

Mark D. Young

Skadden

Partner, Washington, D.C.

Derivatives



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Education

J.D., Georgetown University
Law Center, 1977

B.A., Tufts University, 1974
(*magna cum laude*)

Bar Admissions

District of Columbia

Government Service

Assistant General Counsel,
U.S. Commodity Futures Trading
Commission (1977-1982)

Experience

Adjunct Professor, Securities
Regulation Graduate Program,
“Seminar in Regulation of Derivatives,”
Georgetown University Law Center
(1991-2011)

Mark D. Young is head of the firm’s Derivatives Group. His practice focuses on financial services regulation, derivatives and agency litigation, legislative advocacy, and business and transactional counseling.

In the area of financial services regulation, Mr. Young represents major corporations, exchanges, trading platforms, brokerage houses, banks, pension organizations and investment managers before the U.S. Commodity Futures Trading Commission (CFTC), Securities and Exchange Commission (SEC), Department of Labor and federal banking agencies. He is actively advising clients on the development of federal regulatory policy on all forms of derivatives under the Dodd-Frank Act.

In the derivatives litigation area, he successfully argued appeals in landmark cases under the federal securities laws and the Commodity Exchange Act. Those decisions addressed jurisdiction of the CFTC, SEC and bank regulators over newly created derivatives and other financial instruments; the scope of the definition of a “security”; the availability of private damage actions; extraterritorial application of U.S. securities and futures laws; the standards of liability for fraud and manipulation; electronic trading markets; and the scope of fiduciary obligations of brokerage firms and banks. Mr. Young also has experience in agency litigation defending government enforcement actions involving fraud, manipulation, reporting and registration violations.

Mr. Young, who is a former CFTC assistant general counsel, is active in a wide range of legislative issues. He played a lead role in connection with every major piece of legislation to amend the Commodity Exchange Act, the statute administered by the CFTC, since 1978. These bills have focused on financial regulatory reform, swaps and other derivatives, energy prices and jurisdictional disputes between the CFTC and the SEC.

Mr. Young also represents major pension funds in connection with their use of the swaps, futures and options markets to manage the risk of future price changes in stocks, interest rates and currencies.

Mr. Young has repeatedly been selected for inclusion in *Chambers Global* and *Chambers USA*, *The Best Lawyers in America* and *IFLR1000*. Mr. Young also has been named in the *The Legal 500 U.S.* and as *Best Lawyers’ 2020* and 2014 Washington D.C. Derivatives and Futures Lawyer of the Year.

Selected Publications

“CFTC Issues Compliance Program Guidance,” *Skadden, Arps, Slate, Meagher & Flom LLP*, September 10, 2020

“CFTC Updates LIBOR Transition Relief,” *Skadden, Arps, Slate, Meagher & Flom LLP*, September 2, 2020

“CFTC Finalizes Cross-Border Swaps Rule,” *Skadden, Arps, Slate, Meagher & Flom LLP*, August 12, 2020

“CFTC Finalizes Post-Trade Name Give-Up Rule, Introduces New Electronic Trading Proposal,” *Skadden, Arps, Slate, Meagher & Flom LLP*, July 2, 2020