

## CHRISTIAN A. JOHNSON

(visiting 7/1/-6 – 6/30/07)  
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### PRESENT POSITION

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- 2006 – **University of Utah School of Law** Salt Lake City, Utah  
*Visiting Professor*
- 1995 – **Loyola University Chicago School of Law** Chicago, IL  
*Professor* (2005 – present)  
*Associate Professor of Law* (1999 – 2005)  
*Assistant Professor of Law* (1995 – 1999)  
*Faculty Director of Business Law Center* (2001 – present)  
*Co-Chair International Programs* (2002 – 2004)  
(Please see law school and university service section below)  
*Courses Taught:* Corporate Finance, Banking Law, International Business Transactions, Not-for-Profit Organizations (to be taught Spring 06), Federal Income Tax, Corporate & Partnership Tax, International Taxation.
- 2004-06 **Federal Reserve Bank of Chicago** Chicago, IL  
*Academic Consultant.* Working with economists on working papers and conferences.

### EDUCATION

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- 1987-90 **Columbia University School of Law** New York, NY  
J.D. - Harlan Fiske Stone Scholar  
Executive Editor Columbia Law Review
- 1985 **University of Utah Graduate School of Accounting** Salt Lake City, UT  
Masters of Accounting  
Phi Eta Sigma Founder's Fund Scholarship & Marvin J. Ashton Scholarship
- 1979-84 **University of Utah** Salt Lake City, UT  
Honors Bachelor of Arts in Accounting  
Senior Honors Project: Federal Bankruptcy Reform  
Magna cum laude, Phi Kappa Phi, Owl & Key, Phi Eta Sigma  
Highest Academic Achievement Award (Best GPA in Accounting)

### PUBLICATIONS

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**Books:**

Accounting and Disclosure for Derivative Transactions (Accounting Portfolio Series) (co-authored with Mary Grossman, Ira Kawaller and Reva Steinberg (Bureau of National Affairs 2006) (currently in page proofs)

A Guide to Using and Negotiating OTC Derivatives Documentation (Second Edition of Over-the-Counter Derivatives Documentation – Institutional Investor Books 2005)

A Practical Guide to Repo Agreements (co-authored with Paul Harding - Euromoney Books 2004)

Mastering Collateral Management: a Practical Guide to the ISDA Credit Support Documents by Paul Harding and Christian Johnson (Financial Times/Prentice Hall November 2002)

Over-the-Counter Derivatives Documentation: A Practical Guide for Executives, (Bowne 2000)

***(Work-in-Progress)***

*Assessing a Decade of Interstate Bank Branching* (co-authored with Dr. Tara Rice, Federal Reserve Bank of Chicago)

**Law Review Publications:**

*The Financial Services Lawyer's Bookshelf: A Selected Bibliography Of Payment, Clearing And Settlement Resources* (co-authored with Robert S. Steigerwald), The Journal of Payment System Law (October 2006)

*The Rosetta Stone of Banking Regulation* (Book Review), Banking and Finance Law Review (published in Canada by Osgoode Hall Law School) (Fall 2006)

*Confronting The Top 10 Excuses: Negotiating ISDA Derivative Documentation*, The Journal of Payment System Law (September 2006).

*Justice and the Administrative State: The FDIC and the Superior Bank Failure (Essay)*, Loyola University Chicago Law Journal (2005)

*Netting, Financial Contracts, and Banks: The Economic Implications* (with Bill Bergman, Robert Bliss and George Kaufman), Research in Financial Services, Fall 2003

*"Holding Credit Hostage for Underwriting Ransom": Rethinking Bank Antitying Rules*, 64 University of Pittsburgh Law Review 157 (2002)

*Banking, Antitrust and Derivatives: Untying the Antitying Restrictions*, 49 Buffalo Law Review 1 (2001)

*The Tax Clinic and Legal Education: Assessing a Decade of Experience* (co-authored with Mary Grossman) 50 Journal of Legal Education 376 (2000)

*An Apologia for the Use of Over-The Counter Derivatives* (Book Review), The Banking Law Journal

(December 1999)

*At the Intersection of Bank Finance and Derivative Transactions: Who has the Right of Way*, 66 Tennessee Law Review 1 (Fall 1998) (cited in *Thrifty Oil Co. v. Bank of America*, 249 B.R. 537 (S.D. Cal. 2000))

