



**Remarks of Robert Pickel at
The Ninth Annual P.R.I.M.E. Finance Conference
The Hague, The Netherlands
February 3, 2020**

Good morning and welcome to PRIME Finance's ninth annual conference. I am Bob Pickel, the chair of the management board of PRIME Finance, and on behalf of the management board, our advisory board and our staff, let me welcome you to The Hague.

I would like to thank all of you for attending this conference and also express our appreciation to our sponsors and our exhibitors for their support. I especially want to thank our staff, led by our head of secretariat, Camilla McPherson, as well as Demitra Koelling and our interns, who have assisted in the preparations for this conference. They have been working virtually nonstop for the past couple months to put everything in place. Please join me in a round of applause for their extraordinary efforts.

I would like to thank our keynote speakers for joining us here today. You have heard already from Patrick Pearson. This is the third occasion on which I have heard him discuss the European regulatory agenda for derivatives. And, if I may borrow from the alliteration of his name, I have always found him professional, passionate and, not least, provocative. I look forward to the remarks of Lady Arden this afternoon. We are extremely honored to be joined by a justice of the UK's Supreme Court.

We believe we have put together a very interesting and informative agenda for the conference. There is always an element of looking back, but we also want to spend a good deal of time looking forward. We are here on the first business day post-Brexit. We are less than two years from the planned disappearance of LIBOR and other benchmarks. The years and decades ahead will present challenges in achieving sustainability and addressing environmental change while keeping pace with evolving standards of corporate governance. So there is plenty for judges, lawyers, regulators and business people to discuss over these next two days and to consider in the future. I encourage all of you in the audience to join in the discussions by asking questions and sharing your views.

Last year at our eighth annual conference I noted that Jeffrey Golden was stepping down as chair of our management board. If you were here for last year's conference you may recall that we had a bit of fun with Jeff regarding his time at PRIME Finance and his various roles over the years at Allen & Overy, Cravath and elsewhere.



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I did not announce at the conference last year, because it was not official at that time, that I would be stepping into the role as chair of the management board. That occurred this past summer. Jeff has been given the honorific of founder and chair emeritus of PRIME Finance and is still involved in the organization. I am grateful for Jeff's continued support, for the continued involvement of my good friend, Willem Calkoen, and the active involvement of our executive committee of Joe Bauman and Rick Grove and our entire management and advisory boards. I would not be able to do my job as chair without their support.

Even if you are not American you have no doubt heard of George Washington. First President of the United States, general, patriot, leader of the American revolution, the war for independence from Britain. Father of our country.

It is very possible, on the other hand, that you would know the name John Adams only if you are American. Second President of the United States, vice president under George Washington, also a patriot and leader of the revolution. Not to be confused, though he sometimes is, with his son, John Quincy Adams, the sixth president of the united states. An accomplished person, no doubt, but forever in the shadow of a great man who went before. Well, now you have a little sense of how I feel stepping into the shoes of our founder, Jeffrey Golden. Accomplished lawyer, internationally known derivatives expert, author. Father of PRIME Finance.

I won't bore you with my background. It's in the brochure. Page 58 for ease of reference.

PRIME Finance is Jeff's brainchild, an innovation in the world of global finance and law that has, in less than ten years of existence, established itself as an important contributor to legal certainty, education and the rule of law.

PRIME Finance was truly a bright idea and for that we are all grateful to Jeff. But I have a dirty little secret: not everything Jeff does displays such original thinking! I know for a fact that he has on occasion exercised a bit of poetic license.

For instance, at a recent celebration of the 25th anniversary of the founding of Allen & Overy's US law practice, Jeff did, shall we say, a little borrowing. And when he borrows, just like when he chooses wine, he only borrows the best stuff.



For his inspiration, Jeff turned to the most famous address of America's 16th president, perhaps the most famous address of any of its presidents. He turned to Abraham Lincoln's Gettysburg address.

Lincoln delivered his brief 272 word address in 1863 at the dedication of the cemetery at the battlefield of Gettysburg, a pivotal battle of the US Civil War. You may be familiar with how it begins: "Four score and seven years ago our fathers brought forth, etc., etc., etc."

You can probably figure out how Jeff started off his remarks at that 25th anniversary celebration. You guessed it: "One score and five years ago, etc., etc., etc."

Well, three score and seven years before the Gettysburg address, George Washington published his farewell address to the nation, perhaps the second most famous address by a US president. For your sake, I hope that Jeff in his remarks later in the conference will not be borrowing Washington's farewell address. It is, at 7,641 words, over 28 times as long as the Gettysburg address.

Washington's farewell address was not really a formal address at all. It was a lengthy letter to the citizens of the United States, first published in a newspaper called the American Daily Advertiser. In it, he announced his decision not to run for a third term as president. Effectively, he imposed on himself a term limit, ending his presidency after just two terms. After that, no president ran for a third term until Franklin Roosevelt ran for a third and then a fourth term in the midst of the Great Depression and World War II. After Roosevelt, the US Constitution was amended to limit a president to two terms.

