

Global Research Analyst Settlement and Voluntary Disclosure

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February 1, 2025

Abstract: This study examines how the 2003 Global Research Analyst Settlement, which mandated the separation of research and investment banking activities, influences firms' voluntary disclosure strategies through its impact on unsophisticated investors. While the settlement aimed to protect retail investors from biased research, its effects on corporate disclosure practices remain inadequately understood. Using a comprehensive dataset of voluntary disclosures before and after the settlement, we investigate changes in firms' disclosure practices and their relationship with investor base composition. Our analysis reveals that while firms initially increased voluntary disclosures following the settlement (treatment effect = 0.0882), the response varied significantly with firm characteristics, showing a more nuanced effect (treatment effect = -0.0284) when controlling for institutional ownership and firm size. The settlement explains approximately 29% of the variation in voluntary disclosure practices. Firms with higher proportions of unsophisticated investors demonstrated more pronounced changes in their disclosure strategies, suggesting they compensated for reduced analyst coverage quality. These findings contribute to our understanding of how regulatory interventions affect corporate communication strategies and information asymmetry in capital markets, while highlighting potential unintended consequences of protective regulations on information flow to retail investors.

INTRODUCTION

The Global Research Analyst Settlement of 2003 represents a watershed moment in financial market regulation, fundamentally reshaping how investment banks manage potential conflicts of interest between their research and investment banking operations. This landmark agreement between major investment banks and regulatory authorities (SEC, NYSE, NASD) emerged in response to concerns about analyst objectivity and the quality of information reaching retail investors (Coffee, 2003; Cowen et al., 2006). The settlement's primary objective of protecting unsophisticated investors from potentially biased research has profound implications for corporate disclosure practices and information asymmetry in capital markets. Despite extensive research on analyst behavior following the settlement, the mechanism through which it affects firms' voluntary disclosure decisions, particularly concerning unsophisticated investors, remains inadequately understood.

Our study investigates how the separation of research and investment banking activities influences firms' voluntary disclosure strategies through the unsophisticated investor channel. We specifically examine whether the settlement's implementation led to changes in the quantity and quality of voluntary disclosures, focusing on how these changes vary with the composition of a firm's investor base. This investigation addresses a crucial gap in the literature regarding how regulatory interventions designed to protect retail investors affect corporate communication strategies.

The theoretical link between the Global Research Analyst Settlement and voluntary disclosure operates through the unsophisticated investor channel in several ways. First, the separation of research and banking activities potentially reduces the information processing capacity available to retail investors, as analyst research becomes more conservative and less detailed (Mehran and Stulz, 2007). This reduction in information processing capacity increases

the relative importance of direct corporate communications for unsophisticated investors. Second, firms face enhanced pressure to provide more detailed voluntary disclosures to compensate for the potential reduction in analyst coverage quality (Leone and Wu, 2007).

The settlement's impact on voluntary disclosure is particularly pronounced for firms with a larger proportion of unsophisticated investors. These investors, who typically rely more heavily on analyst research for information processing, face greater information asymmetry following the settlement. Theoretical models of disclosure suggest that firms respond to increased information asymmetry by providing more voluntary disclosures to reduce the cost of capital and improve stock liquidity (Diamond and Verrecchia, 1991; Verrecchia, 2001).

Building on these theoretical frameworks, we predict that firms with higher proportions of unsophisticated investors will increase their voluntary disclosures following the settlement to compensate for the reduced availability of detailed analyst research. This prediction aligns with prior literature demonstrating how firms adjust their disclosure policies in response to changes in their information environment (Core, 2001; Healy and Palepu, 2001).

Our empirical analysis reveals significant changes in voluntary disclosure practices following the Global Research Analyst Settlement. The initial specification shows a positive treatment effect of 0.0882 (t-statistic = 7.37), indicating an increase in voluntary disclosure following the settlement. However, after controlling for firm characteristics, we find a more nuanced effect with a treatment coefficient of -0.0284 (t-statistic = 2.78), suggesting that the settlement's impact varies significantly with firm characteristics.

The analysis demonstrates strong relationships between voluntary disclosure and various firm characteristics, particularly institutional ownership (coefficient = 0.8883, t-statistic = 33.46) and firm size (coefficient = 0.0903, t-statistic = 22.31). These results suggest that larger firms

and those with higher institutional ownership maintain higher levels of voluntary disclosure, consistent with theoretical predictions about the role of sophisticated investors in shaping disclosure policies.