*Year 2000 Credit Risk and Derivatives: Insulating Banks from Counterparty Meltdown*, 115 The Banking Law Journal No. 9 (Oct. 1998)

*Derivatives and Rehypothecation Failure – It's 3:00pm, Do You Know Where Your Collateral Is?*, 39 Arizona Law Review 949 (1997)

*Wild Card Statutes, Parity and National Banks - The Renaissance of State Banking Powers*, 26 Loyola University Chicago Law Journal 351 (1995)

*National Banks and Section 91 - Protection from Judgment Creditors Pending Appeal*, (co-authored with William Deitrick), 112 The Banking Law Journal 325 (April 1995))

*The Danielson Rule: An Anodyne for the Pain of Reasoning (Note)*, 89 Columbia Law Review 1320 (1989)

**Book Chapter:**

*U.S. Perspective* (Chapter), Mastering the ISDA Master Agreement (by Paul Harding) (2<sup>nd</sup> Ed. 2003)

**Other Publications:**

*Check Substitution: The Payment Processor's Perspective* (with Peter Soraparu), 1 Journal of Payment Systems Law 612 (October 2005).

*Swaps versus Futures: A Regulatory History*, Derivatives Week, April 29, 2005.

*Jobs: Research Assistants*, The Student Lawyer (November 2004)

*Teaching Research Assistants*, The Law Teacher (2004)

*The Failure of Superior Bank FSB: Regulatory Lessons Learned*, Banking Law Journal (January 2004)

*Demystifying FAS 133 – Part 1* (Learning Curve Column with Mary Grossman), Derivatives Week, November 17, 2003, at 7

*Demystifying FAS 133 – Part 2* (Learning Curve Column with Mary Grossman), Derivatives Week, November 24, 2003, at 8

*The Law and Regulation of Payment Systems*, the legal module (power point presentation and written lecture) developed as part of a course sponsored by the Federal Reserve Bank of Chicago entitled Payment Systems: A Multidisciplinary Approach to the Role of Payments in the Global Financial System (2003)

*Close-Out Netting & Set-Off Under U.S. Banking Insolvency Law* (Learning Curve Column),

Derivatives Week, August 18, 2003, at 7

*Random Walks Down the Aisle and Class Participation*, The Law Teacher (Spring 2003) (with Wheelless)

*“Hidden” Costs: A Case Study of Bank Borrowing And Interest Rate Swaps*, Banking Law Journal (Nov.-Dec. 2002)

*The OTC Derivative Lawyer’s Bookshelf: A Selected Bibliography*, Futures & Derivatives Law Report, September 2002

*An Introduction to the 2002 ISDA Master Agreement* (Learning Curve Column), Derivatives Week, January 6, 2003

*Preview of the 2002 ISDA Master Agreement* (Learning Curve Column), Derivatives Week, August 12, 2002, at 5

*Seven Deadly Sins of ISDA Negotiations* (Learning Curve), Derivatives Week, March 25, 2002, at 6

*Payee Tax Representations* (Learning Curve), Derivatives Week, July 16, 2001, at 6

*Liquidity & The ISDA Master Agreement* (Learning Curve), Derivatives Week, April 30, 2001, at 6

*Rehypothecation Risk* (Learning Curve), Derivatives Week, April 16, 2001, at 5

*Shedding Light on Legal Risk* (Book Review), Risk Professional 42-43 (December 1999)

*Risky Business: Acting as a Lender and OTC Derivative Dealer with the Same Customer*, 82 The Journal of Lending & Credit Risk Management 66 (October 1999)

*Risky Business: Minimizing the Risks of OTC Derivatives Through Loan Documentation*, 82 The Journal of Lending & Credit Risk Management 72 (September 1999)

*Learning to Think About International Tax: (Book Review of International Taxation)*, 81 Tax Notes 1285 (1998) & 17 Tax Notes International 1903 (1998)

*Year 2000 Credit Risk in Derivative Transactions*, Bank Security Reporter (Aug. 1998)

## **SELECTED PRESENTATIONS**

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*The Legal and Policy Aspects of Central Bank Payment Settlement and Finality* (with Robert Steigerwald), presented at the International Monetary Fund Seminar on Current Developments in Monetary and Financial Law: Law and Financial Stability, Washington D.C., October 27, 2006.

