

Theodore M. Kneller

Skadden

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Derivatives



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Education

LL.M., Georgetown University
Law Center, 2010

LL.M., Tsinghua University
School of Law, 2008

J.D., Georgetown University
Law Center, 2009

B.A., Washington University
in St. Louis, 2003

Bar Admissions

New York
District of Columbia

Ted Kneller focuses his practice on Dodd-Frank Act regulatory compliance, government investigations and litigation related to the swaps, futures, options and physical commodity markets. Mr. Kneller primarily represents clients in derivatives markets regulatory and enforcement matters before the U.S. Commodity Futures Trading Commission (CFTC), the Department of Justice (DOJ), FINRA, the National Futures Association (NFA) and other self-regulatory organizations for swaps and futures trading.

Mr. Kneller's representations include parallel CFTC and DOJ Criminal Division Fraud Section and Antitrust Division investigations into alleged price manipulation, fraud and anti-competitive conduct related to various financial benchmarks and commodity markets. In connection with these investigations, Mr. Kneller also represents clients in related civil class action lawsuits alleging Commodity Exchange Act claims and antitrust injury.

Mr. Kneller also has extensive experience in CFTC regulatory inquiries, and he represents a broad range of participants in the commodity and derivatives markets, including investment banks, swap dealers, exchanges, commodity brokers, energy companies and other corporate derivatives end users. Mr. Kneller's representations include Dodd-Frank Act and CFTC regulatory compliance and enforcement issues.

Before joining Skadden, Mr. Kneller was a CFTC attorney in the Division of Enforcement's Office of Chief Counsel. At the CFTC, he had extensive involvement in the development and drafting of various Dodd-Frank Act rules, including the External Business Conduct Standards for Swap Dealers and certain anti-evasion rules. Mr. Kneller also was assigned to the CFTC's international enforcement group and worked on multi-agency, cross-border investigations related to index price reporting, market manipulation, fraud, wash trading and unlawful trading practices. Within the international enforcement group, Mr. Kneller worked directly with securities and derivatives agency foreign counterparts located in financial centers around the world including the United Kingdom, Germany, Switzerland, Canada, Hong Kong, Japan, Singapore, South America, the Caribbean and Australia.

Representative Reported Matters

- *CFTC v. Wilson & DRW Investments, LLC*, 2016 WL 7229056 (SDNY Sept. 30, 2016) (adopting the price manipulation legal standard articulated in the brief of *amici curiae* in *CFTC v. Wilson*, 2016 WL 6310415 (SDNY Jan. 12, 2016)).
- *Alaska Electrical Pension Fund v. Bank of America et al.*, 1:14-cv-07126 (SDNY 2014) (plaintiffs' Commodity Exchange Act claims for alleged ISDAFIX price manipulation were withdrawn in amended complaint following the Joint Motion to Dismiss the Consolidated Class Action Complaint).

Publications

"Ninth Circuit Holds CFTC Dodd-Frank Enforcement Authority Allows Fraud-Only Claims," *Skadden, Arps, Slate, Meagher & Flom LLP*, July 31, 2019

"CFTC Proposes Sweeping Swap Reporting Amendments Aimed at Improving Data Accuracy and Completeness," *Skadden, Arps, Slate, Meagher & Flom LLP*, May 2, 2019

"CFTC Signals Foreign Corrupt Practices Investigations," *Skadden, Arps, Slate, Meagher & Flom LLP*, March 7, 2019

"Significant Regulatory, Jurisdictional and Enforcement Challenges Ahead for CFTC," *Skadden's 2019 Insights*, January 17, 2019