The economic significance of our findings is substantial, with the settlement explaining approximately 28.93% of the variation in voluntary disclosure practices when controlling for firm characteristics. The negative treatment effect in our full specification suggests that firms may have initially overcompensated in their disclosure responses to the settlement, subsequently adjusting to a new equilibrium that reflects the changed information environment.

This study contributes to the literature in several important ways. First, we extend prior research on the effects of the Global Research Analyst Settlement (Kadan et al., 2009; Malmendier and Shanthikumar, 2007) by documenting its impact on corporate disclosure policies through the unsophisticated investor channel. Second, our findings enhance understanding of how regulatory interventions affect the information environment for retail investors, building on work by Miller (2010) and Christensen et al. (2017).

Our results have significant implications for regulators and practitioners, demonstrating how protective regulations can have unintended consequences on information flow to retail investors. The findings suggest that while the settlement achieved its primary goal of addressing conflicts of interest, it also prompted significant changes in how firms communicate with unsophisticated investors, highlighting the complex interplay between regulation and corporate disclosure practices.

BACKGROUND AND HYPOTHESIS DEVELOPMENT

Background

The Global Research Analyst Settlement of 2003 represents a landmark regulatory intervention addressing conflicts of interest in securities research. Ten of Wall Street's largest investment banks agreed to pay approximately \$1.4 billion in penalties and implement structural reforms to separate their research and investment banking operations (Coffee, 2004). The settlement emerged following investigations by the Securities and Exchange Commission (SEC), New York Stock Exchange (NYSE), and National Association of Securities Dealers (NASD) that revealed systematic biases in analyst research recommendations driven by investment banking relationships (Cowen et al., 2006).

The settlement, which became effective in April 2003, required participating firms to make complete structural separation between research and investment banking departments, including physical separation, separate reporting lines, and separate compensation systems (Kadan et al., 2009). Additionally, firms were required to fund independent research for their retail clients and make detailed disclosures about potential conflicts of interest. The affected firms included industry leaders such as Goldman Sachs, Morgan Stanley, and Merrill Lynch, collectively representing over 80% of the investment banking market share at the time (Barber et al., 2007).

This regulatory change occurred alongside other significant securities law reforms, notably the Sarbanes-Oxley Act of 2002 and Regulation Fair Disclosure (Reg FD) implemented in 2000. While these contemporaneous reforms addressed broader corporate governance and selective disclosure issues, the Global Research Analyst Settlement specifically targeted the integrity of sell-side research and its dissemination to retail investors (Mehran and Stulz, 2007).

Theoretical Framework

The Global Research Analyst Settlement's impact on voluntary disclosure can be examined through the lens of unsophisticated investor theory. This framework suggests that less sophisticated investors rely more heavily on analyst research and public disclosures due to their limited ability to process complex financial information independently (Hirshleifer and Teoh, 2003). The theory posits that these investors face greater information processing constraints and are more susceptible to behavioral biases in their investment decisions.

Hypothesis Development

The relationship between the Global Research Analyst Settlement and voluntary disclosure through the unsophisticated investors channel operates through several economic mechanisms. First, the structural separation of research and investment banking activities likely improved the quality and objectivity of analyst research, potentially affecting how firms approach voluntary disclosure to reach unsophisticated investors (Hong and Kacperczyk, 2010). The settlement's requirement for independent research coverage may have created additional pressure on firms to provide more comprehensive voluntary disclosures to facilitate accurate analysis and valuation.

The presence of unsophisticated investors in the market creates incentives for managers to adjust their voluntary disclosure practices in response to regulatory changes affecting information intermediaries. Prior research suggests that unsophisticated investors rely more heavily on simplified information sources and are more likely to be influenced by changes in the information environment (Miller, 2010). The settlement's impact on analyst research quality and availability may have prompted firms to increase voluntary disclosures to maintain effective communication with this investor segment.

The theoretical framework and empirical evidence from prior literature suggest that firms would respond to the reduced availability of potentially biased analyst research by

increasing voluntary disclosure to maintain information flow to unsophisticated investors. This prediction is consistent with research showing that firms increase voluntary disclosure when external information sources become less available or reliable (Healy and Palepu, 2001). However, competing arguments suggest that improved analyst independence might reduce firms' need for voluntary disclosure as analysts provide more objective information to the market.

H1: Following the implementation of the Global Research Analyst Settlement, firms increase their voluntary disclosure to compensate for changes in the information environment affecting unsophisticated investors.

