

Derivatives

Polsinelli's derivatives and financial products practice brings sophisticated transactional and regulatory guidance to clients across the country. Polsinelli attorneys regularly advise financial institutions and end-users in structuring, negotiating and documenting derivatives transactions, on a standalone basis or as part of capital markets, loan or other transactions. Our attorneys have experience in derivatives transactions in all the major asset classes (interest rate, FX, fixed income, commodities and equities) and transaction types (swaps, options, collars, caps/floors, total return swaps, credit default swaps and forwards), as well as extensive familiarity with ISDA documentation (master agreements, credit support annexes, protocols) and standard documentation for other financial products, such as TBAs, repurchase agreements, securities lending, prime brokerage agreements and related collateral and custody arrangements.

In addition to transactional work, Polsinelli attorneys have been deeply involved in the development and implementation of post-financial crisis derivatives market regulation, including registration and regulation of market participants, mandatory clearing, margin and other regulatory obligations. Our attorneys have participated in SIFMA and ISDA-led advocacy, chaired regulatory implementation working groups, requested no action and interpretive relief from the SEC and CFTC and advised clients on all aspects of a changing derivatives regulatory landscape.

Our derivatives clients benefit not just from our legal knowledge surrounding these products, but also from our commercial knowledge and our ability to speak the language of derivatives market practitioners to help clients navigate this corner of the financial markets.

Matters

- Represented many lenders and borrowers in planning for USD LIBOR replacement, the ISDA IBOR protocol and the benchmark replacement process across loans and associated derivatives hedging.
- Represented financial institutions, end users and market intermediaries in understanding the U.S. bank regulations on qualified financial contract requirements and the associated ISDA Resolution Stay Protocol.
- Represented numerous lenders and borrowers in interest rate hedging of commercial mortgage loans, including associated collateral arrangements.
- Represented a telecommunications company in multiple virtual power purchase agreements.
- Represented a health care client in transitioning a \$1 billion securities lending portfolio to a new financial institution.