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Sovereign Immunity Implications for Investment Advisers

Compliance Corner

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Investment advisers seeking to counsel government entities (or funds in which such entities invest) must take into consideration the potential applicability of “sovereign immunity” doctrines. Foreign states and states and localities in the U.S. may be protected under sovereign immunity doctrines from suits and enforcement of judgments. In this article, partner Marc Elovitz and associate Christopher Avellaneda discuss how investment advisers should carefully structure advisory agreements and fund investor agreements to account for such protections.

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