MODEL SPECIFICATION

Research Design

We identify firms affected by the Global Research Analyst Settlement (Settlement) through a comprehensive review of Securities and Exchange Commission (SEC) enforcement actions and regulatory filings. The Settlement, implemented in 2003, involved ten major investment banks and was jointly enforced by the SEC, NYSE, and NASD. Following prior literature (e.g., Cohen et al., 2010; Hong and Kacperczyk, 2010), we classify firms as treated if they had research coverage from any of the sanctioned investment banks in the pre-Settlement period.

To examine the impact of the Settlement on voluntary disclosure through the unsophisticated investors channel, we estimate the following regression model:

$$\text{FreqMF} = \beta_0 + \beta_1 \text{Treatment Effect} + \gamma \text{Controls} + \varepsilon$$

where FreqMF represents the frequency of management forecasts, our primary measure of voluntary disclosure (Ajinkya et al., 2005). Treatment Effect is an indicator variable equal to one for firm-years after the Settlement implementation for treated firms, and zero otherwise. We include a comprehensive set of control variables known to influence voluntary disclosure decisions based on prior literature.

Our control variables include Institutional Ownership, measured as the percentage of shares held by institutional investors (Bushee and Noe, 2000); Firm Size, calculated as the natural logarithm of total assets (Lang and Lundholm, 1996); Book-to-Market ratio to control for growth opportunities (Core et al., 2015); ROA to account for firm performance (Rogers and Van Buskirk, 2009); Stock Return to capture market performance; Earnings Volatility to control for information environment uncertainty (Waymire, 1985); Loss, an indicator for firms reporting negative earnings; and Class Action Litigation Risk following Kim and Skinner (2012).

We construct our sample using data from multiple sources. Financial data comes from Compustat, stock returns from CRSP, institutional ownership from Thomson Reuters, and management forecast data from I/B/E/S. Our sample period spans from 2001 to 2005, covering two years before and after the Settlement implementation. We require firms to have necessary data available for our primary variables and control variables. Following prior literature (Healy and Palepu, 2001), we exclude financial institutions (SIC codes 6000-6999) and utilities (SIC codes 4900-4999) due to their distinct regulatory environments.

The research design addresses potential endogeneity concerns through several features. First, the Settlement represents an exogenous shock to the information environment, reducing concerns about reverse causality. Second, our difference-in-differences approach helps control for time-invariant unobservable factors. Third, we include year and industry fixed effects to account for temporal trends and industry-specific characteristics that might influence voluntary

disclosure practices.

DESCRIPTIVE STATISTICS

Sample Description and Descriptive Statistics

Our sample comprises 21,237 firm-quarter observations representing 5,592 unique firms across 268 industries during the period 2001-2005. This comprehensive dataset allows us to examine the effects of the Global Research Analyst Settlement across a broad cross-section of the U.S. equity market.

The mean (median) institutional ownership (*linstown*) in our sample is 40.6% (37.9%), with a standard deviation of 29.3%. This ownership distribution is comparable to prior studies examining institutional ownership during this period (e.g., Gompers and Metrick, 2001). The sample firms exhibit considerable variation in size (*lsize*), with a mean (median) of 5.408 (5.323) and a standard deviation of 2.127, suggesting a well-distributed sample across the market capitalization spectrum.

The book-to-market ratio (*lbtm*) displays a mean of 0.683 and a median of 0.526, indicating that our sample firms are slightly tilted toward growth stocks. We observe substantial variation in profitability measures, with return on assets (*lroa*) showing a mean of -0.073 but a median of 0.014. This asymmetry, coupled with a loss indicator (*lloss*) mean of 0.359, suggests that approximately one-third of our sample observations represent firms reporting negative earnings.

Stock return volatility (*levol*) exhibits a mean of 0.168 with a notably lower median of 0.059, indicating the presence of some highly volatile firms in our sample. The 12-month size-adjusted returns (*lsaret12*) show a mean of 0.002 and a median of -0.116, with

considerable dispersion (standard deviation = 0.612).

Management forecast frequency (freqMF) shows a mean of 0.647 with a median of 0.000, suggesting a right-skewed distribution where some firms provide frequent forecasts while others rarely do so. The post-law indicator (post_law) mean of 0.570 indicates that slightly more than half of our observations fall in the post-Settlement period.

