

# The Challenges of Active Management

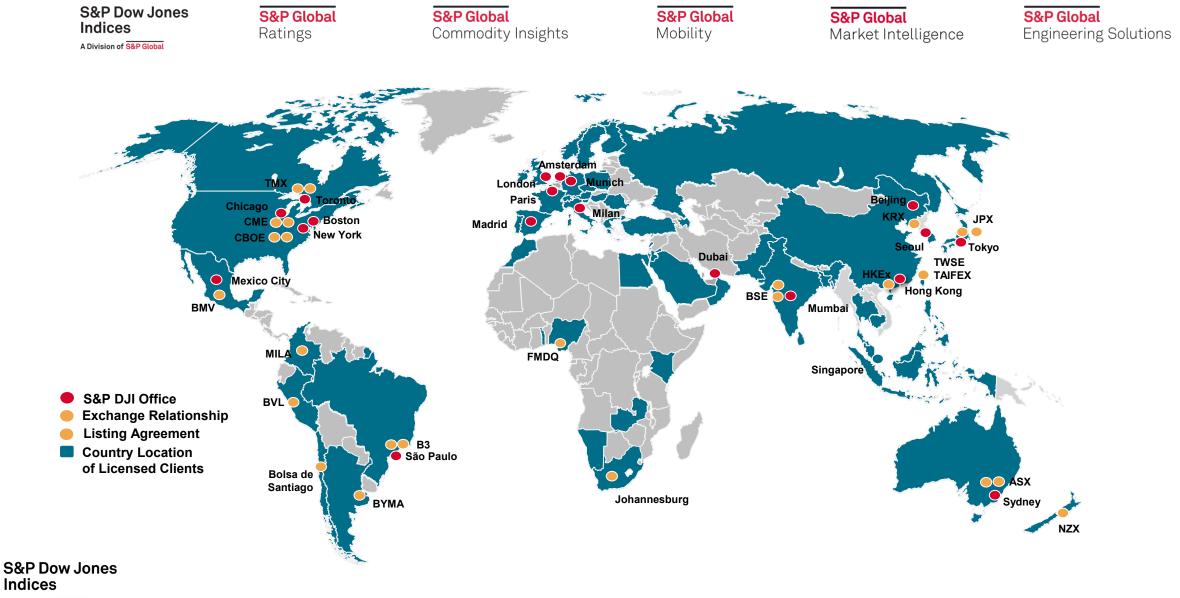
**S&P Dow Jones Indices** 

**S&P Dow Jones Indices** 

September 12, 2023 Joseph Nelesen, Ph.D.

- 1) S&P Dow Jones Overview
- 2) Active and Index Landscape
- 3) "SPIVA" (S&P Indices Versus Active) Scorecards
- 4) Change of Course in 2022?
- 5) SPIVA: Latest Results
- 6) Measures of Persistence
- 7) Challenges of Active Management
- 8) Appendix

#### **SPDJI - Global Reach. Local Expertise.**



#### **SPDJI – Industry Leading Thought Leadership**

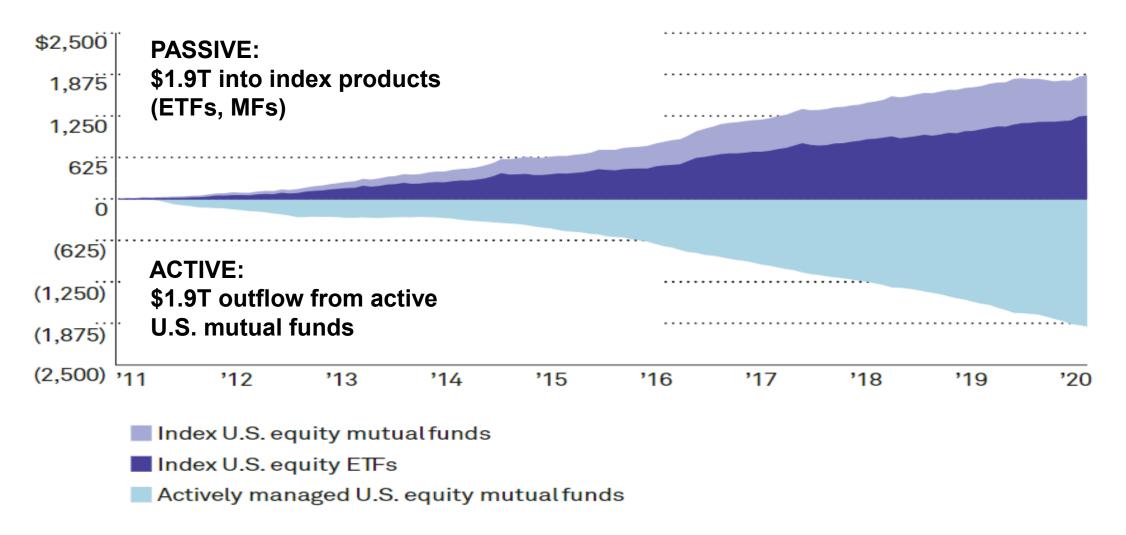
Annually, S&P DJI syndicates **600+ publications of varying types, levels and languages** across print and digital mediums, including video.

S&P Index Versus Active (SPIVA®)	Our flagship publication measuring actively managed funds against their relevant index benchmarks across the U.S., Europe, Canada, Australia, India, Latin America, Japan and South Africa markets.		
Research	Advanced publications pioneering global market trends and index innovations.		
Market Performance	Monthly performance-driven pieces that put our index gains and losses in context of market developments.		
Index Commentary	Index characteristics, methodology and performance in relation to current market trends.		
Indexology® Blog	Posts from thought leaders across S&P DJI, as well as guest posts from renowned subject matter professionals, introducing readers to insightful research and examining market, political and economic events through the lens of our index data.		
Talking Points	Interviews with industry thinkers on market trends and themes impacting indexing.		
Investor TALKS	Real-world applications of index-based strategies from a practitioner's point of view.		

# The Changing Active and Index Landscape

#### **Increasing Asset Flows from Active to Passive**

#### Many Mutual Fund Outflows Have Gone to Index Funds

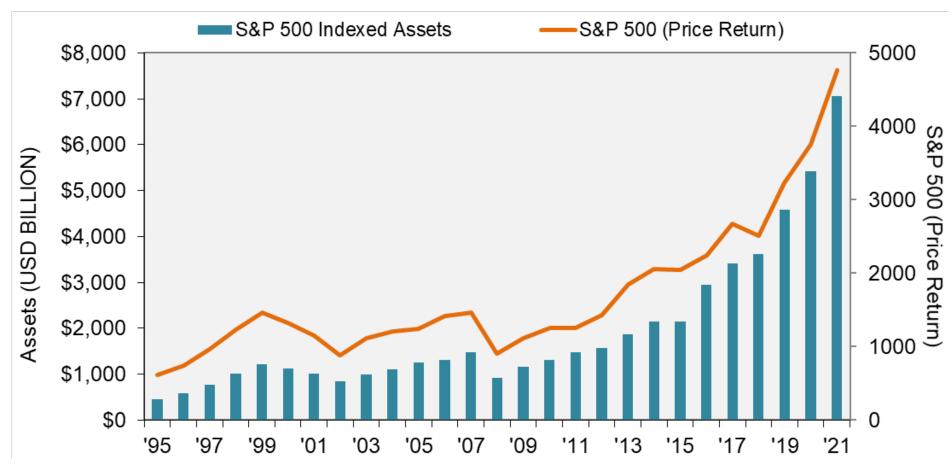


S&P Dow Jones Indices

Sources: S&P Dow Jones Indices, Past Performance is no guide to future performance. Provided for illustrative purposes only.

#### **Assets Tracking the S&P 500**

#### Among Indexed Assets, Approximately \$7.1T Track the S&P 500



Source: S&P Dow Jones Indices. Data as of Dec. 31, 2021. Charts are provided for illustrative purposes. Past performance is no guarantee of future results.

A Division of S&P Global

7

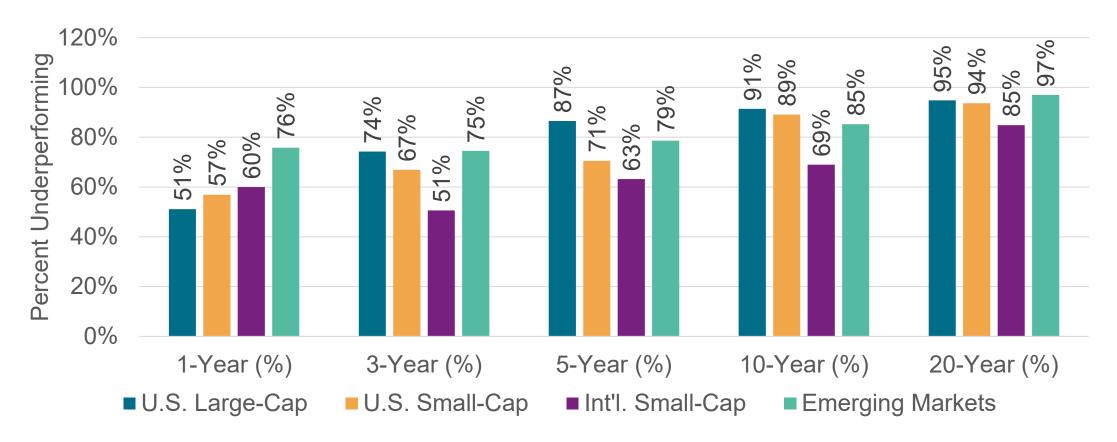
#### The S&P 500 Ecosystem: Indicator of "Active" Passive Investors



Source: S&P Dow Jones Indices LLC. FIA. Bloomberg. Data as of Dec. 31, 2021. Updated from "A Window on Index Liquidity." S&P Dow Jones Indices (2019) Figures in billions of U.S. dollars of index equivalent trading volumes. Chart is provided for illustrative purposes. Past performance is no guarantee of future results. \*In 2019, Index Dividends was focused on product linked to our Dividend Points indices, whereas the new Dividends category also includes dividend-themed products for example the S&P 500 dividend families including Dividend Aristocrats, High Dividend, Low Volatility High Dividend and others. Data sources have also changed since the original publication of the paper. For further details see "Mapping the S&P 500 Trading Ecosystem."