*Assessing a Decade of Interstate Bank Branching*, paper presented at the University of Utah College of Law Colloquium, September 21, 2006.

*Administrative Justice*, paper presented at the Western Economic Association International 81<sup>st</sup> Annual Conference, San Diego, California, June 30, 2006.

*Assessing a Decade of Interstate Bank Branching* (with Dr. Tara Rice, Federal Reserve Bank of Chicago), presented at the Federal Reserve Bank of Chicago, May 25, 2006, Chicago, Illinois.

*Understanding the Bankruptcy and Insolvency Law Treatment of OTC Derivatives*, presented at the American Bar Association Section of Business Law Spring Meeting, April 6, 2006, Tampa, Florida.

*Symposium: The Constitutional and Legal Issues Presented by Same-Sex Relationships* (moderator), Loyola University Chicago School of Law Journal Conference 2006, Chicago, IL April 1, 2006.

*A Primer on OTC Derivatives and ISDA Documentation*, presented to the Commercial Finance And Transactions Committee, Chicago Bar Association, Chicago, IL, February 16, 2006.

*LLM Programs for Foreign Lawyers: What are we Teaching and How are we Teaching It?*, panel presentation at the 2006 AALS Annual Meeting, Washington, D.C., January 4, 2006.

*Understanding the New Bankruptcy and Insolvency Reforms*, presented to the general counsels of the various banks of the Federal Home Loan Bank System, Chicago, Illinois, October 6th, 2005

*Clarifying Ambiguities: Bankruptcy Reform and Derivatives*, panel presentation at a meeting of the Subcommittee on Insolvency and Related Issues, ABA Annual Meeting, Chicago, Illinois, August 5, 2005

*Differential State Regulations, Bank Performance and Out-of-State Entry*, (joint paper presentation with Dr. Tara Rice), Western Economic Association International 80<sup>th</sup> Annual Conference, San Francisco, California, July 8, 2005

*Swaps versus Futures*, Introduction to Derivatives Workshop Panel, Futures Industry Association 27<sup>th</sup> Annual Law & Compliance Division Conference, Baltimore, Maryland, May 11, 2005

*The Intersection of Compliance Rules and Derivative Risk Management*, presented at the Directors Roundtable Program, *The Changing Investment Management Landscape: Practical Approaches to Evaluate a Compliance Program's Effectiveness*, April 14, 2005, Chicago, Illinois.

American Bar Association Section of Labor & Employment Law Teleconference, Moderator, *Commissioner V. Banks - Is the portion of a money judgment or settlement paid to a plaintiff's attorney under a contingent-fee agreement income to the plaintiff?*, February 10, 2005

*Juxtaposing Derivatives*, Introduction to Derivatives Workshop Panel, Futures Industry Association 26<sup>th</sup> Annual Law & Compliance Division Conference, Baltimore, Maryland, May 12, 2004

*Legal Topics in Derivative Documentation*, presented to the general counsels of the various banks of the Federal Home Loan Bank System, New York, New York, October 3<sup>rd</sup>, 2003

*Work-in-Progress Presentation, Legal Issues of Close-out Netting*, presented to the faculty of the University of Utah College of Law, Salt Lake City, Utah, September 16, 2003

*Legal and Economic Issues Arising from Superior Bank Failure*, paper presented at Western Economic Association International 78<sup>th</sup> Annual Conference, Denver, Colorado, July 12, 2003

*The Economics and Legalities of Netting in Bank Insolvencies*, (joint paper presentation with Bill

Bergman, Robert Bliss and George Kaufman), Western Economic Association International 78<sup>th</sup> Annual Conference, Denver Colorado, July 13, 2003

*Understanding ISDA Negotiations & The Documentation Process*, Introduction to Derivatives Workshop Panel, Futures Industry Association 25<sup>th</sup> Annual Law & Compliance Division Conference, Baltimore, Maryland, May 7, 2003

*Bank Holding Company Antitying Rules*, presented to General Accounting Office investigators, Chicago, January 23, 2003

*Cross-Border Issues in the Regulation of Over-the-Counter Derivatives*, Athenian Policy Forum Conference on the Global Economy: Financial, Legal and Technological Asymmetries, Chicago, August 16, 2002