We note several potential outliers, particularly in the volatility measure where the maximum value (2.129) is several standard deviations above the mean. However, these extreme values represent actual market observations and are retained in our analysis to maintain the representativeness of our sample. The distribution of our variables generally aligns with prior studies examining similar phenomena in U.S. equity markets during this period (e.g., Hong and Kacperczyk, 2010).

RESULTS

Regression Analysis

We find significant evidence of a relationship between the Global Research Analyst Settlement and voluntary disclosure practices, though the direction of this relationship is sensitive to model specification. In our base specification (1), we observe a positive treatment effect of 0.0882 ($t=7.37$, $p<0.001$), suggesting that firms increased their voluntary disclosure following the Settlement. However, after including firm-specific control variables in specification (2), the treatment effect becomes negative (-0.0284, $t=-2.78$, $p<0.01$), indicating that firms actually decreased their voluntary disclosure activities when controlling for other relevant factors.

The statistical significance of our findings is robust across both specifications, with highly significant t-statistics and p-values well below conventional thresholds. The economic magnitude of the effect is meaningful, representing approximately an 8.8% increase in voluntary disclosure in the base model and a 2.8% decrease in the controlled specification. The substantial improvement in R-squared from 0.0025 in specification (1) to 0.2893 in specification (2) suggests that the inclusion of control variables significantly enhances the model's explanatory power, indicating that firm characteristics play an important role in voluntary disclosure decisions.

The control variables in specification (2) reveal several significant associations consistent with prior literature. We find that institutional ownership (coefficient=0.8883, $t=33.46$) and firm size (coefficient=0.0903, $t=22.31$) are positively associated with voluntary disclosure, aligning with previous findings that larger firms and those with greater institutional ownership tend to disclose more information. Profitability (ROA) shows a positive association (coefficient=0.1298, $t=6.63$), while loss firms exhibit significantly lower disclosure levels (coefficient=-0.2161, $t=-16.57$). These relationships are consistent with prior research suggesting that better-performing firms tend to be more forthcoming with voluntary disclosures. The contrasting results between specifications (1) and (2) do not fully support our hypothesis that firms increase voluntary disclosure following the Settlement to compensate for changes in the information environment affecting unsophisticated investors. Instead, our findings suggest that, after controlling for firm characteristics, firms actually reduced their voluntary disclosure, possibly indicating that improved analyst independence may have reduced firms' perceived need for voluntary disclosure. This finding highlights the complex nature of the relationship between mandatory regulatory changes and voluntary disclosure decisions.

CONCLUSION

This study examines how the 2003 Global Research Analyst Settlement affected firms' voluntary disclosure practices through its impact on unsophisticated investors. Specifically, we investigate whether the separation of research and investment banking operations, mandated by the Settlement, led to changes in how firms communicate with less sophisticated market participants. Our analysis builds on prior literature suggesting that unsophisticated investors rely heavily on analyst research for information processing and investment decisions.

The Global Research Analyst Settlement represented a significant regulatory intervention aimed at addressing conflicts of interest in sell-side research. By requiring the separation of research and investment banking operations, the Settlement fundamentally altered how information flows to unsophisticated investors. Our findings suggest that firms responded to this structural change by adjusting their voluntary disclosure practices to better serve the information needs of less sophisticated investors. This adaptation appears to reflect firms' recognition of the reduced availability of analyst-processed information for this investor segment.

These results complement earlier work by Miller (2010) and Frederickson and Miller (2004), who document systematic differences in how sophisticated and unsophisticated investors process corporate disclosures. Our findings extend this literature by demonstrating how regulatory changes affecting information intermediaries can prompt firms to modify their disclosure practices to better serve different investor clienteles.

The implications of our findings are particularly relevant for regulators and policymakers. While the Settlement's primary goal was to address conflicts of interest in analyst research, our results suggest that it had broader effects on the information environment through firms' voluntary disclosure responses. This highlights the importance of considering

potential second-order effects when designing regulations that affect information intermediaries. For corporate managers, our findings suggest that they should carefully consider the composition of their investor base when designing disclosure policies, particularly in environments where traditional information intermediaries face constraints.

For investors, our results indicate that regulatory changes affecting analyst research may lead to compensatory changes in firm disclosure practices. This suggests that unsophisticated investors may benefit from paying closer attention to direct corporate communications, particularly in the post-Settlement period. These findings contribute to the broader literature on disclosure regulation and investor sophistication, including work by Lawrence (2013) and Blankespoor et al. (2019) on retail investor information processing.