#### **Over Time More Active Funds Underperform**

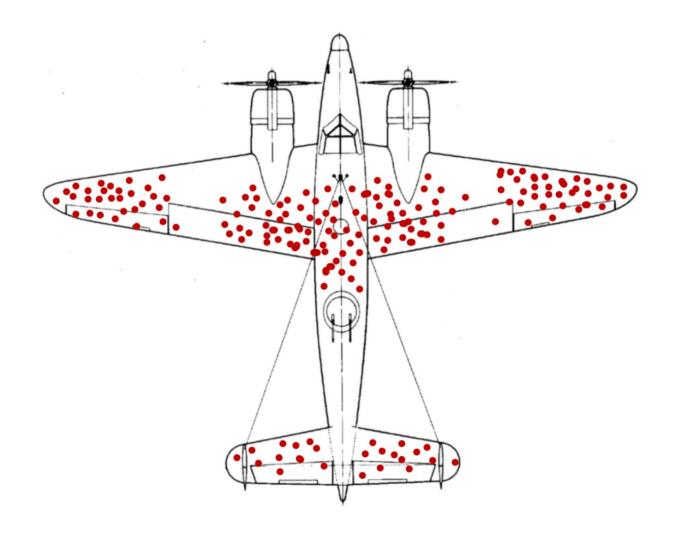
#### % of Active Funds Underperforming Benchmarks – Mutual Funds



Sources: S&P Dow Jones Indices, CRSP. Data for the period Dec 31, 2002 – Dec 30, 2022 as compared to the S&P 500 total return in U.S. dollars. For details on the methodology applied, see S&P DJI's U.S. SPIVA® Scorecard. Past Performance is no guide to future performance. Provided for illustrative purposes only.

# "SPIVA" (S&P Indices Versus Active) Scorecards

# A Brief Diversion on Survivorship Bias...



#### **S&P Indices Versus Active (SPIVA®)**

Performance of actively managed mutual funds versus S&P DJI benchmarks



#### Summary:

- Semi-annual report, launched in 2002
- Analysis over various time horizons
- Global, separate reports for the fund industries in each of <u>U.S.</u>, <u>Europe</u>, <u>Australia</u>, <u>Japan</u>, <u>Latin</u> <u>America</u>, <u>Canada</u>, <u>South Africa</u> and <u>India</u>.

#### Key Reports:

- Performance: Percentage of active funds that beat their assigned S&P DJI benchmark
- Survivorship: Accounts for entire opportunity set, not just the survivors
- Weighted Returns: equal- and asset-weighted averages

#### Extensions:

 Persistence Scorecard: <u>U.S.</u>, <u>Canada</u>, <u>Australia</u> and <u>Latin America</u>

12

Institutional Scorecard

Source: S&P Dow Jones Indices LLC.

#### SPIVA Around the World The SPU(4 Difference, J. Accounts for the entire on north with saturations to 1914 the saturations and the saturations are saturated as the saturation of the satur survivors—thereby eliminating survivorship bias Parretcentage viractive funutout penodineu by benchmarks\* over 1-, 3-, and 5-year periods Applies an apples-to-apples comparisor by measuring 'à runa s returns against tne returns от á penchmark appropriate for that particular inves tment category. Shows that asset-weighting matters by using both Canada equal- and asset-weighted av erages. 52\*84\*93 ne vitas wat recent as seids, will in lerr งระราง เกราะ sla Europe BENCHMARK **punting** multiple share classes in all avoids double co S&P/TSX COMPOSITE count-based cal ulations..... 87 83 91 S&P EUROPE 350 Japan **3-YEAR** 5-YEAR **87** 3-YEAR BENCHMARK Mayinghico S&P 500® S&P/TOPIX 150 1-YEAR 3-YEAR 5-YEAR 5-India MENA BENCHMARK: **18°59**°69 88 97 94 Austrana S&P PAN ARAB S&P BSE 100 COMPOSITE **'56' '66'** Chile South Africa **Brazil** S&P/ASX 200 48" 45" 50" BETYCHMARK BENCHMARK: S&P CHILE BMI S&P SOUTH AFRICA BENCHMARK COLDEDYZII BWY DOM CADSWEAFFED

**SPIVA: S&P Indices Versus Active** 

www.spglobal.com/spdji/en/research-insights/spiva

\* Regional benchmarks included here are large cap, with the exception of Brazil and Chile, where SPVA results displayed reflect regional broad-markst indices. Multiple benchmarks exist in all regions tracked by SPIVA. For more information on SPIVA method including a functional begonastic and execution including a functional begonastic and execution in the control of the control

Source: S&P Dow Jones Indices LLC, Morningstar, Fundata, CRSP. Data as of December 31, 2022. Past performance is no guarantee of future results. Chart is provided for illustrative purposes.

S&P Dow Jones Indices

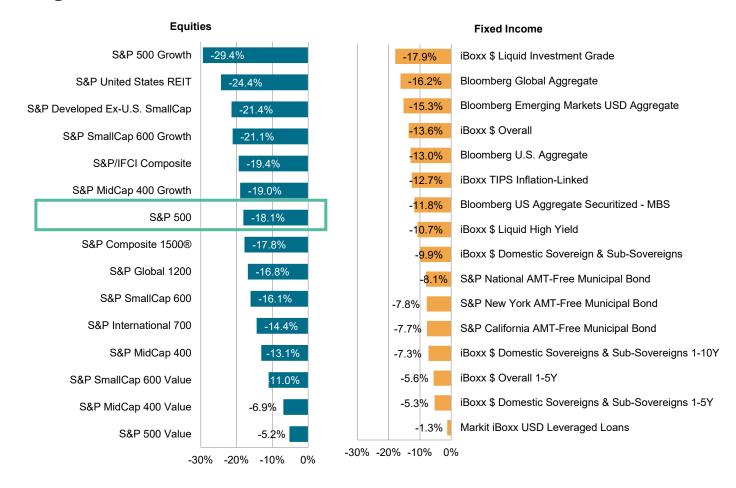
dology,

# **Change of Course in 2022?**

14

- Down Market
- Absence of Positive Skew
- <u>Dispersion &</u> <u>Correlation</u>
- High Vol.

#### Negative returns across asset classes

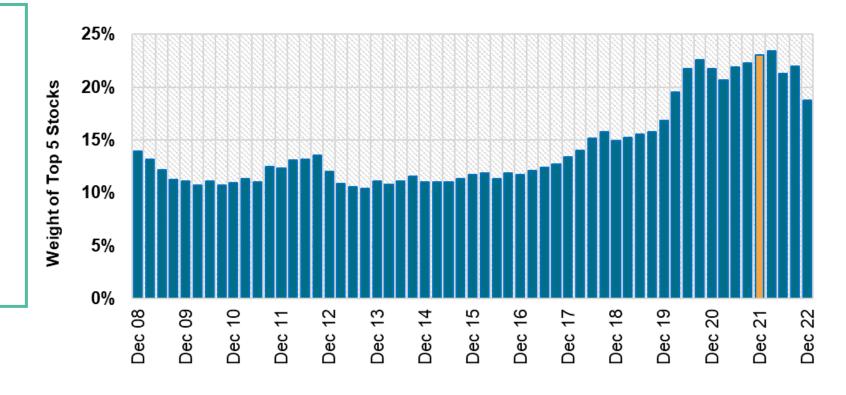


Source: S&P Dow Jones Indices. Data as of Dec. 31, 2022. Chart is provided for illustrative purposes. Past performance is no guarantee of future results

#### Down Market

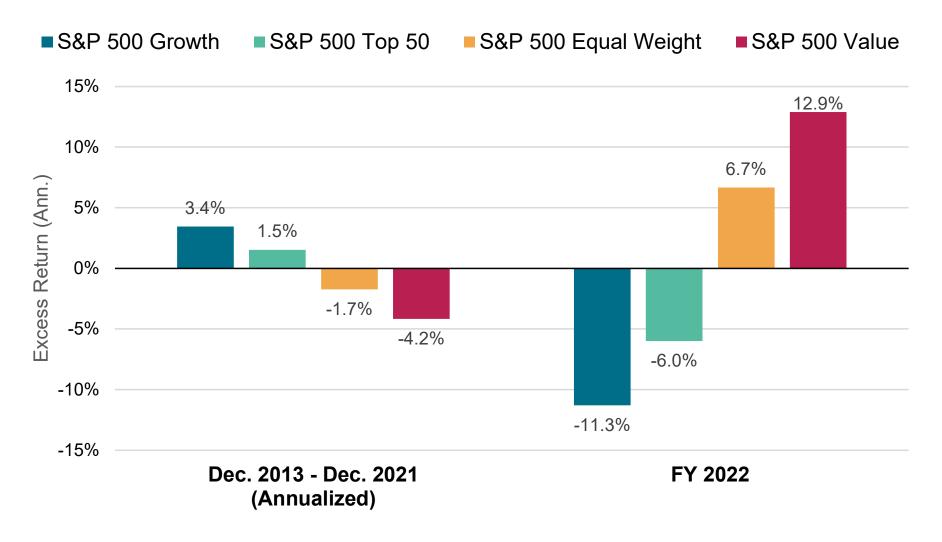
- Absence of Positive Skew
- <u>Dispersion &</u> <u>Correlation</u>
- High Vol.

