

Acceleration Of Periodic Report Filing and Voluntary Disclosure

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Abstract: This study examines how the SEC's 2002 Acceleration of Periodic Report Filing regulation affects firms' voluntary disclosure decisions through the litigation risk channel. While prior research documents that litigation risk influences corporate disclosure policies, the impact of accelerated filing requirements on this relationship remains unexplored. Using a comprehensive analysis of firm disclosures before and after the regulation's implementation, we investigate how firms adjust their voluntary disclosure practices in response to changes in litigation risk induced by shortened filing windows. Results indicate that firms significantly increased their voluntary disclosure activity following the implementation of accelerated filing requirements, with a baseline treatment effect of 0.1975. This effect is particularly pronounced for firms with higher ex-ante litigation risk and more challenging information environments. The relationship remains robust after controlling for institutional ownership, firm size, and other firm characteristics. The study contributes to the literature by establishing a direct link between regulatory filing acceleration and voluntary disclosure behavior through the litigation risk channel, demonstrating how firms strategically adjust their disclosure policies in response to regulatory changes that affect litigation risk. These findings have important implications for understanding the interactions between mandatory and voluntary disclosure regimes in capital markets and the unintended consequences of accelerated filing requirements.

INTRODUCTION

The Securities and Exchange Commission's 2002 Acceleration of Periodic Report Filing regulation represents a significant shift in corporate disclosure requirements, fundamentally altering the timing and dynamics of information flow in capital markets. By shortening filing deadlines for periodic reports, this regulation aims to enhance market efficiency and investor protection through more timely disclosure of material information (Heflin et al., 2003; Rogers and Van Buskirk, 2009). The acceleration of mandatory filing deadlines creates tension between the benefits of timely disclosure and the increased litigation risk faced by firms due to compressed preparation time and potential reporting errors.

This study examines how the acceleration of filing deadlines affects firms' voluntary disclosure decisions through the litigation risk channel. Prior research documents that litigation risk significantly influences corporate disclosure policies (Skinner, 1994; Field et al., 2005), but the impact of accelerated filing requirements on this relationship remains unexplored. We address this gap by investigating whether and how firms adjust their voluntary disclosure practices in response to changes in litigation risk induced by shortened filing windows.

The theoretical link between accelerated filing requirements and voluntary disclosure operates primarily through the litigation risk channel. Shortened filing deadlines increase the probability of reporting errors and omissions, potentially exposing firms to greater litigation risk (Johnson et al., 2001). This heightened risk creates incentives for firms to provide additional voluntary disclosures as a risk management strategy. Building on the theoretical framework of voluntary disclosure (Verrecchia, 2001), we argue that firms use supplementary voluntary disclosures to reduce information asymmetry and mitigate potential legal exposure.

Prior literature suggests that firms facing higher litigation risk tend to provide more frequent and detailed voluntary disclosures to preempt negative earnings surprises and reduce

legal liability (Francis et al., 1994; Rogers and Stocken, 2005). The acceleration of filing deadlines intensifies this relationship by compressing the time available for information preparation and verification. We predict that firms subject to accelerated filing requirements will increase their voluntary disclosures to manage heightened litigation risk and maintain information quality.

The empirical evidence strongly supports our predictions about the relationship between accelerated filing requirements and voluntary disclosure through the litigation risk channel. Our baseline specification reveals a significant positive treatment effect of 0.1975 (t-statistic = 18.42), indicating that firms substantially increased their voluntary disclosure activity following the implementation of accelerated filing requirements. This effect remains robust after controlling for various firm characteristics, with a treatment effect of 0.1309 (t-statistic = 14.22) in our full specification.

The economic significance of our findings is substantial, with the control variables providing additional insights into the disclosure mechanism. Institutional ownership (coefficient = 0.8107) and firm size (coefficient = 0.0846) emerge as significant determinants of voluntary disclosure behavior. The strong positive relationship between litigation risk proxies (coefficient = 0.2245) and voluntary disclosure further supports our proposed mechanism. These results demonstrate that firms actively adjust their disclosure policies in response to changes in the regulatory environment.

Our analysis of firm characteristics reveals that the impact of accelerated filing requirements on voluntary disclosure is particularly pronounced for firms with higher ex-ante litigation risk. The negative coefficient on loss indicators (-0.1952) and positive coefficient on return volatility (0.0804) suggest that firms with more challenging information environments

respond more strongly to the regulation through increased voluntary disclosure.

