

# When the music stops

Private Equity, Securitisation  
and the Future of Capital Markets



An International Workshop co-sponsored by GOVNET, the ESRC  
and the Ross Parsons Centre of Commercial, Corporate and Taxation Law

University of Sydney Law School 14 December 2007 10.00 – 16.00

*"When the music stops, in terms of liquidity, things will be complicated.  
But as long as the music is playing, you've got to get up and dance.  
We're still dancing."*

Charles Prince, CEO, Citigroup, *Financial Times* 9 July 2007

## Key Speakers

**Vice Chancellor Stephen Lamb**

Delaware Court of Chancery

**Professor Eric Talley**

University of California at Berkeley

**Professor Iain MacNeil**

University of Glasgow

**Professor Justin O'Brien**

Centre for Applied Philosophy and Public Ethics

**Professor Melvin Dubnick**

University of New Hampshire

**Greg Golding**

Partner, Mallesons Stephen Jaques, Sydney

This has been a tumultuous year on global financial markets. The apparent sure-footedness of the investment banks in constructing ever more complex offerings now appears misjudged with the resignation of both Mr Prince and his counterpart at Merrill Lynch, Stan O'Neal, in the face of massive losses. Just weeks after Mr Prince's assessment, an overwhelming sense of panic replaced the frenetic deal-making. Almost overnight, debt markets vaporised, hedge funds in London and Sydney collapsed and investment banks

counted the cost of irrational lending as it became clear that the incendiary toxicity of the sub-prime sector was a symptom rather than a cause of an emergent crisis.

The failure of major institutional actors to recalibrate risk management systems has also reignited academic, regulatory and political debate about the form and purpose of the corporation in an era of financialisation. This international workshop has been convened to evaluate the lessons of 2007 for corporate governance and financial regulation.

## DRAFT PROGRAMME

### 10.00 **The Impact of Private Equity on US Corporate Governance**

*Vice Chancellor Stephen Lamb*

11.15 Coffee

### 11.30 **The Rationale for Going Private: It's the Regulatory Environment, Stupid: Lessons from the United States and Europe**

Professor Eric Talley, UC Berkeley

Professor Iain MacNeil, University of Glasgow

*Discussant* Professor Jennifer Hill, University of Sydney

13.15 Lunch

### 14.30 **Where Now for Private Equity? The Impact of the Securitisation Crisis**

Professor Melvin Dubnick, University of New Hampshire

Professor Justin O'Brien, CAPPE

*Discussant* Greg Golding, Partner, Mallesons Stephen Jaques, Sydney

16.00 Workshop close

## REGISTRATION - USE AS TAX INVOICE

Name \_\_\_\_\_

Company/University \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_ State \_\_\_\_\_

Telephone \_\_\_\_\_ Facsimile \_\_\_\_\_

Email \_\_\_\_\_

Full Fee \$250 (inc gst)  Full time student \$55(inc gst)

Cheque enclosed (payable to University of Sydney)

**Credit Card**  Mastercard  Visa

Name on Card \_\_\_\_\_

Card Number \_\_\_\_\_

Expiry \_\_\_\_\_ Amount \$ \_\_\_\_\_

Signature \_\_\_\_\_

**Please print and return by fax 02 9351 0200 or mail to** Legal Professional Development, Faculty of Law, University of Sydney, 173-175 Philip Street, Sydney NSW 2000 (DX 983 Sydney)

**Enquiries 02 9351 0238** University of Sydney ABN 15 211 513 464

## Speaker biographies

**Melvin Dubnick** is Professor of Political Science at the University of New Hampshire. A world authority on accountability studies, Professor Dubnick's work has appeared in leading political science and public policy journals.

**Greg Golding** is Partner at the Sydney office of Mallesons Stephen Jaques, where he specialises in the areas of contested public company takeovers, reconstructions and capital raisings.

**Stephen Lamb** has served on the Court of Chancery since 1997. Before this appointment, he practised for a number of years in the area of corporate and securities litigation in Wilmington, Delaware. He has also worked as a Special Counsel in the Office of General Counsel of the United States Securities and Exchange Commission.

**Iain MacNeil** is the Alexander Stone Professor of Corporate Law at the University of Glasgow Law School. Professor MacNeil is a leading authority on the Financial Services Authority and the evolution of the corporate governance regime in the United Kingdom.

**Justin O'Brien** is Professor of Corporate Governance at the Centre for Applied Philosophy and Public Ethics (an ARC funded Special Research Centre). He also holds a teaching appointment with the Faculty of Business, Charles Sturt University. He directs the corporate governance and regulation stream of GOVNET.

**Eric Talley** is Professor of Law at the Boalt School of Law, University of California, Berkeley. A leading authority on corporate law he is co-director of Boalt's Berkeley Center for Law, Business and the Economy. He has also worked as a senior economist at the RAND Corporation.

## GOVNET

The Governance Research Network is a cross-disciplinary research network funded by the Australian Research Council. Its aim is to understand the ways institutions can be structured to further the values that justify their existence.

## ESRC World Economy and Finance Programme

The aim of the World Economy and Finance Research Programme is to advance our understanding of ways in which financial markets and financial policies influence major global issues such as poverty, development, growth and transition and to analyse policy issues in an era of low inflation, increasingly integrated financial markets, changing demographics and trade patterns.

## The Ross Parsons Centre of Commercial, Corporate and Taxation Law

The Ross Parsons Centre was established at Sydney Law School of Law in 2004 to undertake, promote and support innovative scholarship, including teaching, research, consultancy and advocacy in all areas of commercial, corporate and taxation law.

## CAPPE

The purpose of Centre for Applied Philosophy and Public Ethics (CAPPE) is to conduct ground-breaking research, provide policy input and promote community discussion and professional dialogue. CAPPE constitutes the largest concentration of philosophers working on applied philosophy and public ethics in Australia, and one of the largest such groupings in the international philosophical community.