

### Freeman Mathis & Gary

### ESG and Financial Lines Claims in the United States

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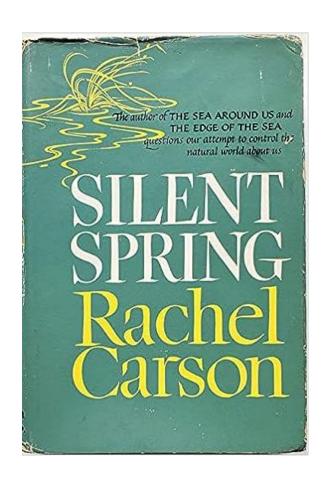
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### History of Environmental Claims in United States









### Climate Change, Protests











#### Maui Wildfires 2023





#### Cause was electrical wires





### But, Climate Change Growing Concern





# United States Security and Exchange Commission SEC Proposed Roles



#### **FACT SHEET**

# Enhancement and Standardization of Climate-Related Disclosures



The Securities and Exchange Commission proposed rule amendments that would require a domestic or foreign registrant to include certain climate-related information in its registration statements and periodic reports, such as on Form 10-K, including:

- Climate-related risks and their actual or likely material impacts on the registrant's business, strategy, and outlook;
- The registrant's governance of climate-related risks and relevant risk management processes;
- The registrant's greenhouse gas ("GHG") emissions, which, for accelerated and large accelerated filers and with respect to certain emissions, would be subject to assurance;
- Certain climate-related financial statement metrics and related disclosures in a note to its audited financial statements; and
- Information about climate-related targets and goals, and transition plan, if any.

The proposed disclosures are similar to those that many companies already provide based on broadly accepted disclosure frameworks, such as the Task Force on Climate-Related Financial Disclosures and the Greenhouse Gas Protocol.



**FACT SHEET** 

## Enhancement and Standardization of Climate-Related Disclosures



#### **Background**

The Commission began efforts to provide investors with material information about environmental risks facing public companies in the 1970s and most recently provided related guidance in 2010. Many investors are concerned about the potential impacts of climate-related risks to individual businesses. As a result, investors are seeking more information about the effects of climate-related risks on a company's business to inform their investment decision-making. Investors also have expressed a need for more consistent, comparable, and reliable information about how a registrant has addressed climate-related risks when conducting its operations and developing its business strategy and financial plan. The proposed rules are intended to enhance and standardize climate-related disclosures to address these investor needs. Many issuers currently seek to provide this information to meet investor demand, but current disclosure practices are fragmented and inconsistent. The proposed rules would help issuers more efficiently and effectively disclose these risks, which would benefit both investors and issuers.



#### SELECTED CASES

- Goldman Sachs
- Compass Minerals
  - BNY Mellon
  - Delta Airlines
- American airlines



### Greenwashing







### Electric Vehicle, Battery Claims



### Green energy company Biden hosted at White House files for bankruptcy







### Artificial Intelligence

Deep Fake

**Voice Cloning** 



### Thank you

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