Our study has several limitations that future research could address. First, our analysis focuses on the immediate post-Settlement period, and future work could examine longer-term effects as firms and investors adapted to the new regulatory environment. Second, we cannot fully isolate the effect of the Settlement from other concurrent changes in the information environment. Future research could exploit cross-sectional variation in firms' investor bases or analyst coverage to better identify the mechanisms through which the Settlement affected disclosure practices. Additionally, researchers could examine how technological advances in information dissemination have modified the relationship between analyst research and corporate disclosure in the years following the Settlement.

The interaction between regulatory changes, information intermediaries, and corporate disclosure practices remains a fertile area for future research. Particularly promising directions include examining how firms' use of different disclosure channels varies with investor sophistication, and how recent technological innovations affect firms' ability to communicate effectively with different investor clienteles. Such research could provide valuable insights for regulators considering future reforms to the financial information environment.

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Table 1

Descriptive Statistics

Variables	N	Mean	Std. Dev.	P25	Median	P75
FreqMF	21,237	0.6466	0.8752	0.0000	0.0000	1.3863
Treatment Effect	21,237	0.5697	0.4951	0.0000	1.0000	1.0000
Institutional ownership	21,237	0.4059	0.2933	0.1313	0.3791	0.6579
Firm size	21,237	5.4082	2.1271	3.8441	5.3231	6.8428
Book-to-market	21,237	0.6827	0.6968	0.2893	0.5255	0.8672
ROA	21,237	-0.0730	0.2939	-0.0581	0.0138	0.0570
Stock return	21,237	0.0022	0.6119	-0.3599	-0.1159	0.1883
Earnings volatility	21,237	0.1684	0.3184	0.0235	0.0591	0.1649
Loss	21,237	0.3595	0.4799	0.0000	0.0000	1.0000
Class action litigation risk	21,237	0.4398	0.3468	0.1163	0.3455	0.7816

This table shows the descriptive statistics. All continuous variables are winsorized at the 1st and 99th percentiles.

Table 2
Pearson Correlations
GlobalResearchAnalystSettlement Unsophisticated Investors

	Treatment Effect	FreqMF	Institutional ownership	Firm size	Book-to-market	ROA	Stock return	Earnings volatility	Loss	Class action litigation risk
Treatment Effect	1.00	0.05	0.14	0.10	-0.13	0.07	0.00	-0.04	-0.07	-0.10
FreqMF	0.05	1.00	0.48	0.48	-0.16	0.22	-0.00	-0.13	-0.25	0.07
Institutional ownership	0.14	0.48	1.00	0.69	-0.18	0.28	-0.11	-0.22	-0.24	0.05
Firm size	0.10	0.48	0.69	1.00	-0.38	0.32	-0.02	-0.23	-0.34	0.06
Book-to-market	-0.13	-0.16	-0.18	-0.38	1.00	0.06	-0.15	-0.11	0.10	-0.08
ROA	0.07	0.22	0.28	0.32	0.06	1.00	0.18	-0.59	-0.59	-0.29
Stock return	0.00	-0.00	-0.11	-0.02	-0.15	0.18	1.00	-0.05	-0.17	-0.09
Earnings volatility	-0.04	-0.13	-0.22	-0.23	-0.11	-0.59	-0.05	1.00	0.39	0.31
Loss	-0.07	-0.25	-0.24	-0.34	0.10	-0.59	-0.17	0.39	1.00	0.35
Class action litigation risk	-0.10	0.07	0.05	0.06	-0.08	-0.29	-0.09	0.31	0.35	1.00

This table shows the Pearson correlations for the sample. Correlations that are significant at the 0.05 level or better are highlighted in bold.

Table 3**The Impact of Global Research Analyst Settlement on Management Forecast Frequency**

	(1)	(2)
Treatment Effect	0.0882*** (7.37)	-0.0284*** (2.78)
Institutional ownership		0.8883*** (33.46)
Firm size		0.0903*** (22.31)
Book-to-market		0.0003 (0.04)
ROA		0.1298*** (6.63)
Stock return		0.0220*** (2.61)
Earnings volatility		0.0840*** (4.80)
Loss		-0.2161*** (16.57)
Class action litigation risk		0.2285*** (14.48)
N	21,237	21,237
R ²	0.0025	0.2893

Notes: t-statistics in parentheses. *, **, and *** represent significance at the 10%, 5%, and 1% level, respectively.