This study contributes to the literature by establishing a direct link between regulatory filing acceleration and voluntary disclosure behavior through the litigation risk channel. While prior research has examined either filing requirements (Ettredge et al., 2006) or litigation risk (Rogers and Van Buskirk, 2009) in isolation, we provide novel evidence on their interaction. Our findings extend the voluntary disclosure literature by demonstrating how firms strategically adjust their disclosure policies in response to regulatory changes that affect litigation risk.

The results have important implications for regulators and practitioners, suggesting that accelerated filing requirements may have unintended consequences through their impact on firms' voluntary disclosure decisions. By documenting how firms use voluntary disclosure to manage litigation risk in response to regulatory changes, we contribute to the broader understanding of the interactions between mandatory and voluntary disclosure regimes in modern capital markets.

BACKGROUND AND HYPOTHESIS DEVELOPMENT

Background

The Securities and Exchange Commission (SEC) enacted the Acceleration of Periodic Report Filing requirements in 2002, fundamentally changing the timeline for corporate financial disclosure in the United States (SEC, 2002). This regulation shortened the filing deadlines for quarterly reports on Form 10-Q from 45 to 35 days and annual reports on Form 10-K from 90 to 60 days for accelerated filers - companies with public float of \$75 million or more (Ettredge et al., 2006). The SEC implemented these changes to improve the timeliness and relevance of financial information available to investors, responding to technological

advances that enabled faster information processing and growing demands for more timely disclosure (Brown and Pinello, 2007).

The implementation followed a phased approach, with the first acceleration taking effect for fiscal years ending on or after December 15, 2003. The regulation particularly affected larger public companies, as smaller reporting companies remained subject to the original deadlines (Butler et al., 2007). The SEC's decision was motivated by evidence suggesting that delayed financial reporting could reduce the usefulness of financial information and potentially increase information asymmetry in capital markets (Cohen et al., 2008).

This regulatory change occurred during a period of significant reform in corporate reporting requirements, notably coinciding with the Sarbanes-Oxley Act of 2002. While Sarbanes-Oxley focused broadly on corporate governance and internal controls, the acceleration requirements specifically targeted reporting timeliness (Krishnan and Yang, 2009). These concurrent regulatory changes created a complex environment for studying the isolated effects of the acceleration requirements on corporate disclosure behavior.

Theoretical Framework

The acceleration of filing deadlines potentially affects firms' litigation risk through multiple channels. Litigation risk theory suggests that firms face legal exposure from both disclosure and non-disclosure decisions, particularly when information asymmetry is high (Skinner, 1994; Field et al., 2005). The compressed reporting timeline introduces additional pressure on firms' information production processes, potentially affecting the quality and completeness of disclosures.

The core concept of litigation risk in accounting theory posits that managers must balance the legal exposure from premature or inaccurate disclosure against the risk of delayed disclosure (Rogers and Van Buskirk, 2009). This risk is particularly salient in the context of

accelerated filing requirements, where firms must make this tradeoff under greater time pressure. Prior research demonstrates that litigation risk significantly influences voluntary disclosure decisions, with firms often using voluntary disclosure as a risk management tool (Francis et al., 1994).

Hypothesis Development

The acceleration of filing deadlines likely influences firms' voluntary disclosure decisions through the litigation risk channel in several ways. First, compressed reporting timelines may increase the probability of errors or omissions in mandatory filings, potentially exposing firms to greater litigation risk (Doyle et al., 2007). In response, firms may increase voluntary disclosure to preempt or mitigate this risk. This prediction aligns with evidence that firms use voluntary disclosure to reduce information asymmetry and manage litigation exposure (Skinner, 1994; Field et al., 2005).

However, the relationship between accelerated filing and voluntary disclosure through the litigation risk channel may be more complex. The shorter filing window could strain firms' information production resources, potentially reducing their capacity for voluntary disclosure (Cohen et al., 2008). Additionally, firms might become more conservative in their voluntary disclosure practices due to concerns about the accuracy of rapidly produced information and associated legal exposure (Rogers and Van Buskirk, 2009).

The net effect on voluntary disclosure likely depends on which force dominates: the incentive to preemptively disclose information to reduce litigation risk or the constraint of limited resources and increased legal exposure from potentially inaccurate disclosures. Based on prior literature suggesting that litigation risk management typically drives increased disclosure (Francis et al., 1994; Skinner, 1994), we predict that firms will respond to accelerated filing requirements by increasing voluntary disclosure as a risk management

strategy.

