



Fred M. Santo

Of Counsel

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Practices

FOCUS: Financial
Services

Corporate Governance

Corporate

Entrepreneurial
Ventures

Futures and
Derivatives

Broker-Dealer
Regulation

Private Funds and
Investment
Management

Financial Services
Regulatory and
Compliance

Financial Services
Litigation

International

Quantitative and
Algorithmic Trading

Industries

Finance and Financial
Services

Private Client Services

Recognition

Legal 500, 2013–2018

Fred M. Santo represents sponsors and investment managers of domestic and international hedge funds, commodity pools and other public and private pooled investment vehicles, as well as investment managers, family offices, brokers, investment professionals, financial intermediaries and other financial institutions. He provides counsel on Securities Exchange Commission (SEC) and Commodity Futures Trading Commission (CFTC) regulations, the Investment Company Act, the Investment Advisers Act, the Employee Retirement Income Security Act (ERISA), broker-dealer regulation and taxes. In addition, he has extensive experience with commodity pool operator (CPO) and commodity trading advisor (CTA) registration and compliance requirements and detailed knowledge of financial legislation including the Dodd-Frank Act. Fred is also a member of the firm's Board of Directors.

Fred has been described as being "as good as they come" (*Legal 500*). He is a frequent lecturer and author on topics of interest to the financial services industry, including securities and futures regulations affecting domestic and offshore private investment vehicles.

Fred previously served as national co-head of Katten's Financial Services practice. Prior to joining the firm, he was a senior attorney in the SEC's Division of Corporate Finance and assistant general counsel to the CFTC. He began his career as a law clerk to the chief judge of the District of Columbia Court of Appeals.

Memberships

- American Bar Association
- Managed Futures Association, Committee on Government Relations
- Association of the Bar of the City of New York

Advisories

- The EU PRIIPs Regulation for Fund Managers (December 1, 2017)
- Department of Labor Finalizes 18-Month Extension for Simplified Compliance With the BIC Exemption Under the ERISA Fiduciary Advice Rule (November 30, 2017)
- Sign of Future Changes? DOL Proposes 18-Month Extension of Transition Period for Compliance With ERISA "Fiduciary Investment Advice" Rule (August 11, 2017)



Education

LLM, Georgetown
University Law
Center

JD, American
University
Washington College
of Law

BA, Binghamton
University, State
University of New
York

Bar Admissions

District of Columbia
New York

- Compliance With the ERISA Fiduciary Advice Rule for Private Investment Fund Managers and Sponsors and Managed Account Advisers: Beginning June 9, 2017 (June 6, 2017)
- Registered Investment Advisers Take Note: New SEC Custody Rule Guidance (March 7, 2017)
- CFTC Proposes Revised Position Limit Rules (November 12, 2013)
- CFTC Proposes Revised Aggregation Rules (November 7, 2013)
- Marketing Investment Management Services to Public Retirement Systems: Complying with Applicable Laws and Regulations (August 5, 2013)
- SEC Proposes Rule Amendments to Permit General Solicitation in Rule 506 and 144A Offerings, Including Offerings by Hedge Funds and Other Private Funds (September 17, 2012)
- Managers of Private Investment Vehicles—Including Private Equity, Real Estate and Securitization Vehicles—That Use Futures or OTC Derivatives Should Consider Claiming CFTC 4.13(a)(4) Exemption by April 23, 2012 (April 20, 2012)
- CFTC Adopts Significant Changes to CPO and CTA Registration and Compliance Requirements (February 14, 2012)
- SEC and MSRB Withdraw Municipal Advisor Proposals (October 5, 2011)
- Guide to Investment Adviser Registration (September 12, 2011)
- Summary and Analysis of Dodd-Frank Rules for Investment Advisers (July 28, 2011)
- SEC Adopts Rules Implementing Core Provisions of Dodd-Frank That Apply to Investment Advisers (June 23, 2011)
- SEC Expected to Consider Extending Adviser Registration and Deregistration Deadlines (April 14, 2011)
- SEC Issues Proposed Rules Requiring Registration of Municipal Advisors (February 24, 2011)
- Comments Due January 24 on SEC's Proposals to Implement \$100 Million Asset Threshold, Other Dodd-Frank Changes for Investment Advisers (January 18, 2011)
- Comments Due January 24 on SEC's Proposed Exemptions from Investment Adviser Registration Mandated by Dodd-Frank (January 18, 2011)
- SEC Extends Compliance Date for Certain Advisers to Provide Clients with Brochure Supplements (January 6, 2011)
- SEC Adopts Amendments That Overhaul Form ADV Part 2 (August 25, 2010)
- Wall Street Transparency and Accountability Act of 2010 Introduces Extended Period of Regulatory Uncertainty (August 4, 2010)
- Financial Reform Bill Reshapes Investment Adviser Regulation (July 29, 2010)



- CFTC Issues Advisory Regarding Offer and Sale of Foreign Security Futures Products to US Persons (June 16, 2010)
- Financial Services Regulatory Reform Legislation Moves Forward (May 27, 2010)
- Senate Passes Financial Regulation Bill Requiring SEC Registration for Hedge Fund Managers with \$100 Million or More under Management (May 27, 2010)
- New FBAR Guidance and Proposed Regulations Issued (March 4, 2010)
- SEC Adopts Custody Rule Changes for Investment Advisers (January 11, 2010 *(updated June 2010)*)
- IRS Announces One-Time Extension for Voluntary Disclosure (September 21, 2009)
- Power of Attorney Law Changes in New York on September 1, 2009 (August 27, 2009)
- Treasury Proposes Legislation Overhauling Regulation of Over-the-Counter Derivatives (August 13, 2009)
- IRS Extends FBAR Filing Date (August 12, 2009)
- Administration Bill Would Require Managers of Hedge and Other Private Funds to Register as Investment Advisers (July 16, 2009)
- IRS Will Allow Taxpayers to File the Report of Foreign Bank and Financial Accounts (FBAR) until September 23, without Penalties (June 25, 2009)
- SEC's Proposed Amendments to Custody Rule Would Require Surprise Exams and Internal Control Reports (June 24, 2009)
- US Investors in Offshore Hedge Funds Should File the Report of Foreign Bank and Financial Accounts (FBAR) (June 16, 2009)
- IRS Temporarily Relaxes FBAR Filing Requirements for Non-US Persons (June 10, 2009)
- Katten Forms Madoff Securities Task Force (December 17, 2008)
- Treatment of Customers and Financial Counterparties in Stockbroker Liquidations Under SIPA and the Bankruptcy Code (June 2008)

Newsletters

- Author | *Corporate & Financial Weekly Digest* (Weekly)

Speaking Engagements & Presentations

- Presenter | Hedge Funds in a Changing Environment | Katten Investment Management Seminar Series | New York, New York (April 21, 2009)