#### Mega-caps led the -18% S&P 500 decline



Source: S&P Dow Jones Indices. Data as of Dec. 31, 2022. Chart is provided for illustrative purposes. Past performance is no guarantee of future results

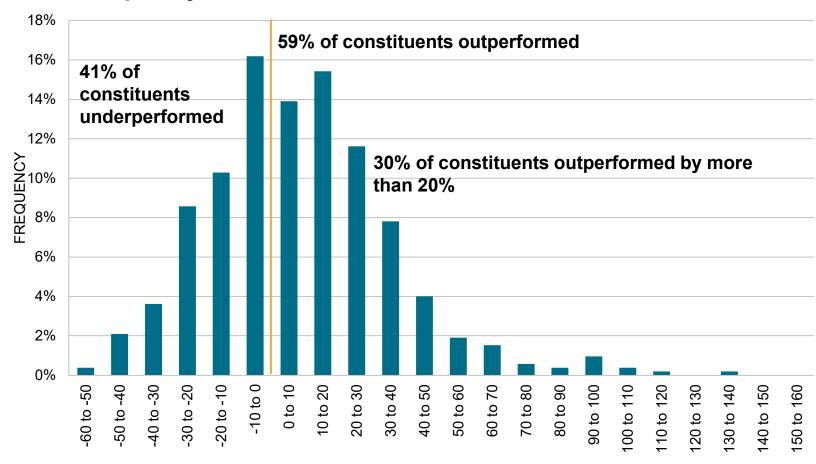
#### From Headwinds to Tailwinds for Active Managers



Source: S&P Dow Jones Indices. Data as of Dec. 31, 2022. Chart is provided for illustrative purposes. Past performance is no guarantee of future results

- Down Market
- Absence of Positive Skew
- <u>Dispersion &</u> <u>Correlation</u>
- High Vol.

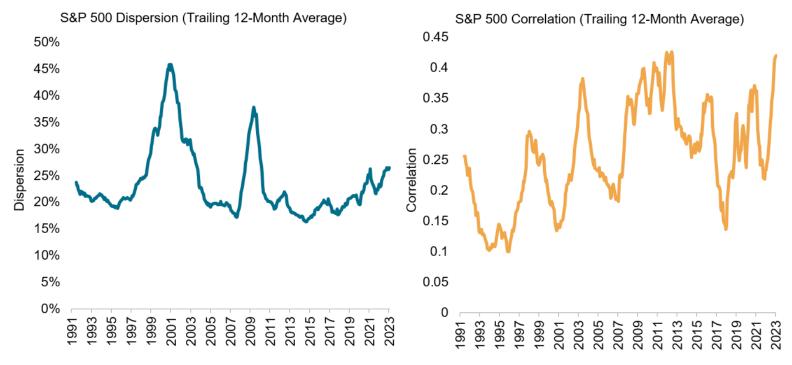
#### 2022 Frequency Distribution of S&P 500 Constituent Excess Returns



Source: S&P Dow Jones Indices. Data as of Dec. 30, 2022. Chart is provided for illustrative purposes. Past performance is no guarantee of future results

- Down Market
- Absence of Positive Skew
- <u>Dispersion &</u> Correlation
- High Vol

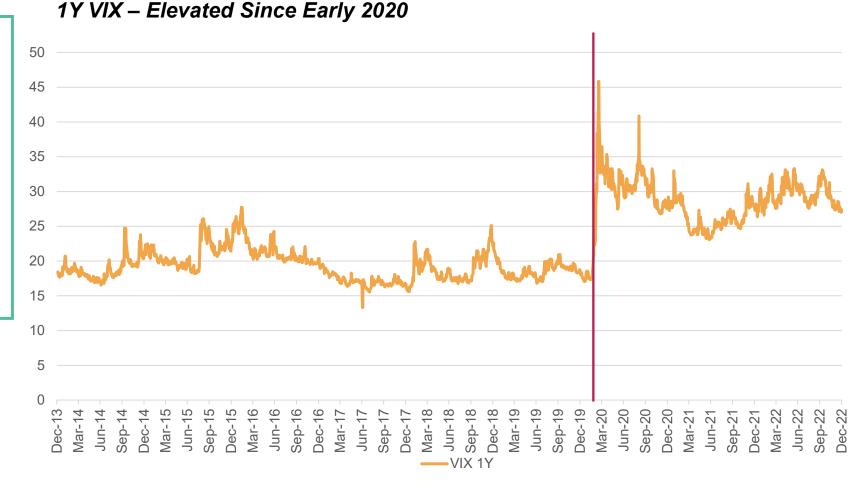
Exhibit 1: S&P 500 Trailing 12-Month Average Dispersion and Especially Correlations Have Increased



Source: S&P Dow Jones Indices LLC. Data from January 1991 through January 2023. Past performance is no guarantee of future results. Charts are provided for illustrative purposes.

Source: S&P Dow Jones Indices. Data as of Dec. 31, 2022. Chart is provided for illustrative purposes. Past performance is no guarantee of future results

- Down Market
- Absence of Positive Skew
- <u>Dispersion &</u> <u>Correlation</u>
- High Vol



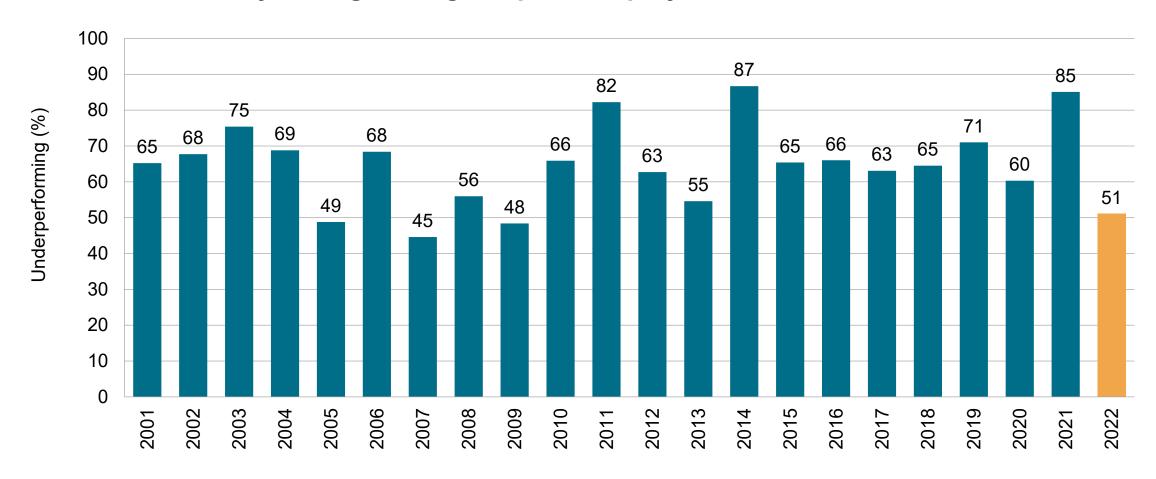
Source: S&P Dow Jones Indices. Data as of Dec. 30, 2022. Chart is provided for illustrative purposes. Past performance is no guarantee of future results

# **SPIVA: Latest Results**

21

#### 2022 Results: (Relatively) Better Year for U.S. Active

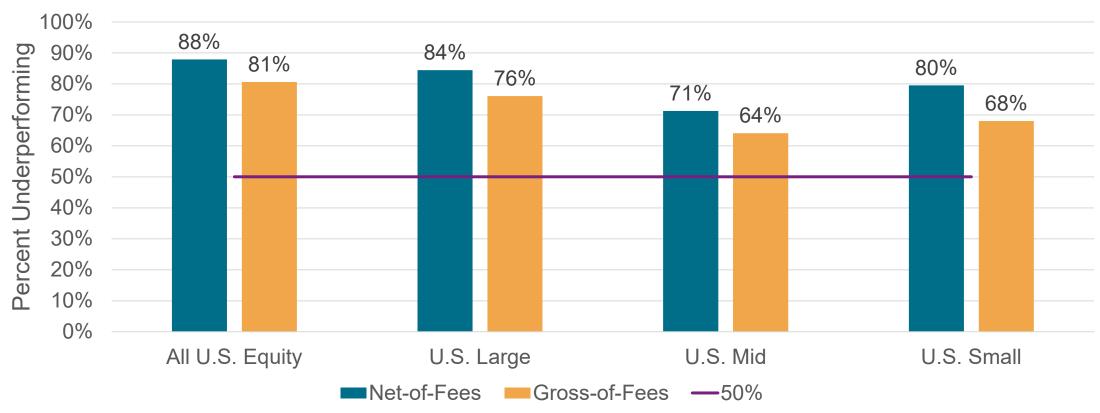
#### Actively Managed Large Cap U.S. Equity Mutual Funds vs S&P 500



