The Scope of the Crisis

9:30am -10:40am

Background: In late 2006, the collapse of the subprime mortgage market set in motion a chain of reactions, economic and financial. These reactions led to a restriction of the free flow of credit, creating what is known as the credit crunch. In 2008, the credit crunch ballooned into the biggest financial crisis since the Great Depression. By the time government seized the nation's largest insurance company and savings and loans bank, the channels of credit were already constricted. In response, the government adopted a bailout plan to stabilize the markets and get credit flowing again. However, by this time, the crisis had spread to Europe and emerging markets, with governments scrambling to keep banks propped up, provide guarantees for deposits, and coordinate such efforts.

Discussion: This panel will discuss the sheer magnitude of the financial meltdown here and abroad. They will focus on the effects that the crisis has had on the financial and real estate markets, including tax consequences of the economic stimulus.

Speakers:

- Professor Jo. Carrillo – UC Hastings Law
- Professor Joel Paul – UC Hastings Law
- Professor Heather Field – UC Hastings Law
- Ms. Rhyen Coombs- Photographic Journalist, Winner of Dorothea Lange Fellowship for her work on communities hit hard by the crisis

Regulating Risk

10:50am -12:00pm

Background: As a result of the credit crunch, hundreds of billions in mortgage-related investments went bad as top investment banks that once ruled in the high-finance-world crumbled or recreated themselves as commercial banks.

Discussion: The panel will discuss how U.S. regulators failed to make credit-rating agencies, banks, and securities firms rein in their risk before the economic crisis and too often relied on a company's own assessment of its financial health. This discussion will include an analysis of the relationship between risk regulation and risk taking behavior and will conclude by highlighting the importance of increased credit-rating agency reform and SEC regulation.

- John Hunt – UC Berkeley, Research Director and Law Fellow
- Professor Reza Dibadj – USF Law School, author of “Rescuing Regulation”
- Professor Talbot – USF Law School, Director of Center of Investor Justice

**Keynote Speaker Lynn E. Turner,
Former Chief Accountant for the SEC**

Lunch Hour 12:00pm -1:00pm/ Keynote Speaker 12:30-1:00pm

Lynn Turner will be discussing his perspectives on the financial crisis. Mr. Turner recently testified at the hearing on the collapse of AIG. At the closing of his testimony, he stressed the importance of transparency when he stated,

“when investors are provided misleading or incomplete information, they rightfully steer clear of investing in the markets because all too often it leads to losses, as we saw with Enron and more recently, financial institutions. To bring back investors to the markets, they must once again be convinced they are getting reliable information upon which to base informed, not misinformed decisions.”

Intersection of Risk and Ethics

1:10pm – 2:10pm

Background: With stock markets plummeting, financial institutions going under, and governments on both sides of the Atlantic stepping in to bailout companies, the prospects do not look good. If responsible lending practices had been observed with increased regulatory oversight, we might not be in this position.

Discussion: This panel will discuss the ethics embedded in business systems and institutions, and how ethics and the law intersect to ensure that markets work effectively, fairly, and ultimately securely. The panel will lead with observations from Main Street, highlight the relationship between risk and regulatory necessity, and finish with a discussion on corporate governance risk aversion.

Speakers:

- Carolyn Said – Staff Writer for the San Francisco Chronicle
- Professor Denise Kleinrichert – San Francisco State University: Graduate School of Business, Professor of Business Ethics
- Professor Bruce McNamara – UC Hastings Law, Partner and head of the Corporate Governance and Transactions practice at Perkins Coie

Innovation and Resurgence of the Bay Area Economy and Beyond

2:15pm – 3:00pm

Background: The government is doing everything they can to recharge the economy. Their efforts include the recent injection of 1 trillion dollars into the economy and their collaboration with banking officials. The current administration should also look to local industries for guidance. Leaders in our local industries demonstrate the effectiveness of innovation and creative solutions, especially during a market downturn.

Discussion: This panel will focus on the role that local industries have in sustaining and rebuilding our economy. The speakers will discuss how local industries work to provide living wage jobs and create opportunity.

Speakers:

- Professor Ward Hanson – Policy Forum Director of Stanford Institute for Economic Policy Research
- Mr. Rob LaFave – Chief Executive Officer of Foodzie
- Ilya Spivak – Currency Analyst at Forex Capital Markets

Reception

3:00pm – 5:00pm

Please join us for a reception at Soluna Café and Lounge located at 272 McAllister St (cross street, Hyde Street).