

## **SEC Municipalities Continuing Disclosure Cooperation Initiative, Part 2: *Issuer Considerations and Actions***

### **Speaker Biographies**

#### **Kevin M. Civale**

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Kevin Civale is a Shareholder at Stradling Yocca Carlson & Rauth and for more than 25 years has represented a large number of municipalities and other public sector clients in a variety of financings and contract negotiations, including general obligation and revenue bonds, certificates of participation, project revenue financings, cash flow financings, industrial development financings, public/private partnerships, solid waste and resource recovery financings, and water and sewer financings. Mr. Civale has also represented a large number of investment banks.

Mr. Civale has particular expertise with respect to disclosure. He currently serves as disclosure counsel to several very large issuers and has also served as underwriter's counsel in a large number of financings. He has participated in major roles in financing for issuers such as the State of California, San Diego Unified School District, California Department of Water Resources, California Infrastructure Bank, State Public Works Board, California Pollution Control Financing Authority, Counties of Sacramento, Orange, Kern, San Joaquin, Sonoma, Los Angeles, San Diego, Santa Cruz, Alameda, and Monterey; and other municipalities.

Mr. Civale is a member of the State Bar of California and the New York State Bar Association.

#### **Daniel M. Deaton**

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Daniel Deaton is a Partner in the Public Finance group of Nixon Peabody LLP. He represents governmental agencies, nonprofit corporations, underwriters, and others as bond counsel, disclosure counsel, and underwriter's counsel in a wide variety of tax-exempt and taxable public finance transactions. Mr. Deaton has considerable experience in general fund, water, transportation, university, and cultural institution financings. He also has extensive experience in

a wide variety of transaction structures, including, traditional fixed rate bonds, variable rate demand bonds, commercial paper, and index tender rate bonds.

Mr. Deaton earned his Juris Doctorate from Southern Methodist University and received his Bachelor of Arts degree from the University of California, Irvine.

## **Scott R. Ferguson**

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Scott Ferguson is a Shareholder at Jones Hall. He joined the firm in 1999 and has experience as bond counsel, disclosure counsel, and underwriter's counsel in financings that include Mello-Roos special tax bonds, assessment bonds, utility revenue bonds and certificates of participation, lease revenue bonds and certificates of participation, and 501(c)(3) financings.

Mr. Ferguson represents cities, counties, school districts, and special districts (including sanitary districts, water districts, recreation and park districts, and public utility districts) throughout California. His practice focuses on disclosure counsel work, land-secured financing, and utility revenue financing. Mr. Ferguson also has extensive experience in assessment district formation under the Municipal Improvement Act of 1913 and bond financing under the Improvement Bond Act of 1915. Additionally, he has acted as bond counsel in a number of bond financings privately placed with the United States Department of Agriculture, Rural Utilities Service.

Mr. Ferguson studied at the University of Freiburg, Freiburg im Breisgau, Germany. He holds a Bachelor of Arts in English and German from the University of Virginia and received a Juris Doctor, cum laude, Order of the Coif, from the University of California, Hastings College of the Law. He is also a member of the State Bar of California, the Bar Association of San Francisco, and the National Association of Bond Lawyers.

## **Elaine C. Greenberg**

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Elaine C. Greenberg is a partner in the Washington, D.C., office of Orrick, Herrington & Sutcliffe LLP and is a member of the firm's Securities Litigation & Regulatory Enforcement Group. Ms. Greenberg's practice focuses on securities and regulatory investigations and enforcement actions, securities litigation, public finance, and white collar and corporate

investigations. She has more than 25 years of securities law experience and has deep institutional knowledge of SEC policies, practices, and procedures. As a senior officer in the SEC's Enforcement Division, she served in dual roles as Associate Director for the Philadelphia Regional Office, where she oversaw the SEC's enforcement program for the Mid-Atlantic region, and as the first National Chief of the Specialized Unit for Municipal Securities and Public Pensions, where she was responsible for building and maintaining a nationwide unit and oversaw the SEC's enforcement efforts in the U.S.'s \$4 trillion municipal securities and \$3 trillion public pension marketplaces.