Source: S&P Dow Jones Indices. Data as of Dec. 30, 2022. Chart is provided for illustrative purposes. Past performance is no guarantee of future results

### U.S. Institutional Equity: Not Just Fees Making the Difference

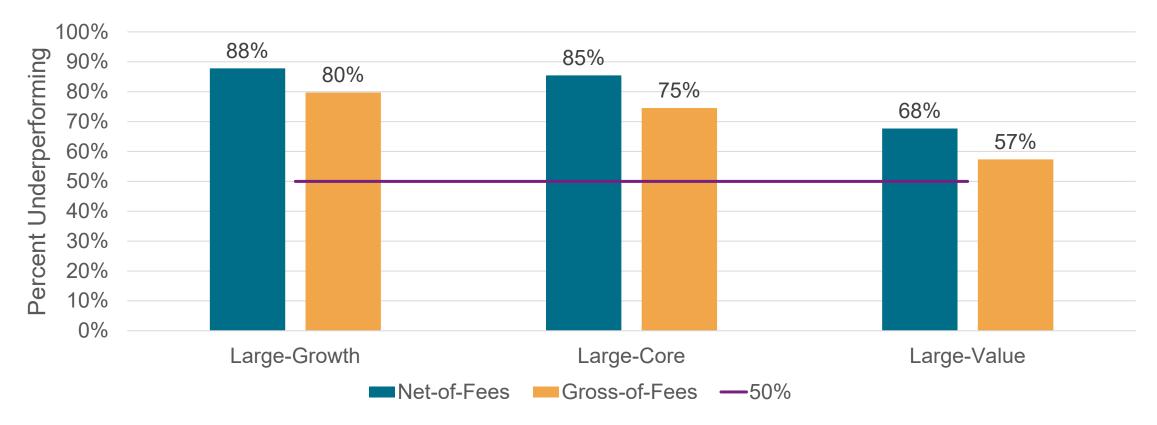
# % of Active <u>Institutional</u> SMAs Underperforming (10 Years Ending Dec. 2022)



Sources: S&P Dow Jones Indices, eVestment. Data as of Dec. 30, 2022 as compared to the S&P 500 total return in U.S. dollars. For details on the methodology applied, see S&P DJI's U.S. SPIVA® Scorecard. Past Performance is no guide to future performance. Provided for illustrative purposes only.

#### **Does Style Matter?**

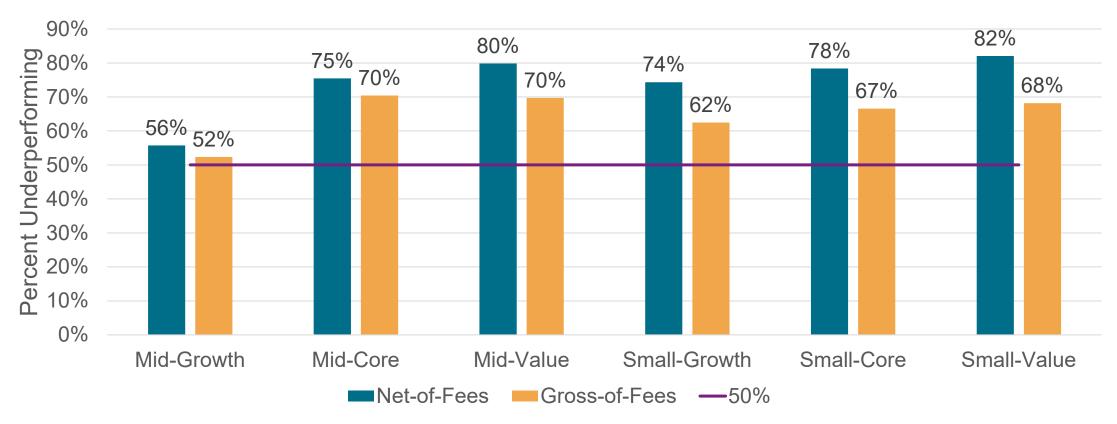
# % Large Growth/Value Active Institutional SMAs Underperforming (10 Years Ending Dec. 2022)



SSources: S&P Dow Jones Indices, eVestment. Data as of Dec. 30, 2022 as compared to the S&P 500 total return in U.S. dollars. For details on the methodology applied, see S&P DJI's U.S. SPIVA® Scorecard. Past Performance is no guide to future performance. Provided for illustrative purposes only

# Any Edge in U.S. Institutional Mid- and Small-Cap?

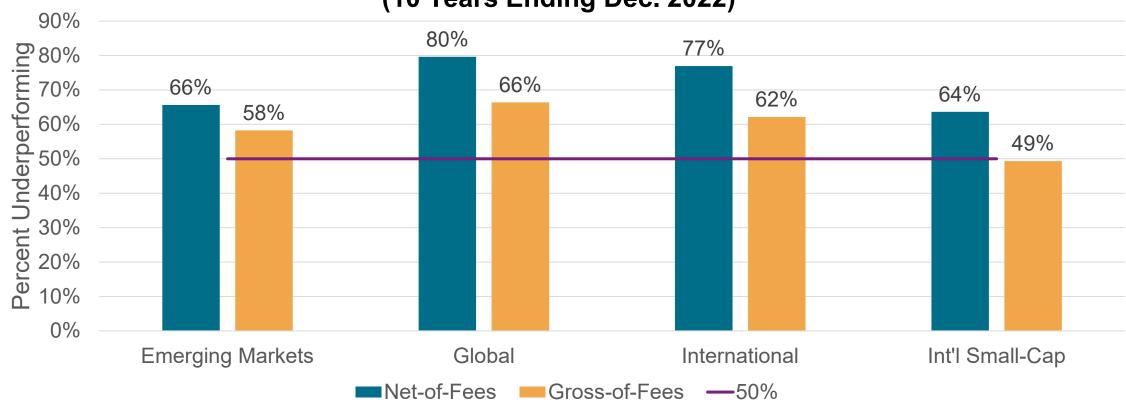
# % of Mid & Small-Cap Active Institutional SMAs Underperforming (10 Years Ending Dec. 2022)



Sources: S&P Dow Jones Indices, eVestment. Data as of Dec. 30, 2022 as compared to the S&P 500 total return in U.S. dollars. For details on the methodology applied, see S&P DJI's U.S. SPIVA® Scorecard. Past Performance is no guide to future performance. Provided for illustrative purposes only

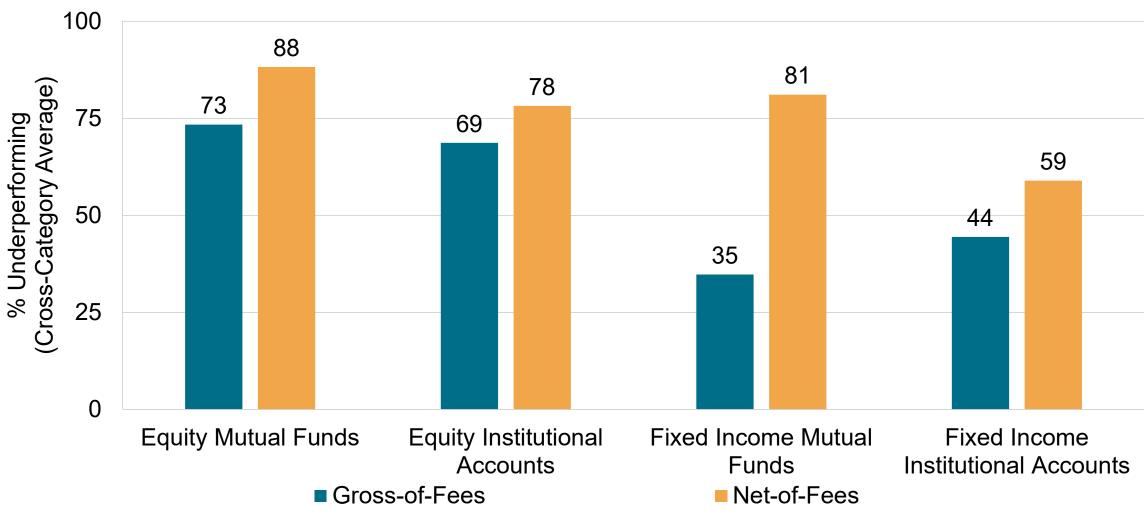
### What About International Equities?

