

Environmental, Social, and Governance Criteria (ESG) and Enforcement

UT Governmental Enforcement Institute

August 2021

Moderator:

Brooke Hopkins – AlixPartners

Panelists:

G. Jeffrey Boujoukos – Morgan, Lewis & Bockius LLP

Jonathan D. Brightbill – Winston & Strawn LLP

John A. Poakeart – PepsiCo, Inc.

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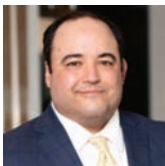
Moderator



Brooke Hopkins – AlixPartners

Brooke has over 25 years of experience in risk remediation, management, and compliance programs with experience in more than 20 countries. She has led multiple significant compliance, ESG, and corporate governance engagements including controls & sustainability integration and analytics development and reporting.

Panelists



G. Jeffrey Boujoukos – Morgan, Lewis & Bockius LLP

Jeff is the leader of Morgan Lewis' securities enforcement practice. As the former regional director of the Philadelphia Regional Office of the SEC, Jeff supervised the Region's enforcement and examination programs in the Mid-Atlantic states. At Morgan Lewis, he defends public companies, financial services clients, and their executives in SEC, self-regulatory organization (SRO), and state enforcement matters.



Jonathan D. Brightbill – Winston & Strawn LLP

As Acting Assistant Attorney General, United States Department of Justice, Jon formerly led criminal and civil enforcement of federal environmental law, and litigated many cases relating to climate change. Jon represents clients in government investigations, regulatory enforcement, and complex litigation, including consumer fraud, advertising, securities, and competition. He counsels on climate, ESG, and greenwashing risk and compliance.



John A. Poakeart – PepsiCo, Inc.

John serves as primary in-house environmental, health & safety, and sustainability (EHSS) and environmental marketing counsel to PepsiCo's North America foods businesses and PepsiCo's global EHSS functions. He also advises PepsiCo's global EHSS corporate reporting and advisory bodies.

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- 6 Considerations for the Future



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Background on Environmental, Social, and Governance (ESG) Criteria

- **Sustainability and climate reporting**
- **ESG market and areas of development**
 - Financial/investment
 - Compliance
 - Operational



Top Examples: Rating Body

MSCI ESG Research Rating

S&P Global ESG Rank

EcoVadis

Sustainalytics

Bloomberg ESG Disclosure Score

Carbon Disclosure Project (CDP)

Institutional Shareholder Services (ISS)

• Demand

- Consumer and Investor
- Ratings agencies
- Standards orgs and Non-profit
- Regulators

• COVID-19 impact

• Environmental and social justice

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First appeared as part of the conference materials for the
7th Annual Government Enforcement Institute session
"ESG and Enforcement"