

# Americas Derivatives Awards 2019: Mayer Brown shows no let-up in push for talent

For its commitment to growing a complete derivatives offering, including newly bolstered enforcement capabilities, a leading structured products practice and dedication to helping clients understand cross-border dynamics, Mayer Brown is *GlobalCapital's* overall Americas Law Firm of the Year.

**S**ince 2018 Mayer Brown has not paused for breath as it aggressively built on a respected derivatives platform to bring big hitters into the firm and grow its suite of services.

In February 2018, the firm boosted its capital markets and tax divisions when it hired Anna Pinedo, a structured products expert, and a wider team from Morrison & Foerster. Bradley Berman, David Goett, Thomas Humphreys, Rimmelt Reigersman and Shouhua Yu were part of the move, which has deepened Mayer Brown's strength in the derivatives and structured markets.

The expanded US team of derivatives and structured products lawyers works closely with Frankfurt-based partner Patrick Scholl and London-based partners Ed Parker and Chris Arnold.

"We've been able to integrate very well with the other derivatives lawyers that were already at Mayer Brown, says New York-based partner, Anna Pinedo. "Most of our clients followed us here and have already become accustomed to working with Mayer Brown."

Mayer Brown has stuck at this dogged determination to hire top talent, scoring a win for its enforcement business in January, when it hired derivatives and fintech attorney Matthew Kluchenek from Baker McKenzie as a partner.

Kluchenek adds to the regulatory and transactional offering as well as bringing his well respected experience in enforcement to the practice. This includes representation of firms and individuals subject to investigation by the US Commodity Futures Trading Commission, CME Group, ICE Futures and the US Department of Justice.

"Matthew Kluchenek brings much sought after expertise in enforcement at

a time when the CFTC has become much more active and aggressive in terms of commencing investigations," says Pinedo.

Chicago-based Kluchenek has worked on the formation of several hedge funds and has been providing related derivatives regulatory advice to Walleye Trading Advisors. He is also representing the Swedish government's investment funds with respect to their obligations under the Commodity Exchange Act.

He also gives Mayer Brown a solid footing to capture business from the nascent cryptocurrency markets. He has led efforts to advise the Bitnomial Exchange in the preparation and filing of an application to become registered as a bitcoin futures exchange with the CFTC. The arrival of Ansley Schrimpf, who followed Kluchenek from Baker McKenzie, will also strengthen the firm's expertise in cryptocurrencies.

This expertise adds to a client offering that already boasts long nurtured regulatory and transactional practices that Mayer Brown can blend to offer interdisciplinary and cross-border advice. Be it giving guidance on the cross-border implications of post-crisis regulations or advising on the execution of an esoteric trade, the firm has built a business that can deal with a range of cross-border complexities for both US and non-US clients.

A significant part of the practice is still dedicated to issues relating to the Dodd-Frank Act. "We've brought together enviable transaction and regulatory capabilities in a post-Dodd Frank world and against the spectre of Brexit," says Pinedo. "Our clients in Europe, the US and Asia highly value appropriate and timely advice that spans jurisdictions."

Over the past year, a team Pinedo led was retained to advise both overseas



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and domestic banking clients on issues relating to Dodd-Frank Act and Basel III regulatory reforms.

In addition, New York-based partner Curtis Doty assisted a leading European bank on its deal-contingent foreign currency hedges in US and cross-border M&A or financing transactions. Doty has also provided a legal opinion on the enforceability of close-out netting under the German Master Agreement for Financial Derivatives.

The firm has enjoyed increasing demand for its services from both established and new clients seeking advice on regulatory reforms and complicated compliance needs. There has also been a strong stream of customers driving the revival of complex, highly structured derivatives transactions.

During the last 12 months, the firm has advised on deal contingent swaps referencing FX and commodities, issuer-based equity derivatives and structured share repurchase programs. It has also worked on the use of structured derivatives transactions to support or supplement financing.

Alongside that, Mayer Brown frequently represents the International Swaps and Derivatives Association (ISDA) and other industry groups, both on major initiatives such as ISDA's response to the Dodd-Frank Act, as well as other post-reform matters. The firm has placed itself well for another year of growth. **GC**