# % of International Active Institutional SMAs Underperforming (10 Years Ending Dec. 2022)



Sources: S&P Dow Jones Indices, eVestment. Data as of Dec. 30, 2022 as compared to the S&P 500 total return in U.S. dollars. For details on the methodology applied, see S&P DJI's U.S. SPIVA® Scorecard. Past Performance is no guide to future performance. Provided for illustrative purposes only

### **Summary Results - 10 Years Ending Dec. 2022**

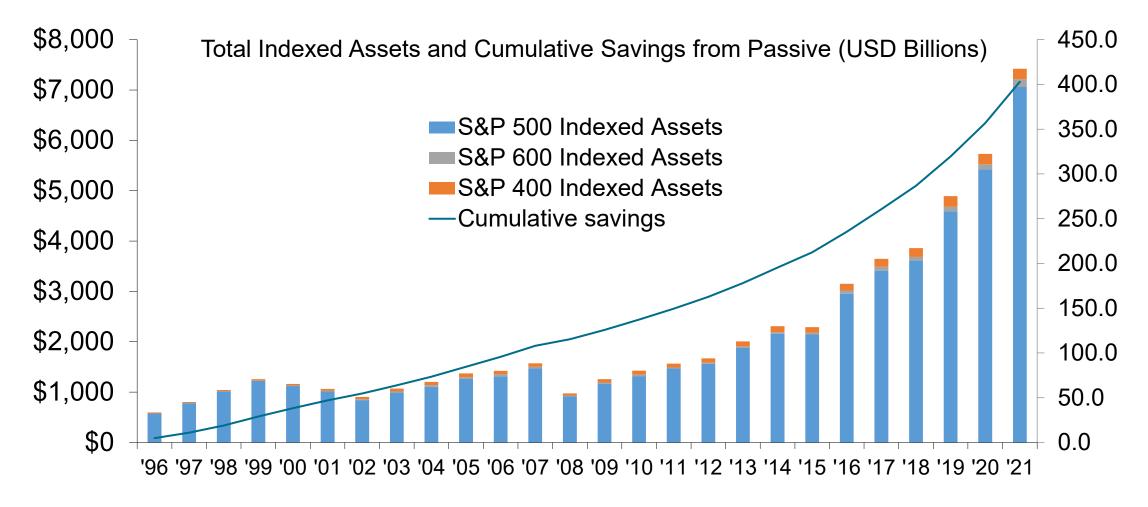


Sources: S&P Dow Jones Indices, eVestment. Data as of Dec. 30, 2022 as compared to the S&P 500 total return in U.S. dollars. For details on the methodology applied, see S&P DJI's U.S. SPIVA® Scorecard. Past Performance is no guide to future performance. Provided for illustrative purposes only

# **Challenge 1: Impact of Fees**

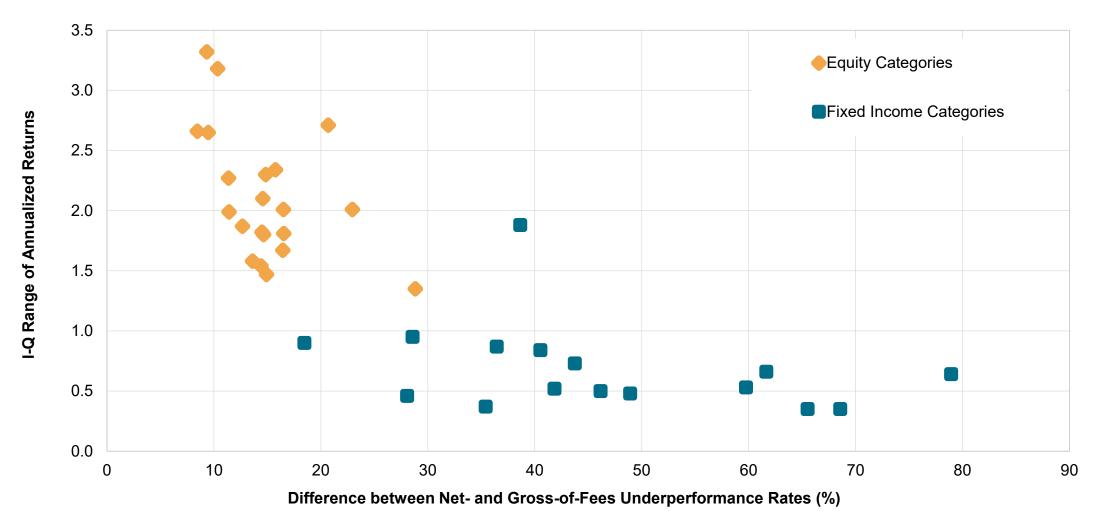
### **Effects of Fees Over Longer Time Periods**

The Significance of Savings - \$403B over the past 26 years



Source: S&P Dow Jones Indices LLC, Investment Company Institute. Data as of Dec. 31, 2021. Provided for illustrative purposes only. Past performance is no guarantee of future results.

#### Dispersion, Fees and Underperformance



Sources: S&P Dow Jones Indices, eVestment. Data as of Dec. 30, 2022 as compared to the S&P 500 total return in U.S. dollars. For details on the methodology applied, see S&P DJI's U.S. SPIVA® Scorecard. Past Performance is no guide to future performance. Provided for illustrative purposes only

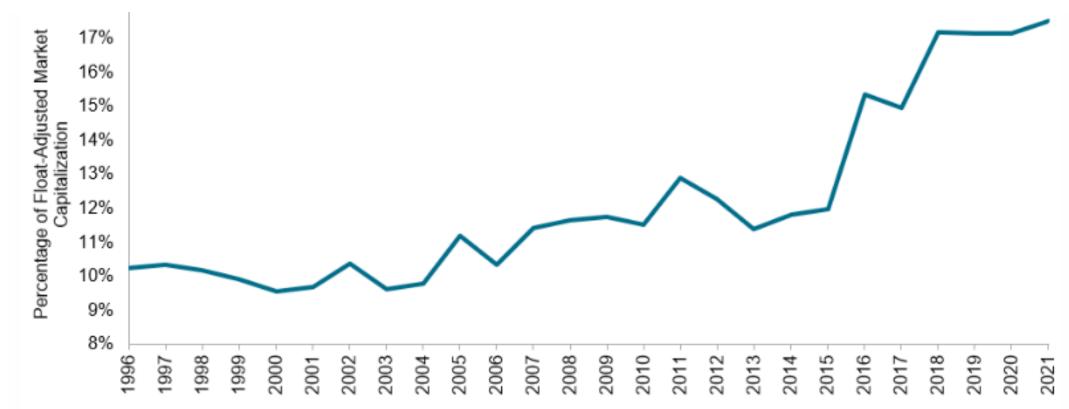
# Challenge 2: Professionalization of Asset Management

# What's Changed?

	1960s	Today
Trading on NYSE (daily)	Around 3m shares	Around 1.5bn shares
Dedicated Securities Analysts at Investment Banks / Brokers	Few, if any	Up to 300 per broker
CFA Charterholders	0	190,000 chartered 250,000 taking exams
Bloomberg Terminals	0	c. 325,000
Professional Investors	circa 5,000	> 1,000,000
Hedge Funds	~ \$10 million	around \$4 trillion
ETFs	0	around \$5.75 trillion
Institutional share of equity trading	circa 9%	more than 95%

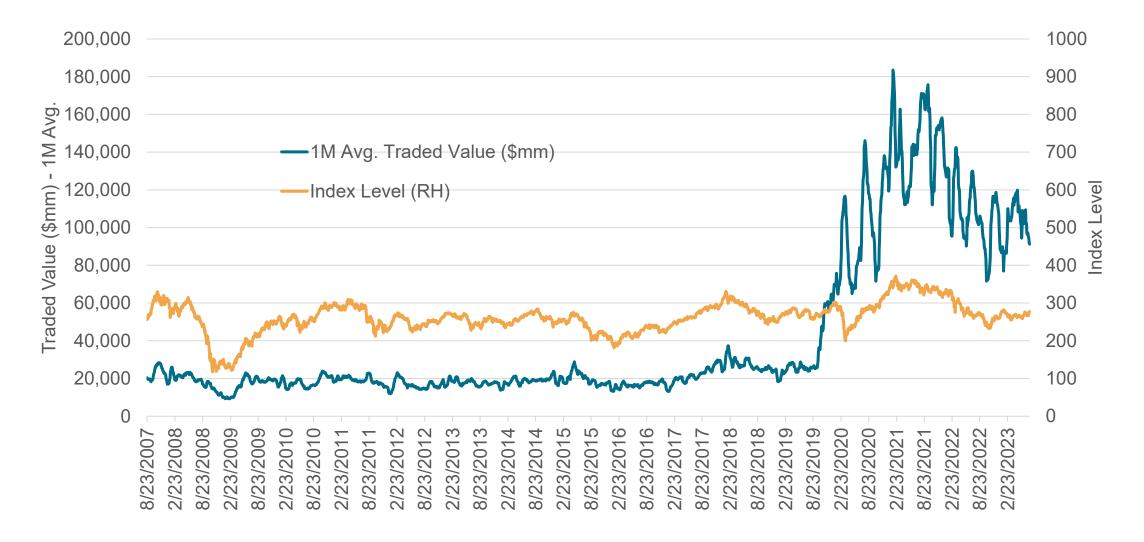
Sources: The Financial Times, Bloomberg, <u>CFA Society</u>, <u>BlackRock</u>, HFR Research, ETFGI, S&P Dow Jones Indices as of December 2018. Illustrative purposes only.

#### Percentage of S&P 500 Market Cap Indexed to S&P 500



Source: S&P Dow Jones Indices LLC. Data as of December 2021. Chart is provided for illustrative purposes.

