

**PUBLICATIONS**

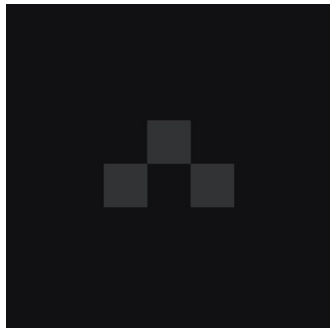
## SEC Disgorgement: Is It Insurable?

**July 24, 2017**

On June 5, 2017, in *Kokesh v. SEC*, the U.S. Supreme Court held that the SEC's use of disgorgement of profits as a remedy in an enforcement action constitutes a penalty that is subject to the federal five-year statute of limitations set forth in 28 U.S.C. § 2462. In this article, partner Howard Epstein and special counsel Theodore Keyes discuss whether SEC disgorgement is a penalty, if it is insurable and whether the two issues may overlap.

---

### Related People



**Howard  
Epstein**

Of Counsel  
New York



**Theodore  
Keyes**

Partner  
New York

---

# Practices

LITIGATION

---

## Attachments

⬇ Download Article