Dating Games in the U.S. Executive Suite: A Scandal Hong Kong Can Avoid

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One of the latest scandals to take its toll in the corporate executive suite in the U.S. is the options backdating scandal. Backdating is the term given to the clandestine practice of changing the grant date of options which were given to executives as part of their compensation package to a date more favorable to the executives. In light of the number of federal investigations underway, it is evident that the options backdating scandal has wreaked havoc for those firms whose executives have engaged in this practice. This presentation seeks to analyze the options backdating scandal from the point of view of the corporation and the shareholder, by focusing on the violation of fiduciary duties that are implicated. It is hoped that executives in Hong Kong can learn from the mistakes made in the U.S. executive suite.

Cindy Schipani is the Merwin H. Waterman Collegiate Professor of Business Administration, Professor of Business Law and Chair of the Law, History and Communication Area at the Stephen M. Ross School of Business at the University of Michigan. Professor Schipani’s primary research interests are in the area of corporate governance, with a focus on the relationship among directors, officers, shareholders and other stakeholders. Professor Schipani has published her work in leading law journals and is coauthor of a book published with Cambridge University Press.

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