#### **EM Traded Value Has Increased**



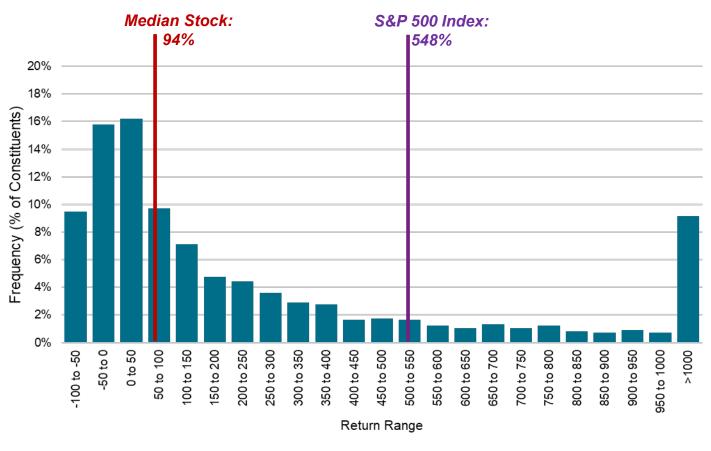
# Challenge 3: Positively Skewed Returns

#### Positively Skewed Returns Pose Challenges

All else equal, more likely to pick stocks with below average returns

#### Distribution of S&P 500 Constituent 20Yr Returns

Stock Rtn.



■ Median Stock
■ S&P 500 Rtn.

Equity return distributions are positively skewed:

#### Most stocks are below average.

Because relatively few stocks outperform the average return, concentrated active stock-picking is hard.

This helps explain historical success of equal weighted indices, and the difficulty of "high conviction" stock-picking.

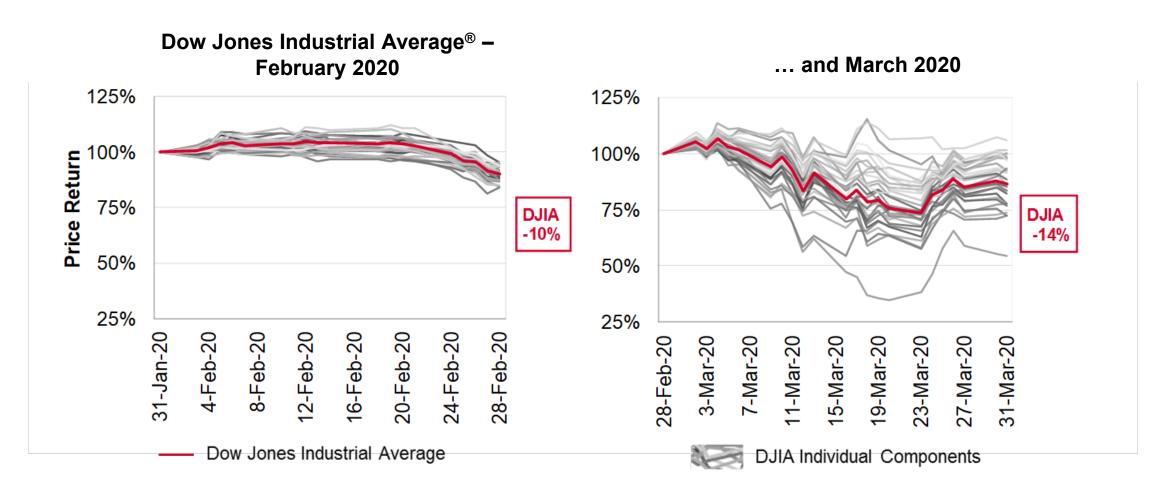
Source: S&P Dow Jones Indices, Factset. Data as of Dec. 30, 2022. Charts are provided for illustrative purposes. Past performance is no guarantee of future results.

#### **Agenda**

# Challenge 4: Varying Dispersion and Opportunity

#### **Dispersion – Market Opportunity Varies Over Time**

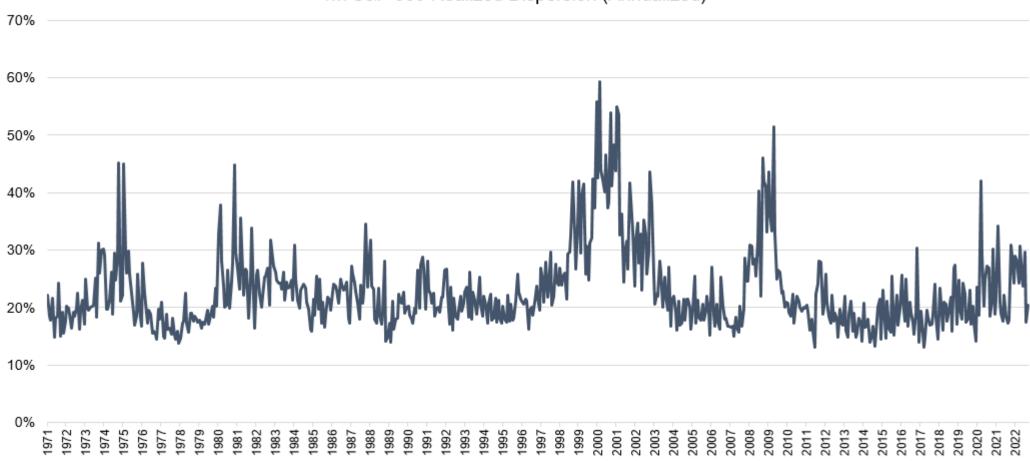
Illustration of Dispersion



<sup>\*</sup> Read more in <u>Dispersion Whitepaper</u> and check the latest figures in our <u>Dashboard</u>

## S&P 500 Realized Dispersion (Jan 1971 – Sep 2022)





Source: S&P Dow Jones Indices. Data as of October 2022. Provided for illustrative purposes only.

## **Agenda**

# **Scarcity of Persistence**

#### What Happens to the Winners?

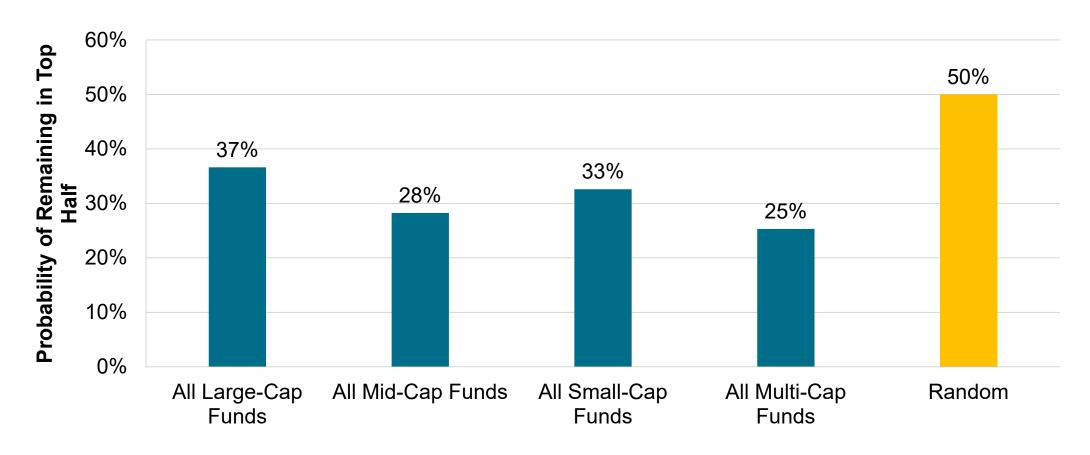
Report 1: Performance Persistence of Domestic Equity Funds over Three Consecutive 12-Month Periods

Fund Category	Fund Count at Start (December 2020)	Percentage Remaining in Top Quartile					
		December 2021		December 202			
Top Quartile							
All Domestic Funds	488		4.10	0.00			
All Large-Cap Funds	156		7.05	0.00			
All Mid-Cap Funds	63		0.00	0.00			
All Small-Cap Funds	123		2.44	0.81			
All Multi-Cap Funds	121		9.09	0.00			

Source: S&P Dow Jones Indices. Data as of Dec. 30, 2022. Chart is provided for illustrative purposes. Past performance is no guarantee of future results

#### What Happens to the Winners?

#### **Top-Half Funds in Years 1-5 Did Not Repeat in Years 6-10**



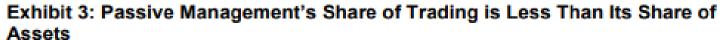
Source: S&P Dow Jones Indices. Data as of Dec. 30, 2022. Chart is provided for illustrative purposes. Past performance is no guarantee of future results