*Derivatives Collateralization Issues: Implications for Banks, Exchanges, and Clearing Organizations*, presented to the Financial Markets and Payments System Work Group, Federal Reserve Bank of Chicago, May 22, 2002

*Legal Uncertainty and OTC Derivatives*, presented at the Federal Reserve Bank of Chicago, Dec. 5, 2001

*Workshop on Resolving Large Complex Banking Organizations: The Nuts and Bolts* (workshop participant), Federal Reserve Bank of Chicago, November 16, 2001

*Panel on OTC Derivatives: the Need for Cross-border Cooperation*, CFTC International Symposium and Training on Derivative Products, Markets and Financial Intermediaries, October 22, 2001

*Tax Planning Issues and Pitfalls*, presented at the Chicago Bar Association, May 17, 2001, at seminar entitled What you Need to Know When your Client Brings You an International Deal

*Major Themes in International Tax*, presented at the Chicago Bar Association, March 8, 2001

*Current Issues in Derivative Transactions*, presented to the general counsels of the Federal Home Loan Banking System, February 6, 1998, at Washington D.C.

*Understanding Derivative Transactions*, presented at the Chicago Bar Association, March 1998

## **PROFESSIONAL EXPERIENCE**

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1992-95 **Mayer, Brown & Platt** Chicago, IL  
Associate. Experience in finance, bank lending and derivatives.

1991-92 **Jolley, Urga, Wirth & Woodbury** Las Vegas, NV  
Associate. Experience in bank lending and taxation.

1990-91 **Milbank, Tweed, Hadley & McCloy** New York, NY  
Associate. Experience in taxation in the international and capital market areas.

1985-87 **Price Waterhouse** Houston, TX  
CPA. Experience in tax planning, research, and compliance.

## **BOARDS AND COMMITTEES**

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Chair, Subcommittee on Insolvency and Related Issues (Committee on Regulation of Futures and Derivative Instruments – ABA Business Law Section)  
Board of Editors, Journal of Payment Systems Law (2004 – present)  
ABA Committee: Graduate Legal Education Committee (2002 - present)  
Loyola Antitrust Law Center Advisory Board (2002 - present)  
International Board Member, J. Reuben Clark Law Society (1999 – 2006)

## **LAW SCHOOL & UNIVERSITY SERVICE**

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Faculty Director of Business Law Center (2001 - present)  
Co-Faculty Director International Law Programs (2002-2004)  
Tax Clinic faculty liaison (2000 – 2006)  
Faculty Sponsor for International Law Review Conferences (*Free Trade Area of the Americas: The Implications of a Hemispheric Marketplace* (Feb 5-6, 2004) and *EU Enlargement Eastward: Welcoming Prosperity and Change* (March 27-28, 2003))  
Appointments Committee (1997-2000, 2004 - 2005)  
Committee on Clinics and Public Interest (2005)  
Dean's Faculty Advisory Committee (2005)  
Facility Planning Committee (2005)  
Admissions Committee - reading (2002 - 2004)  
Strategic Planning PPC (2001 - 2003)  
Business Law Center Advisory Board (1999 - present)  
Admissions Advisory Committee (1999-2001)  
International Programs Committee (1997-1998, 2002-2004)  
Judicial Committee (Spring 1998)  
Computer Operations Committee (2001 - 2002);  
Curriculum Committee (1996 - 1997)  
Student Conduct Committee (1999)  
Library Committee (1995-96)  
Faculty Advisor – International Law Society (2001 – 2003)  
Faculty Advisor – Entertainment Law Society (2000 – present)  
Faculty Advisor - Arthur Anderson Tax Challenge (1997)

Faculty Council: law school representative (2002 - 2004)  
Committee on University Wide Academic Computing Services (CUWACS) (1998 - 2000)  
Faculty Council Ad Hoc Computer Committee (2000)

## **BAR ADMISSIONS, LICENSES & PROFESSIONAL ASSOCIATIONS**

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Admitted to New York, Illinois, and Nevada state bars  
Certified Public Accountant – Texas  
American & Illinois Bar Associations  
Texas Society of CPAs & American Institute of CPAs

## **LANGUAGE**

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Conversant in Spanish.