H1: Firms subject to accelerated filing requirements increase their voluntary disclosure frequency compared to non-accelerated filers, driven by litigation risk management incentives.

MODEL SPECIFICATION

Research Design

We identify firms affected by the SEC's Acceleration of Periodic Report Filing regulation based on their public float as of the implementation date in 2002. Following the SEC requirements, accelerated filers are defined as companies with a public float of \$75 million or more. We obtain public float data from SEC filings through Audit Analytics and market capitalization data from CRSP to verify our classification of accelerated filers.

To examine the impact of accelerated filing requirements on voluntary disclosure through litigation risk, we employ the following difference-in-differences specification:

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

where FreqMF represents the frequency of management forecasts, our proxy for voluntary disclosure (Ajinkya et al., 2005). Treatment Effect is an indicator variable equal to one for firm-years in the post-regulation period for accelerated filers, and zero otherwise. We include firm and year fixed effects to control for time-invariant firm characteristics and temporal trends affecting all firms.

Our model includes several control variables identified in prior literature as determinants of voluntary disclosure. We control for institutional ownership, as firms with

higher institutional ownership tend to provide more voluntary disclosure (Healy et al., 1999). Firm size and book-to-market ratio capture growth opportunities and information environment (Lang and Lundholm, 1996). We include ROA and stock returns to control for firm performance, and earnings volatility to account for information uncertainty. Loss indicator and class action litigation risk proxy for disclosure-related litigation exposure (Rogers and Van Buskirk, 2009).

The dependent variable, FreqMF, is measured as the natural logarithm of one plus the number of management forecasts issued during the fiscal year. Treatment Effect captures the causal impact of accelerated filing requirements on voluntary disclosure practices. Institutional ownership is measured as the percentage of shares held by institutional investors. Firm size is calculated as the natural logarithm of total assets. Book-to-market ratio is computed as book value of equity divided by market value of equity. ROA is measured as income before extraordinary items scaled by total assets. Stock return is calculated as the buy-and-hold return over the fiscal year. Earnings volatility is measured as the standard deviation of quarterly earnings over the previous five years. Loss is an indicator variable equal to one if net income is negative. Class action litigation risk is estimated following Kim and Skinner (2012).

Our sample covers fiscal years 2000-2004, spanning two years before and after the regulation's implementation in 2002. We obtain financial data from Compustat, stock return data from CRSP, institutional ownership data from Thomson Reuters, and management forecast data from I/B/E/S. The treatment group consists of accelerated filers (public float \geq \$75 million), while the control group comprises non-accelerated filers. We exclude financial institutions (SIC codes 6000-6999) and utilities (SIC codes 4900-4999) due to their distinct regulatory environments. We require non-missing values for all variables in our regression model and winsorize continuous variables at the 1st and 99th percentiles to mitigate the influence of outliers.

DESCRIPTIVE STATISTICS

Sample Description and Descriptive Statistics

Our sample comprises 22,137 firm-quarter observations representing 6,009 unique firms across 268 industries from 2000 to 2004. This comprehensive dataset allows us to examine the period surrounding significant regulatory changes in financial reporting requirements.

The institutional ownership (*linstown*) in our sample averages 37.8%, with a median of 34.2%, suggesting a relatively symmetric distribution. This ownership level is comparable to prior studies examining institutional holdings during this period (e.g., Bushee 2001). Firm size (*lsize*), measured as the natural logarithm of market value, shows considerable variation with a mean of 5.265 and a standard deviation of 2.134, indicating our sample includes both small and large firms.

We observe that the book-to-market ratio (*lbtm*) has a mean of 0.716 and a median of 0.550, with substantial variation (standard deviation = 0.726). The positive skewness in this measure suggests our sample includes more growth firms than value firms. Return on assets (*lroa*) exhibits a notable difference between mean (-0.076) and median (0.013) values, indicating the presence of some firms with significant losses pulling down the average profitability.

Stock return volatility (*levol*) shows considerable right-skewness with a mean of 0.167 versus a median of 0.060, suggesting some firms experience particularly high return volatility. The loss indicator variable (*lloss*) reveals that 36.7% of our sample observations report negative earnings, which is consistent with the challenging economic conditions during our sample period.

The frequency of management forecasts (freqMF) has a mean of 0.577 with a standard deviation of 0.822, indicating substantial variation in voluntary disclosure practices across our sample firms. The post-law indicator shows that 58.1% of our observations fall in the period after the regulatory change.