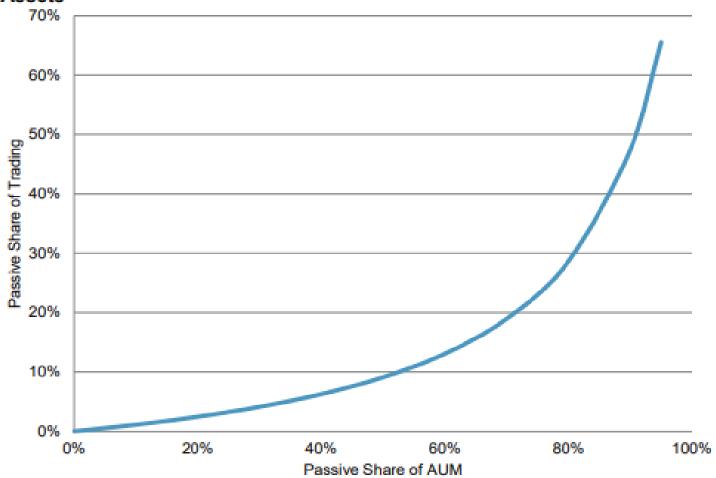
#### **APPENDIX**

# **Shifting Focus in Active Management**

#### How much is "too much" passive?

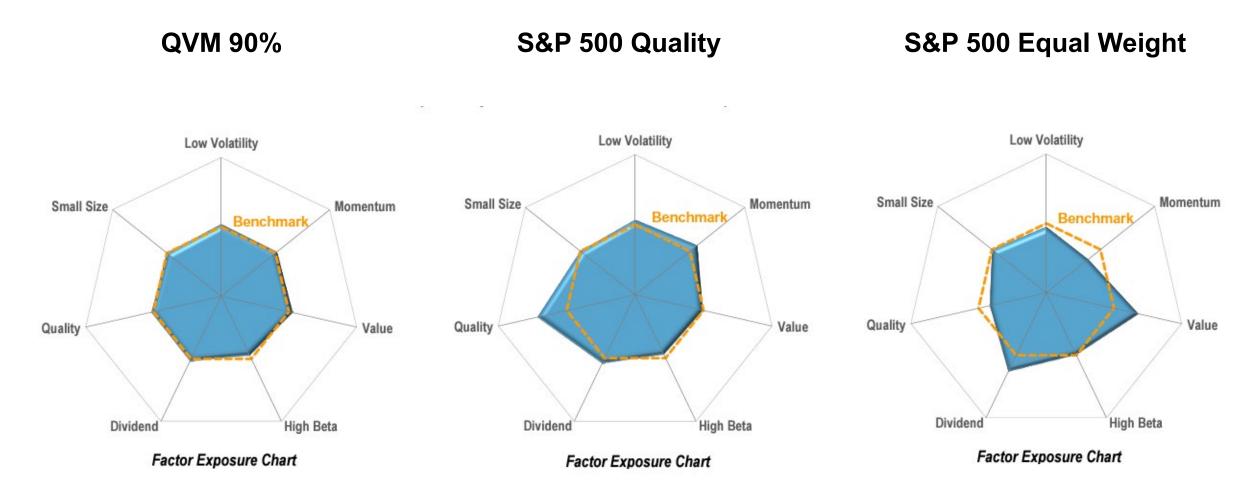
Active managers' share of trading is much greater than their share of assets managed. Trading sets prices and adjusts valuations.





Source: S&P Dow Jones Indices LLC. Chart is provided for illustrative purposes. Assumes that passive turnover is 10% annually and active turnover 50% annually.

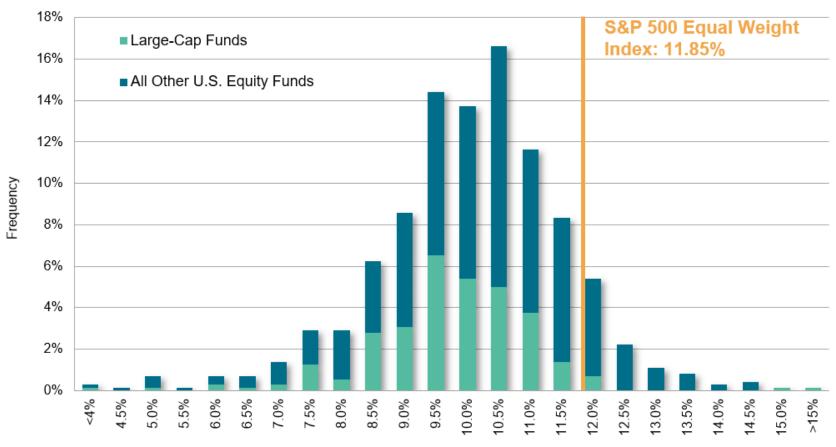
#### "Passive" No Longer Just Means Cap-Weighted



Source: S&P Dow Jones Indices LLC. Average holding period is computed by (assets/IET) x 365. Data as of June 30, 2019. See "A Window on Index Liquidity" for further details. Chart is provided for illustrative purposes.

#### **Equal Weight a Simple "Passive" Evolution**

#### Distribution of Surviving Active Funds' 20-Year Returns

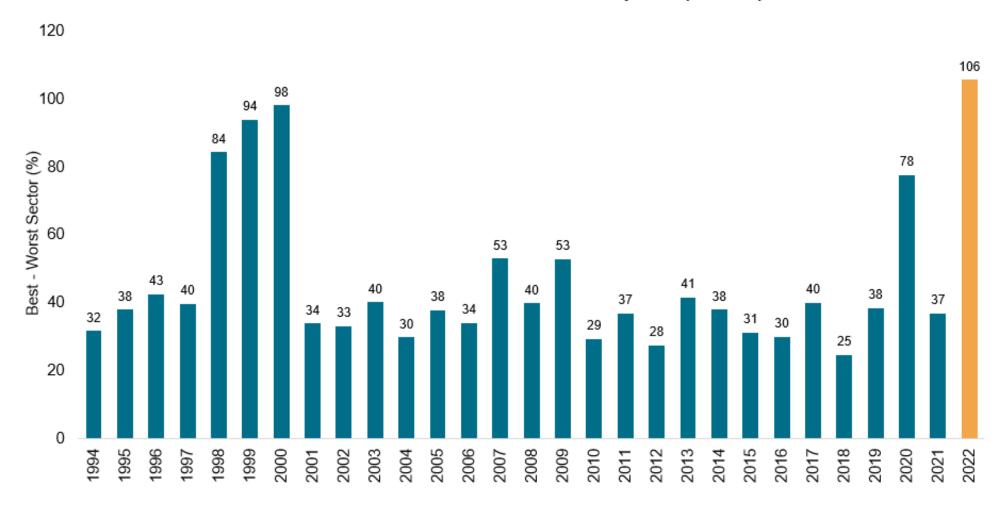


Fund Annualized 20-Year Return (to Nearest 0.5%)

Sources: S&P Dow Jones Indices LLC, CRSP. Frequency is calculated as the proportion of all surviving domestic equity funds with matching 20-year annualized returns to the nearest 0.5%. Data as of Jan. 31, 2023. Past performance is no guarantee of future results. Chart is provided for illustrative purposes.

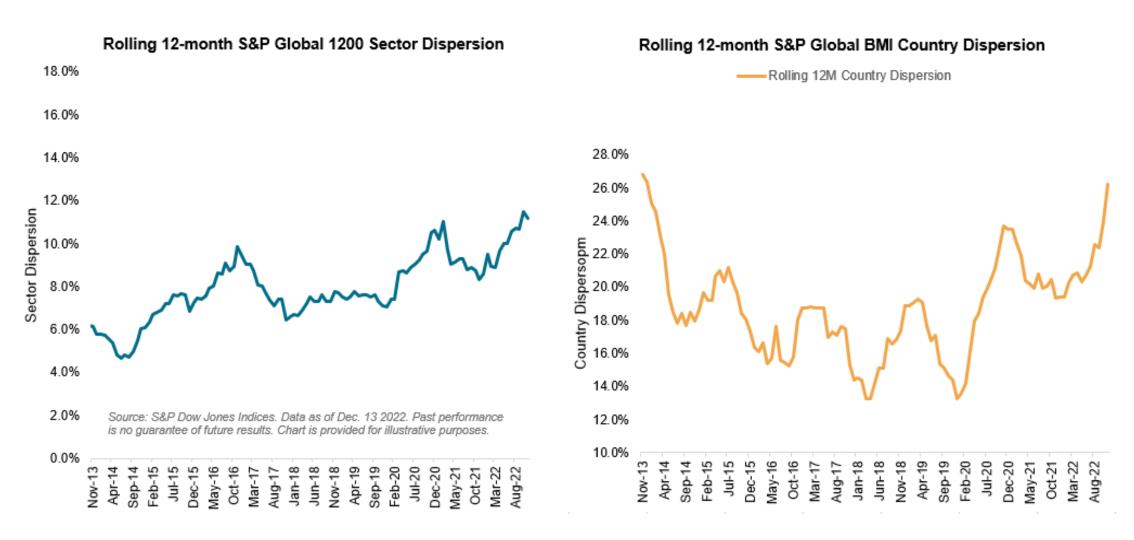
## Harnessing Sector Dispersion Can Create Opportunity

S&P 500 Sector Best-Worst Total Return Spread (Annual)



Source: S&P Dow Jones Indices. Data as of Dec. 30, 2022. Past performance is no guarantee of future results. Chart is provided for illustrative purposes only.

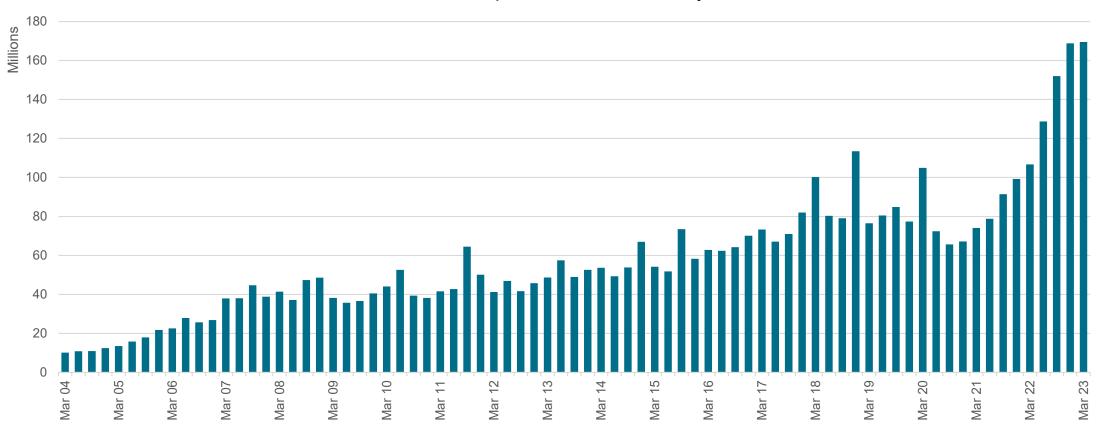
#### Skillful Allocation (Could Have) Secured Success



Source: S&P Dow Jones Indices. Data as of Dec. 30, 2022. Past performance is no guarantee of future results. Chart is provided for illustrative purposes only.

