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Pandemic Preparation: 72-Hour Response Plan to Government Inquiry

LexisNexis Practical Guidance

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As the financial industry continues to adjust to the effects of COVID-19, market participants should remain vigilant and prepared from a regulatory and enforcement perspective. The current volatility lends itself to the potential for regulatory and enforcement inquiries on a variety of topics, including participation in government-sponsored programs and the receipt of government funds, business continuity plans, redemption procedures and valuation processes, not to mention the increased possibility of inquiries into potential fraud (including insider trading and accounting and disclosure failures). Now, more than ever, all market participants — be they public companies, private funds, financial institutions or other regulated entities — need to be prepared. In this article, partner Charles Clark and former Schulte lawyers Christian Ascunce and Barry Bohrer provide guidance on how to respond appropriately and effectively if confronted by an enforcement authority.

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