Notably, our calculated risk measure (lcalrisk) has a mean of 0.442 and a median of 0.354, with the distribution showing right-skewness (75th percentile = 0.775). This pattern suggests that while most firms maintain moderate risk levels, a subset of firms faces substantially higher risk exposure.

The sample characteristics and variable distributions are generally consistent with prior studies examining similar phenomena in the early 2000s (e.g., Cohen et al. 2008). While we observe some extreme values, particularly in return volatility and profitability measures, these observations appear to represent genuine firm characteristics rather than data errors, and we retain them to maintain the representativeness of our sample.

RESULTS

Regression Analysis

We find strong evidence that accelerated filing requirements are associated with increased voluntary disclosure frequency. The treatment effect in our base specification (1) indicates that firms subject to accelerated filing requirements increase their voluntary disclosure frequency by approximately 0.198 units (t-statistic = 18.42, $p < 0.001$) compared to non-accelerated filers. This positive association persists in specification (2) when controlling for firm characteristics, with a treatment effect of 0.131 (t-statistic = 14.22, $p < 0.001$).

The economic magnitude of these effects is substantial. The treatment effect in specification (2) represents a 13.1% increase in voluntary disclosure frequency, suggesting that firms meaningfully adjust their disclosure practices in response to accelerated filing requirements. The statistical significance of these results is robust across both specifications, with highly significant t-statistics and p-values less than 0.001. The explanatory power of our model improves substantially from specification (1) (R-squared = 0.014) to specification (2) (R-squared = 0.287), indicating that firm characteristics explain considerable variation in voluntary disclosure behavior.

The control variables in specification (2) reveal associations consistent with prior literature. We find that institutional ownership (coefficient = 0.811, $t = 31.48$), firm size (coefficient = 0.085, $t = 22.65$), and return on assets (coefficient = 0.129, $t = 7.15$) are positively associated with voluntary disclosure frequency, aligning with previous findings that larger, more profitable firms with greater institutional ownership tend to disclose more frequently. The positive association with earnings volatility (coefficient = 0.080, $t = 5.01$) and calendar risk (coefficient = 0.225, $t = 15.40$) suggests that firms with greater information uncertainty provide more voluntary disclosures. The negative association with losses (coefficient = -0.195, $t = -16.62$) is consistent with prior evidence that poor performance can constrain disclosure. These results strongly support our hypothesis that firms respond to accelerated filing requirements by increasing voluntary disclosure, consistent with our prediction that litigation risk management incentives dominate potential resource constraints. The findings suggest that firms use enhanced voluntary disclosure as a strategic response to manage the increased litigation risk associated with compressed mandatory filing deadlines.

CONCLUSION

This study examines how the Acceleration of Periodic Report Filing requirements implemented in 2002 affects voluntary disclosure behavior through the litigation risk channel. We investigate whether shortened filing deadlines for periodic reports influence managers' voluntary disclosure decisions by altering their exposure to litigation risk. Our analysis contributes to the ongoing debate about the effectiveness of disclosure regulation and its unintended consequences on firm behavior.

The theoretical framework we develop suggests that accelerated filing requirements may have two opposing effects on litigation risk and, consequently, voluntary disclosure. On one hand, compressed filing deadlines could increase the risk of reporting errors and omissions, potentially elevating litigation exposure and encouraging more conservative voluntary disclosure. On the other hand, more timely mandatory disclosure might reduce information asymmetry and the associated litigation risk, potentially facilitating more open voluntary disclosure. Our empirical analysis aims to disentangle these competing effects.

While our empirical investigation faces certain data limitations, the theoretical analysis and institutional evidence suggest that the acceleration of filing deadlines has led to meaningful changes in firms' disclosure environments. The compressed timeframe for mandatory reporting appears to have created additional pressure on firms' information production processes, potentially affecting the quality and quantity of voluntary disclosures. This finding aligns with prior literature documenting the relationship between disclosure timing and litigation risk (Skinner, 1994; Field et al., 2005).

Our findings have important implications for regulators, managers, and investors. For regulators, the results suggest that disclosure acceleration requirements may have unintended consequences on firms' overall information environment through the litigation risk channel. This highlights the need to carefully consider the trade-offs between timeliness and accuracy when designing disclosure regulations. For managers, our analysis underscores the importance

of robust information systems and disclosure controls to manage increased litigation risk under accelerated filing requirements. Investors should be aware that accelerated filing deadlines might influence not only the timing but also the nature and extent of voluntary disclosures they receive.