#### **Options Ecosystem has Grown Materially Since 2021**





Sources: S&P Dow Jones Indices, Choe. Data as of April 12, 2023. Past performance is no guarantee of future results. Chart is provided for illustrative purposes only.

#### **Benchmarking Alternatives**

US PRIVATE EQUITY

US PRIVATE EQUITY

AS OF MARCH 31, 2023

#### FUND INDEX SUMMARY: HORIZON POOLED RETURN COMPARED TO CA MODIFIED PUBLIC MARKET EQUIVALENT (MPME)

Net to Limited Partners

CA INDEX	1-QUARTER	1-YEAR	3-YEAR	5-YEAR	10-YEAR	15-YEAR	20-YEAR	25-YEAR
CAMBRIDGE ASSOCIATES LLC US PRIVATE EQUITY INDEX®1	2.69	-1.46	25.81	18.47	16.95	12.97	15.51	13.10
MPME ANALYSIS <sup>2</sup>								
mPME Constructed Index: MSCI World/MSCI All Country World Index <sup>3</sup> (gross)		-5.65	14.75	7.47	8.68	6.90	8.43	6.62
Value-Add (bps)		419	1,106	1,100	828	606	708	649
mPME Russell 3000® Index		-7.57	17.87	10.43	12.00	10.22	10.26	8.23
Value-Add (bps)		611	795	804	496	275	525	487
mPME Russell 2000® Index		-10.55	15.72	4.66	8.32	8.74	9.73	7.71
Value-Add (bps)		908	1,009	1,381	864	423	578	539

Sources: S&P Dow Jones Indices, Choe. Data as of Mar. 31, 2023. Past performance is no guarantee of future results. Chart is provided for illustrative purposes only.

#### Performance Disclosure

The S&P 500 ESG Index launched January 28<sup>th</sup>, 2019. The S&P MidCap 400 ESG Index and S&P SmallCap 600 ESG Index launched January 11<sup>th</sup>, 2021. All information presented prior to an index's Launch Date is hypothetical (backtested), not actual performance. The back-test calculations are based on the same methodology that was in effect on the index Launch Date. Complete index methodology details are available at www.spdji.com.

All information presented prior to an index's Launch Date is hypothetical (back-tested), not actual performance. The back-test calculations are based on the same methodology that was in effect on the index Launch Date. Complete index methodology details are available at <a href="https://www.spdji.com">www.spdji.com</a>.

S&P Dow Jones Indices defines various dates to assist our clients in providing transparency. The First Value Date is the date at which there is a calculated value (either live or back-tested) for a given index. The Base Date is the date at which the Index is set at a fixed value for calculation purposes. The Launch Date designates the date upon which the values of an index are first considered live: index values provided for any date or time period prior to the index's Launch Date are considered back-tested. S&P Dow Jones Indices defines the Launch Date as the date by which the values of an index are known to have been released to the public, for example via the company's public website or its datafeed to external parties. For Dow Jones-branded indices introduced prior to May 31, 2013, the Launch Date (which prior to May 31, 2013, was termed "Date of introduction") is set at a date upon which no further changes were permitted to be made to the index methodology, but that may have been prior to the Index's public release date.

Past performance of the Index is not an indication of future results. Prospective application of the methodology used to construct the Index may not result in performance commensurate with the back-test returns shown. The back-test period does not necessarily correspond to the entire available history of the Index. Please refer to the methodology paper for the Index, available at <a href="https://www.spdji.com">www.spdji.com</a> for more details about the index, including the manner in which it is rebalanced, the timing of such rebalancing, criteria for additions and deletions, as well as all index calculations.

Another limitation of using back-tested information is that the back-tested calculation is generally prepared with the benefit of hindsight. Back-tested information reflects the application of the index methodology and selection of index constituents in hindsight. No hypothetical record can completely account for the impact of financial risk in actual trading. For example, there are numerous factors related to the equities, fixed income, or commodities markets in general which cannot be, and have not been accounted for in the preparation of the index information set forth, all of which can affect actual performance.

The Index returns shown do not represent the results of actual trading of investable assets/securities. S&P Dow Jones Indices LLC maintains the Index and calculates the Index levels and performance shown or discussed, but does not manage actual assets. Index returns do not reflect payment of any sales charges or fees an investor may pay to purchase the securities underlying the Index or investment funds that are intended to track the performance of the Index. The imposition of these fees and charges would cause actual and back-tested performance of the securities/fund to be lower than the Index performance shown. As a simple example, if an index returned 10% on a US \$100,000 investment for a 12-month period (or US \$10,000) and an actual asset-based fee of 1.5% was imposed at the end of the period on the investment plus accrued interest (or US \$1,650), the net return would be 8.35% (or US \$8,350) for the year. Over a three year period, an annual 1.5% fee taken at year end with an assumed 10% return per year would result in a cumulative gross return of 33.10%, a total fee of US \$5,375, and a cumulative net return of 27.2% (or US \$27,200).



#### General Disclaimer

Copyright © 2023 by S&P Dow Jones Indices LLC, a part of S&P Global. All rights reserved. Standard & Poor's ®, S&P 500 ® are registered trademarks of Standard & Poor's Financial Services LLC ("S&P"), a subsidiary of S&P Global. Dow Jones ® is a registered trademark of Dow Jones Trademark Holdings LLC ("Dow Jones"). Trademarks have been licensed to S&P Dow Jones Indices LLC. Redistribution, reproduction and/or photocopying in whole or in part are prohibited without written permission. This document does not constitute an offer of services in jurisdictions where S&P Dow Jones Indices LLC, Dow Jones, S&P or their respective affiliates (collectively "S&P Dow Jones Indices") do not have the necessary licenses. All information provided by S&P Dow Jones Indices is impersonal and not tailored to the needs of any person, entity or group of persons. S&P Dow Jones Indices receives compensation in connection with licensing its indices to third parties. Past performance of an index is not a guarantee of future results.

It is not possible to invest directly in an index. Exposure to an asset class represented by an index is available through investable instruments based on that index. S&P Dow Jones Indices does not sponsor, endorse, sell, promote or manage any investment fund or other investment vehicle that is offered by third parties and that seeks to provide an investment return based on the performance of any index. S&P Dow Jones Indices makes no assurance that investment products based on the index will accurately track index performance or provide positive investment returns. S&P Dow Jones Indices LLC is not an investment advisor, and S&P Dow Jones Indices makes no representation regarding the advisability of investing in any such investment fund or other investment fund or other investment vehicle should not be made in reliance on any of the statements set forth in this document. Prospective investors are advised to make an investment in any such fund or other vehicle only after carefully considering the risks associated with investing in such funds, as detailed in an offering memorandum or similar document that is prepared by or on behalf of the issuer of the investment fund or other vehicle. Inclusion of a security within an index is not a recommendation by S&P Dow Jones Indices to buy, sell, or hold such security, nor is it considered to be investment advice.

These materials have been prepared solely for informational purposes based upon information generally available to the public and from sources believed to be reliable. No content contained in these materials (including index data, ratings, credit-related analyses and data, research, valuations, model, software or other application or output therefrom) or any part thereof (Content) may be modified, reverse-engineered, reproduced or distributed in any form or by any means, or stored in a database or retrieval system, without the prior written permission of S&P Dow Jones Indices. The Content shall not be used for any unlawful or unauthorized purposes. S&P Dow Jones Indices and its third-party data providers and licensors (collectively "S&P Dow Jones Indices Parties") do not guarantee the accuracy, completeness, timeliness or availability of the Content. S&P Dow Jones Indices Parties are not responsible for any errors or omissions, regardless of the cause, for the results obtained from the use of the Content. THE CONTENT IS PROVIDED ON AN "AS IS" BASIS. S&P DOW JONES INDICES PARTIES DISCLAIM ANY AND ALL EXPRESS OR IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE, FREEDOM FROM BUGS, SOFTWARE ERRORS OR DEFECTS, THAT THE CONTENT'S FUNCTIONING WILL BE UNINTERRUPTED OR THAT THE CONTENT WILL OPERATE WITH ANY SOFTWARE OR HARDWARE CONFIGURATION. In no event shall S&P Dow Jones Indices Parties be liable to any party for any direct, incidental, exemplary, compensatory, punitive, special or consequential damages, costs, expenses, legal fees, or losses (including, without limitation, lost income or lost profits and opportunity costs) in connection with any use of the Content even if advised of the possibility of such damages.

S&P Dow Jones Indices keeps certain activities of its business units separate from each other in order to preserve the independence and objectivity of their respective activities. As a result, certain business units of S&P Dow Jones Indices may have information that is not available to other business units. S&P Dow Jones Indices has established policies and procedures to maintain the confidentiality of certain non-public information received in connection with each analytical process.

In addition, S&P Dow Jones Indices provides a wide range of services to, or relating to, many organizations, including issuers of securities, investment advisers, broker-dealers, investment banks, other financial institutions and financial intermediaries, and accordingly may receive fees or other economic benefits from those organizations, including organizations whose securities or services they may recommend, rate, include in model portfolios, evaluate or otherwise address.

