SEC Reporting & Compliance Alert

This memorandum is provided by Skadden, Arps, Slate, Meagher & Flom LLP and its affiliates for educational and informational purposes only and is not intended and should not be construed as legal advice. This memorandum is considered advertising under applicable state laws.

Four Times Square New York, NY 10036 212.735.3000

Conflict Minerals Disclosures Due May 31, 2018

As a reminder, conflict minerals disclosures on Forms SD are required to be filed with the Securities and Exchange Commission (SEC) no later than May 31, 2018. As you may recall, in April 2017, the SEC's Division of Corporation Finance issued blanket no-action relief, saying it would not recommend enforcement against companies for not complying with the requirement to conduct due diligence and file a "conflict minerals report," although it would expect companies with conflict minerals in their supply chains to file a Form SD. (See our previous client alert, <u>available here</u>). Many companies did not avail themselves of that relief, however, given that they already had done the legwork to prepare their conflict minerals reports and stakeholders had come to expect them.

Without any notable regulatory updates since April 2017, many companies have stayed the course and likely will file similar disclosures this year. For additional information concerning the conflict minerals rules, please see our previous client alerts, available <u>here</u>, <u>here</u> and <u>here</u>.

SEC Reporting & Compliance Alert

Contacts

Brian V. Breheny Partner / Washington, D.C. 202.371.7180 brian.breheny@skadden.com

Andrew J. Brady Of Counsel / Washington, D.C. 202.371.7513 andrew.brady@skadden.com

Josh LaGrange Counsel / Palo Alto 650.470.4575 josh.lagrange@skadden.com **Ryan J. Adams** Associate / Washington, D.C. 202.371.7526 ryan.adams@skadden.com

Hagen J. Ganem Associate / Washington, D.C. 202.371.7503 hagen.ganem@skadden.com **Caroline S. Kim** Associate / Washington, D.C. 202.371.7555 caroline.kim@skadden.com

Justin A. Kisner Associate / Washington, D.C. 202.371.7367 justin.kisner@skadden.com