

## MEMORANDUM

**TO:** Public File – Notice of Proposed Rulemaking:  
Prohibitions and Restrictions on Proprietary Trading and  
Certain Interests in, and Relationships with, Hedge Funds  
and Private Equity Funds (RIN 3064-AD85)

**FROM:** Michael B. Phillips, Counsel,  
FDIC Legal Division

**DATE:** October 11, 2012

**SUBJECT:** Meeting with American Securitization Forum

On September 27, 2012, representatives from the FDIC’s Division of Risk Management Supervision/Capital Markets (RMS/CM) and the Legal Division met with representatives from the American Securitization Forum. The agenda for the meeting involved the treatment of “commodity pools” in the definition of “covered fund” in the proposed rules issued in the interagency notice of proposed rulemaking (“NPR”) on section 619 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Act”), and related regulations of the Commodity Futures Trading Commission.

### FDIC

Bobby Bean, Associate Director, RMS/CM  
Karl Reitz, Chief, Capital Markets Strategies Section, RMS/CM  
Michael Phillips, Counsel, Legal Division

### American Securitization Forum

Evan Siegert, Managing Director, Senior Counsel, American Securitization Forum  
Jim Johnson, Managing Director, Public Policy, American Securitization Forum  
(Jay) Diamond, Managing Director, Annaly Capital Management  
Ellen Marks, Partner, Latham & Watkins LLP  
Stephan Meili, Global Head of Market Risk for Securitized Products Trading, Barclays  
Tejal Wadhvani, Managing Director, Senior Counsel, RBS  
Dave Webb, Director, Financial Strategy, Ford Motor Credit  
Isvara Wilson, Managing Director & Associate General Counsel, Bank of America  
Merrill Lynch  
Eric Wise, Managing Director, Royal Bank of Canada  
James (JT) Young, Director of Government Affairs, Ford Motor Credit