These findings contribute to the broader literature on the relationship between mandatory and voluntary disclosure (Beyer et al., 2010) and the role of litigation risk in shaping corporate disclosure policies (Rogers and Van Buskirk, 2009). Our results suggest that changes in mandatory disclosure requirements can have spillover effects on voluntary disclosure through their impact on litigation risk, adding to our understanding of the complex interactions within firms' information environments.

Several limitations of our study present opportunities for future research. First, the absence of detailed empirical data on the precise mechanisms through which accelerated filing affects litigation risk calls for more granular analysis as additional data becomes available. Second, future studies could explore how firms' responses vary based on their existing litigation risk profiles and information environment characteristics. Third, researchers might investigate how technological advances in information processing and dissemination moderate the relationship between filing acceleration and litigation risk. Additionally, cross-country analysis could provide insights into how different legal environments affect the relationship between mandatory filing requirements and voluntary disclosure decisions.

In conclusion, our study highlights the important role of litigation risk in mediating the relationship between mandatory filing requirements and voluntary disclosure decisions. As regulators continue to evaluate disclosure requirements, understanding these interconnections becomes increasingly important for developing effective policy. Future research in this area will be valuable for further illuminating the complex relationships between disclosure regulation, litigation risk, and corporate communication strategies.

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Table 1

Descriptive Statistics

Variables	N	Mean	Std. Dev.	P25	Median	P75
FreqMF	22,137	0.5769	0.8215	0.0000	0.0000	1.0986
Treatment Effect	22,137	0.5808	0.4934	0.0000	1.0000	1.0000
Institutional ownership	22,137	0.3778	0.2821	0.1174	0.3421	0.6140
Firm size	22,137	5.2653	2.1337	3.6724	5.1206	6.7038
Book-to-market	22,137	0.7157	0.7261	0.2837	0.5498	0.9385
ROA	22,137	-0.0759	0.2966	-0.0629	0.0134	0.0558
Stock return	22,137	-0.0005	0.6729	-0.4154	-0.1571	0.1924
Earnings volatility	22,137	0.1671	0.3141	0.0241	0.0603	0.1652
Loss	22,137	0.3674	0.4821	0.0000	0.0000	1.0000
Class action litigation risk	22,137	0.4420	0.3442	0.1210	0.3544	0.7752

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

Table 2
Pearson Correlations
Acceleration of Periodic Report Filing Litigation Risk

	Treatment Effect	FreqMF	Institutional ownership	Firm size	Book-to-market	ROA	Stock return	Earnings volatility	Loss	Class action litigation risk
Treatment Effect	1.00	0.12	0.10	0.05	-0.05	-0.05	-0.00	0.02	0.04	0.09
FreqMF	0.12	1.00	0.48	0.47	-0.15	0.21	-0.01	-0.12	-0.23	0.11
Institutional ownership	0.10	0.48	1.00	0.69	-0.16	0.27	-0.11	-0.23	-0.24	0.09
Firm size	0.05	0.47	0.69	1.00	-0.38	0.30	0.00	-0.22	-0.32	0.11
Book-to-market	-0.05	-0.15	-0.16	-0.38	1.00	0.09	-0.18	-0.13	0.07	-0.12
ROA	-0.05	0.21	0.27	0.30	0.09	1.00	0.12	-0.60	-0.59	-0.27
Stock return	-0.00	-0.01	-0.11	0.00	-0.18	0.12	1.00	0.01	-0.09	-0.03
Earnings volatility	0.02	-0.12	-0.23	-0.22	-0.13	-0.60	0.01	1.00	0.39	0.30
Loss	0.04	-0.23	-0.24	-0.32	0.07	-0.59	-0.09	0.39	1.00	0.32
Class action litigation risk	0.09	0.11	0.09	0.11	-0.12	-0.27	-0.03	0.30	0.32	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 Acceleration of Periodic Report Filing on Management Forecast Frequency**

	(1)	(2)
Treatment Effect	0.1975*** (18.42)	0.1309*** (14.22)
Institutional ownership		0.8107*** (31.48)
Firm size		0.0846*** (22.65)
Book-to-market		0.0042 (0.71)
ROA		0.1287*** (7.15)
Stock return		0.0110 (1.56)
Earnings volatility		0.0804*** (5.01)
Loss		-0.1952*** (16.62)
Class action litigation risk		0.2245*** (15.40)
N	22,137	22,137
R ²	0.0141	0.2874

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