It has become a custom to read the farewell address in a session of the United States Senate on Washington's birthday in February of each year. One year a republican reads the address, the next year a democrat reads the address. Let's hope that at least that degree of bipartisanship can continue.

As I thought about my remarks for today it occurred to me that, just as Jeff borrowed the Gettysburg address, I might borrow some themes from Washington's farewell address. As I mentioned, Washington announced in his address that he was not going to run for a third term. He gave the reasons for his decision and also reflected on the state of the United States government at its very early stage of development. He had observed over his time as president areas of concern and areas of hope for the United States.



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Like the United States in 1796, PRIME Finance in 2020 is at an important stage of its development. Its founder, the father of the organization, has stepped down and taken on a new role. Like the young nation, the challenges PRIME Finance faces are great but the opportunities are even greater.

I should mention that Jeff has imposed a term limit, not just on himself, but on all the members of the PRIME management board. This term limit is embodied in our governing documents. Jeff believed this was an important feature in order to ensure that we regularly included new voices and new perspectives in the governance of PRIME Finance.

Washington's address, which is in flowery late 18th century prose, highlights areas of concern and expresses the appreciation he has for the support he had received from the citizens of the nation as its first president.

Regarding the step of declining to run for a third term, Washington said "I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but I am supported by a full conviction that the step is compatible with both." Jeff may not choose those exact words but I think those words express what he feels for PRIME Finance, for the support he has received from so many and for what he hopes for the future of PRIME Finance.

Jeff might also say, with respect to PRIME Finance, something along the lines of what Washington expressed about the United States: "I have, with good intentions, contributed toward the organization and administration of the government the best exertions of which a very fallible judgment was capable". Well, maybe Jeff would leave out the fallible part.

Washington's address also has words of wisdom for those of us engaged in this effort called PRIME Finance. He says, with respect to the risk of fracturing of the country on regional grounds, "all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, greater security from external danger."

We have created with a growing list of experts an incredible resource which is the fundamental strength of the organization. Like the young nation we are stronger when we pull together to pursue the mission of this organization. We share a common purpose, as reflected by your presence here and the involvement of our experts. Let us not forget what we can achieve through advancing the mission of PRIME Finance together.



The new nation benefited from support from France and particularly the involvement of the Marquis de Lafayette, who served as a soldier in various battles in the Revolutionary war. Lafayette was an important liaison to the French government. Now France had ulterior motives in offering its support. It was more than happy to support the revolution because that meant that Britain would need to commit troops and resources to fighting the insurgency.

At PRIME Finance we too have our outside supporters and our Lafayettes who are supportive of our efforts.

Our alliance with the Permanent Court of Arbitration has been crucial to raising awareness of PRIME Finance around the world. The PCA's Secretary General, Hugo Sibblesz, who you just heard from, has been a trusted emissary in our efforts. Like Lafayette, he is familiar with the world of diplomacy, having served as ambassador to France, Monaco and Andorra.

The municipality of The Hague has been a source of support from our early days. Deputy Mayor Bruines, while she has not taken to an actual battlefield, has nevertheless fought to secure support for PRIME Finance.

We are grateful to the PCA and the municipality, and to Hugo and Saskia personally for their support, in much the same way that the young nation was appreciative of the support of the French government and the engagement of the Marquis de Lafayette.

Any endeavor must find a way to support itself financially. That was true of the young nation of the United States of America and it is also true of PRIME Finance. The United States in its early days looked to Alexander Hamilton, the first secretary of the treasury, now immortalized in the Broadway musical that bears his name. For the nation to succeed it needed to find money to fund the nation's activities and to address the level of debt that had been incurred by different states in fighting for independence.

At PRIME Finance we look to the support of our Friends of PRIME Program for financial support. In your brochure you'll see a letter from Jeff Golden discussing Friends of PRIME and the need for your support. In your bag you will find contribution forms, one for contributions in euro to our Dutch entity and another for contributions in dollars to our US entity. Please support PRIME Finance through the Friends of PRIME initiative. Any member of our staff or our Boards would be more than happy to answer any questions you may have.

Near the end of his address Washington said, "with me a predominant motive has been to endeavor to gain time to our country to settle and mature into progress without interruption



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to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortune.”

At PRIME Finance we too look forward to greater maturity and to the ability to command our own fortunes. For that, we need your continued support.

In closing, Washington said “I anticipate with pleasing expectation that retreat in which I promised myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government – the ever favorite subject of my heart, and the happy reward, as I trust, of our mutual cares labors and dangers.”

“Good laws under a free government” could serve as the motto of PRIME Finance. That is what we strive for, that is what our experts can provide, that is the promise of this organization.

In closing, I should note that, despite his stated desire to remain in retirement, George Washington was put into service on behalf of the nation once again. President John Adams called him back to be a senior officer of a provisional army formed to defend the United States against a possible invasion by French forces during what was known as the quasi-war.

Jeff, I can assure you that in your role as founder and chair emeritus, you will not be allowed to fade into retirement. And I know that you are eager to remain actively involved in what very well may be your greatest achievement.

Thank you.