

---

## Dealer Opposition to Enron's Hedging Lawsuits

2004-04-16

In an April 16, 2004, *Financial Times* article on Enron's attempts to recover more than \$900 million from four investment banks in connection with equity derivative transactions the company arranged prior to its collapse in 2001 ("Companies the Americas: Dealers oppose Enron's hedging lawsuits"), Wilmer partner Craig Goldblatt noted that the lawsuits are "more than a private dispute" and, in fact, "could have ramifications for the financial markets." Mr. Goldblatt further noted that the suits are "a matter of significant importance for the entire [derivatives] industry."

Representing the industry associations, including the Bond Market Association, the Securities Industry Association and the International Swaps and Derivatives Association, Wilmer filed an *amicus* brief with the court in support of the banks, arguing that the bankruptcy code includes provisions that prevent "unwinding" of derivatives payments.